

# **Draft Submission on the *Review of the Product Stewardship Act 2011, including the National Television and Computer Recycling Scheme***

June 2018

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## Opening

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing all NSW general purpose councils and related entities. LGNSW facilitates the development of an effective community based system of local government in the State.

LGNSW welcomes the opportunity to comment on the *Review of the Product Stewardship Act 2011, including the National Television and Computer Recycling Scheme Consultation paper*, March 2018.

LGNSW has long advocated for the requirement of producers to take greater responsibility for their products, so that there will be less waste to deal with, and so that the environmental impacts of waste will be reduced.

This is a draft submission awaiting review by LGNSW's Board. Any amendments will be forwarded in due course.

## Purpose

The Australian Department of Environment and Energy is undertaking a review of the *Product Stewardship Act 2011* after five years from commencement as required under Section 109 of the Act. The review also includes a review of the Product Stewardship (Televisions and Computers) Regulations that were made under the Act to provide the framework for the operation of the NTCRS.

## Background

The Department is collating views from a number of inputs, including consulting publicly to develop findings and recommendations based on the *Review of the Product Stewardship Act 2011, including the National Television and Computer Recycling Scheme Consultation paper*, March 2018.

In conjunction with the review, the Department is also undertaking a number of activities associated with the review but not directly part of the review:

- making minor amendments to the NTCRS, to take effect from 1 July 2018
- developing a Product Impact Management Strategy to support a shared approach to product stewardship by the Australian, state, territory and local governments (LGNSW submitted comments on components of this strategy in May 2018)
- reinvigorating the scheme for accreditation of voluntary product stewardship arrangements. Round 2 is currently open for organisations with voluntary product stewardship arrangements to apply to become accredited by the Australian Government with applications closing 31 August 2018.

## Response

### Introduction

LGNSW welcomes the opportunity to comment on the Review of the *Product Stewardship Act 2011*, including the *National Television and Computer Recycling Scheme Consultation paper*, March 2018.

LGNSW has long advocated for producers to be required to take greater responsibility for their products, so that there will be less waste to deal with and the environmental impacts of waste will be reduced. If effective product stewardship is in place the financial and operational burdens placed on councils to collect and manage products at their end of their life is greatly reduced.

LGNSW supports the National Television and Computer Recycling Scheme (NTCRS) and is keen to work with all stakeholders to make the scheme a success. However, some councils' past unfavourable experiences with the scheme are limiting their current involvement and councils continue to subsidise the scheme's on-ground implementation.

### **TOR 1. The extent to which the objects of the Act are being met and whether they remain appropriate.**

Consideration could be given to strengthening the objects of the Act to better reflect the full life cycle of products – from concept, design, manufacture, use etc – and the broader circular economy through resource recovery.

The lead object of the Act is to reduce the impact:

- a) that products have on the environment, throughout their lives; and
- b) that substances contained in products have on the environment, and on the health and safety of human beings, through the lives of those products.

Section 4(2) of the Act then goes on to outline actions that, if undertaken, would achieve the object of the Act.

Current schemes are focussed on the management of wastes at the end of the life cycle in line with the following s4(2) actions:

- *managing waste from products as a resource; and*
- *ensuring that products and waste from products are reused, recycled, recovered, treated and disposed of in a safe, scientific and environmentally sound way.*

There is little focus on the other actions listed, which better reflect the full life cycle of a product, namely:

- avoiding generating waste from products;
- reducing or eliminating the amount of waste from products to be disposed of;
- reducing or eliminating hazardous substances in products and in waste from products;
- contribute to reducing the amount of greenhouse gases emitted, energy used and water consumed in connection with products and waste from products.

Since the Act was introduced in 2011 only one approved co-regulatory scheme (NTCRS) and two accredited voluntary schemes (MobileMuster and Fluorocycle) have been established. No mandatory schemes have been established. Implementation of these schemes is focussed on 'end of pipe' management of wastes from products, with a lack of focus on avoidance and

reduction through the management of concept, design, manufacturing and use stages, regardless of whether this is done on or off-shore.

Existing schemes do not address effectively all objects of the Act, for example NTCRS focuses on end of life impacts and not the environmental impact the products throughout their life cycle. Whilst it is recognised that it is difficult to address all objects of the Act in the initial design and implementation of schemes, a scheme's objectives should reflect those of the Act, with staged implementation of objects based on risk assessment of environmental impacts.

If we are to transition to a more circular economy, more emphasis should be placed on ensuring that products that enter the Australian market have clear recycling/recovery options put in place.

The objects of the Act also do not reflect the importance of monitoring, evaluating and effectively and efficiently managing the operation of product stewardship schemes.

*Recommendations:*

- *Strengthen the objects of the Act in line with a product's life cycle and broader circular economy.*
- *Give emphasis to the concept and design stages in the objects to minimise the need to manage adverse environmental impacts.*
- *Include object/s to ensure appropriate management of product stewardship schemes during their operation.*
- *Strengthen individual scheme objectives to reflect the objects of the Act.*
- *Require producers and importers to identify a pathway to manage end of life and other impacts responsibly prior to new products entering the market.*

**TOR 2. The effectiveness of the accreditation of voluntary product stewardship schemes and the Minister's annual product list in supporting product stewardship outcomes.**

Effectiveness of the accreditation of voluntary product stewardship schemes

There have been only two voluntary schemes accredited under the Act, *MobileMuster* and *FluoroCycle*, that were accredited under the 2013 voluntary product stewardship accreditation round. A second round for voluntary accreditation has recently been announced by the Australian Government, closing in August 2018. With no rounds offered between 2013-2018 and so few schemes under the Act it is difficult to determine the effectiveness of the accreditation of voluntary product stewardship schemes.

Schemes accredited under the Act receive little marketing and branding resulting in low levels of community awareness. More voluntary schemes operate outside of the Act than within, indicating that operators of these schemes see no value in being accredited. This would indicate that the accreditation of voluntary product stewardship schemes is seen to have little value or marketing appeal and/or the process of accreditation is seen as too arduous and/or costly, or the implementation of the Act by the Australian Government is under resourced.

Accreditation should strengthen voluntary schemes by offering a benchmark level of monitoring, evaluation and accountability. Apart from the ACCC approving levies for voluntary

schemes, there is little independent monitoring and evaluation of the outcomes of voluntary schemes operating outside of the Act.

Any future schemes should consider broader ranges of similar products to better facilitate community engagement and take up e.g. to pre-empt the situation currently being experienced under the NCTRS scheme where other electronic waste is being presented at collections.

*Recommendations:*

- *That mechanisms be considered to increase the number of schemes voluntarily accredited under the Act including:*
  - *Marketing and branding products covered by Act schemes to differentiate them from products covered by schemes outside of the Act*
  - *Marketing accreditation to fledgling and existing schemes*
  - *Independently verifying the environmental outcomes of schemes under the Act and the effectiveness of levy management*
  - *Developing a communications plan for use by all tiers of government to promote and recognise excellence in product stewardship to the community and industry*
  - *Enabling applications for accreditation to be made at any time and resource their timely processing.*
  - *Simplifying the administrative burden of accreditation including the introduction of a staged approach to voluntary accreditation and examine ways to better manage the accreditation cost burden.*
  - *Consider broadening the range of similar products covered under a scheme to better facilitate community take up.*
- *Develop methods for capturing reuse of products (on and offshore) that can contribute to schemes' targets.*

Minister's annual product list in supporting product stewardship outcomes

Consideration should be given to fast tracking the accreditation process for products that were on the Ministers list but have been removed due to the creation of voluntary schemes outside the Act. This could take a staged approach whereby fledgling schemes are given credibility to approach governments and various stakeholders in the supply chain earlier and more effectively for partnership and collaboration as they broaden their scheme's operations.

There are various ways the Minister's annual product list could be enhanced. Whilst the Act requires a reason why the Minister is proposing a product to be placed on the list (Section 108A), there should be a similar requirement to explain why an item is removed and a system of review to ensure that products that are removed are placed back on the list if they show a lack of progress with the development of voluntary product stewardship schemes or a lack of environmental outcomes from schemes.

Consideration should also be given to a requirement to publicly report on progress of products on the list and a process for escalating proposed voluntary schemes that show no progress to co-regulatory or mandatory levels.

Although packaging was removed from the Minister's list in 2014, there is now an opportunity for the Act and the Minister's Product List to drive the standardisation of consumer packaging materials across all states and territories. Examples include mandating packaging design for recyclability and the reduction in the use of composite materials to expedite circular economy design and end of life applications. This could be achieved through the Australian Packaging

Covenant whose voluntary actions to date have not been obvious to the community. Consideration should be given to placing packaging back on the Product List.

During LGNSW's consultation on the Act's review, councils have raised other products that should be explored for inclusion on the list – expanded polystyrene, plastic commercial cleaning containers, and mattresses and mattress bases. Expanded polystyrene is particularly problematic at landfills taking up valuable void space and whilst it can be recycled, is too difficult and costly to gather and freight due to its lightness and bulk so the option of phasing this material out altogether should be considered.

Councils were also concerned regarding the effectiveness and even the existence of product stewardship arrangements for some products that were taken off the list due to pathways for disposal that were available at that time, namely, end of life air conditioners and refrigerators.

*Recommendations:*

- *That the Minister's annual product list be made transparent with a more rigorous, public process to determine how and why products are added, removed or escalated for regulatory intervention on the list.*
- *That the Australian Government take action to regulate products on the list that have not made progress towards voluntary industry schemes in agreed timeframes.*
- *That local government be better consulted in decisions regarding products on the Minister's annual product list.*
- *That expanded polystyrene, plastic commercial cleaning containers, and mattresses and mattress bases be examined for consideration for inclusion in the list.*
- *That packaging be considered for reinstatement on the list.*

### **TOR 3. The operation and scope of the National Television and Computer Recycling Scheme.**

LGNSW welcomed the changes that were made to the NCTRS scheme in 2015 following the review of the scheme. In general local government has seen improvements in the scheme as a result, particularly in relation to scheme targets. However product trajectory and trends should be regularly revisited so that the scheme can keep pace with technology, including allowing for light weighting, to ensure the program remains sustainable and meets its projected outcomes.

#### Scaling Factors

Scaling factors that give credits against the targets for products that are exported for reuse, recycling and ultimate disposal need careful consideration. Often these exports are targeted at countries with poor work, health and safety and environmental standards for recycling and disposal. Mechanisms and transparency are needed to ensure products are recycled sustainably and disposed appropriately when product is exported. Scaling factors that incentivise - for example - longevity, ease of recycling and reuse over recycling should be considered.

*Recommendations:*

- *NCTRS target trajectory should be revisited regularly in light of technology advances to ensure the program remains sustainable and meets its projected outcomes.*
- *Consideration be given to scaling factors that incentivise longevity, reuse over recycling and the ease of recycling.*

### Equitable distribution of collection services

Many of LGNSW's member regional councils and regional waste groups and their communities have been unable to participate in the scheme to the same level as metropolitan councils. Regional councils tender for collection services and in some cases receive no response from co-regulators to operate a service. A co-regulator at times may collect from tens of thousands of square kilometres through a single collection point.

There is concern that some co-regulators will abandon local contracts and collection once the annual quota is achieved nationally, as has happened in the past. Loss of service in regional areas results in the landfilling of product as councils cannot bear the full cost of transport to a recycler. Remote areas are greatly disadvantaged under the scheme as market based approaches fail due to lack of a viable market and high transport and logistics costs.

Opportunities to incentivise collection from remote areas that could be considered include:

- Collaboration between the four co-regulatory arrangements to share collection services to reduce duplication of services, remove token services (eg unadvertised skip at back of local electronics store) and improve service quality in remote areas where collection levels are low. Alternatively, collaboration to integrate communication messages for higher quality, consistent messaging and reduction of duplication.
- Setting a mandatory minimum annual collection level (weight) based on population, coupled with a minimum service requirement (eg advertising, communications, service timeframes). Where minimum collection levels are not reached, co-regulators would need to show how minimum service requirements were met for the service to count towards the reasonable access outcome.
- Mechanisms to reduce cherry picking where co-regulators only go to places where a better return is likely
- Payments to councils to transport the product to a central hub for collection by the co-regulator.

In metropolitan areas at times individual event targets have been easily met with the co-regulator stopping the service even though demand is still high within the community. Local government is likely to cover the cost of the service to continue in these instances to meet community expectation as there is reputational risk to councils if the service is not provided. Demand should be actively managed with consideration given to 'carry over' of collected product towards future targets.

The Scheme appears to increasingly rely on councils to provide the collection service with some councils noticing that some major retailers are stepping away from participating or providing 'token' unadvertised services.

Where local government collaborates with co-regulators to provide a service, the community expects predictability in service delivery timing. This is difficult to achieve at times, particularly in regional NSW where councils invite service providers by tender to provide a cost for a free community drop off event including out of scope products and at times receive no responses. Councils have also reduced advertising for fear of overshooting tonnage material limits requiring them to pay for recycling. Other councils find the process too difficult and do not provide a TV/computer collection service to their community.

Local government supports the scheme and is keen to collaborate with co-regulators but not at the ratepayers' expense. Council costs include advertising, provision of a collection network,

NTCRS product storage, transport and council staff time. These costs should be factored into the scheme's operational budget and councils compensated to ensure that residents don't pay for the Scheme twice - through their council waste charges and through the manufacturer / importer at point of sale. Alternatively, the scheme should consider mandating a compulsory take back service that is prominently advertised and available at all retailers.

*Recommendations:*

- *That the recycling target is applied on a regional basis, based on population.*
- *That services in rural, regional and remote locations be improved as a priority with consideration given to setting mandatory collection and service delivery targets in these areas on a population basis to fulfil reasonable access requirements.*
- *That a more flexible approach be considered to manage scheme demand and targets, for example the ability to 'carry over' collected product towards future targets.*

Reporting on energy recovery

Information on how much material ends up as energy feedstock should be collected as this will complete material flows. Any targets for energy recovery should reflect the waste hierarchy, community expectations and existing and future opportunities for resource recovery, recycling and reuse.

*Recommendation:*

- *All material flows post collection should be reported.*
- *Any proposed targets for energy recovery should examine the unintended outcomes on reuse and recovery targets and reflect community expectations and the waste hierarchy.*

Cost recovery

LGNSW supports the recovery of costs from producers for the management and coordination of schemes under the Act by the Australian Government as well as for the implementation costs that local government incur.

*Recommendations:*

- *Overall program management and management of individual schemes under the Act (not limited to NTCRS) be funded through cost recovery to ensure not only regulatory oversight, but an effective system of product stewardship for Australia.*
- *Local government be compensated through cost recovery from producers for activities undertaken that directly contribute to scheme targets being met.*
- *Local government be compensated when schemes fail or have incomplete coverage and local government is left to manage scheme products at the end of their life.*

Expansion to other products

From a consumer perspective, all electronic waste (anything with a power cord, small batteries or is solar powered) should be included in the scheme. Residents generally don't differentiate between within scope and out of scope products and expect all electronic waste to be collected and recycled for free. Most councils partnering with the scheme do not turn away community electronic waste that is out of scope, with councils paying to recycle this product.

A staged approach could be considered, with the scheme initially expanding to small batteries in NTCRS products and other associated products such as TV peripherals and set top boxes where the liable party is likely to be the same. Then consideration could be given to a gradual phase in of all electronic waste over time similar to the EU Waste Electrical and Electronic Equipment Directive's open scope approach. In the interim out of scope products collected from council collection services could be included and funded by the scheme.

*Recommendations:*

- *The scheme be expanded at a minimum to associated products where the liable party is likely to be the same (eg TV peripherals and set top boxes) and that consideration be given to expanding the scheme to all electronic waste (all e-waste with a power cord, small batteries or is solar powered) in a staged approach.*
- *Consideration be given to out of scope products collected from council collection services being recycled and paid for by the scheme.*

Improvements to the scheme's administration, monitoring and compliance processes

Whilst a key stakeholder and partner in the scheme's delivery, LGNSW and our councils have had limited consultation with the Department of Environment and Energy about the scheme since the 2014 operational review. A formal consultative process for local government involvement should be considered as well as stronger coordination across government and clarification of roles. Regional waste groups in NSW are a great avenue for consultation and ground truthing schemes from a community perspective.

Whilst there is a requirement under the Act for industry to communicate information to the community, the community is still not aware of this scheme and how they can be involved. At times communication has been by co-regulators advertising drop off locations on their websites that are unknown to the community. Promotion and consistent integration of messaging is required across all tiers of government as well as consumers notified at point of sale. This would be assisted by a dedicated scheme website where marketing and promotional material would be available and where targets are reported against. General information could also be provided at point of sale and also on the product itself via a label.

There needs to be continuous improvement of the scheme's design as products, technology and markets shift. Scheme overview and management needs to be adequately resourced to increase compliance and enforcement to ensure the best environmental outcomes are achieved. Auditing of co-regulatory authorities and independent auditing of the overall scheme is essential to ensure transparency that levies collected are reinvested for the purpose for which they are intended and that illegal activity is not occurring. The overview would also examine within scheme and across scheme collaboration (eg with MobileMuster and Battery Stewardship).

Councils bear financial costs delivering the scheme to the community including space for infrastructure, advertising and promotion, product storage, transport and staff time. Scheme targets are unlikely to be met without council involvement as the community first looks to council not to co-regulators for service provision. Councils continue to receive the bulk of the product with or without support from the scheme.

Contracts paid for by some councils are sometimes for 'mixed e-waste loads' (ie in scope and out of scope product). There is concern that in scope product may be separated out and

counted towards the NTCRS regulatory target meaning consumers pay twice, to the manufacturer/importer at point of sale and via council waste charges.

There is a lack of consistent messaging, branding and communications about schemes under the Act and the Minister's product list making it difficult for councils to communicate to the community about the Act, its schemes and the Minister's product list.

*Recommendations:*

- *Consideration be given to a formal consultative process for local government involvement and stronger coordination across government and clarification of roles.*
- *A dedicated, well-branded scheme website be developed and promoted to the community where co-regulators can advertise drop off locations, consistent branding and marketing material can be accessed, targets are recorded and consistent integrated messages are promoted.*
- *Regular independent scheme auditing is undertaken.*
- *Local government is compensated for their costs in implementing the scheme.*
- *Ensure that council e-waste collection services do not result in the community being double charged for recycling the product.*

**TOR. 4. The interaction of the Act with other Commonwealth, state and territory and local government legislation, policy and programs.**

There has been little Australian Government leadership in product stewardship with state and local governments going it alone on e-waste bans, container deposit schemes and plastic bag bans recently rather than a national approach. These local actions are often the precursor to the product's placement on state, territory or national priority lists with community driven change creating the momentum for product stewardship.

NSW EPA and councils have stepped up to deal with unwanted household chemicals and other problem wastes, with the roll out of the Household Chemical Cleanout Service and over 100 Community Recycling Centres across NSW that accept resident's problem wastes including electronic waste as well as running their own e-waste collections.

Local governments' legislation, policies and waste and resource recovery programs all interact with product stewardship schemes through land use zoning, development consents and licences as well as waste, recycling and bulky goods kerbside collections. Councils' education programs are pivotal to the community's involvement in product stewardship schemes.

Councils also ban e-waste from kerbside clean up collections and even from council-owned landfills provided there are alternative pathways for recovery and recycling. These local government initiatives act as enablers for increasing the rate of recovery.

State regulations and outdated standards and specifications can be barriers to effective implementation of product stewardship schemes and closed loop recycling, such as restrictions on the carting of waste paint and the use of crushed glass and tyres in roads.

The role of local government procurement in enhancing product stewardship market development programs should be considered.

*Recommendation:*

- *Local government legislation, policy and programs be considered in developing and implementing product stewardship schemes under the Act.*
- *The interaction between the Act and the revision of the National Waste Policy should be considered.*

**TOR 5. International and domestic experience in the use of product stewardship to deliver enhanced environmental, social and economic outcomes through product design, dissemination of new technologies and research and development.**

The formation of an overarching organisation that can take a collaborative approach between the public and private sectors similar to the Product Stewardship Institute (<https://www.productstewardship.us/>) in the United States, could be of benefit.

*Recommendation:*

- *Consideration be given to funding an overarching organisation to take a collaborative approach between public and private sectors similar to the Product Stewardship Institute in the United States, to facilitate effective and efficient product stewardship in Australia.*

## **Conclusion**

LGNSW is an advocate of producers taking responsibility for the impacts of their products across their life cycle. We look forward to a strengthened holistic product stewardship approach in Australia that develops and implements product stewardship schemes that are effectively and efficiently regulated by the Australian Government, supported by all tiers of government, industry and the community.

These schemes should not only address end of pipe solutions financed through rates and levies, but take a more holistic approach to a product's life cycle and the broader circular economy. The design of product stewardship schemes should ensure that recovery and recycling is a cost of doing business and incentives are created for products to be designed to maximise reuse and recyclability and minimise environmental impacts.

Local government is pivotal to the success of these schemes and particularly where schemes are ineffective and/or fail, the responsibility falls to local government to step in and fill the gap at an additional cost to the community. Local government's role should be financially recognised within the design of product stewardship schemes under the Act.

## Summary of Recommendations

### **TOR 1. The extent to which the objects of the Act are being met and whether they remain appropriate.**

#### *Recommendations:*

- *Strengthen the objects of the Act in line with a product's life cycle and broader circular economy.*
- *Give emphasis to the concept and design stages in the objects to minimise the need to manage adverse environmental impacts.*
- *Include object/s to ensure appropriate management of product stewardship schemes during their operation.*
- *Strengthen individual scheme objectives to reflect the objects of the Act.*
- *Require producers and importers to identify a pathway to manage end of life and other impacts responsibly prior to new products entering the market.*

### **TOR 2. The effectiveness of the accreditation of voluntary product stewardship schemes and the Minister's annual product list in supporting product stewardship outcomes.**

#### Effectiveness of the accreditation of voluntary product stewardship schemes

#### *Recommendations:*

- *That mechanisms be considered to increase the number of schemes voluntarily accredited under the Act including:*
  - *Marketing and branding products covered by the Act schemes to differentiate them from products covered by schemes outside of the Act*
  - *Marketing accreditation to fledgling and existing schemes*
  - *Independently verifying the environmental outcomes of schemes under the Act and the effectiveness of levy management*
  - *Developing a communications plan for use by all tiers of government to promote and recognise excellence in product stewardship to the community and industry*
  - *Enabling applications for accreditation to be made at any time and resource their timely processing.*
  - *Simplifying the administrative burden of accreditation including the introduction of a staged approach to voluntary accreditation and examine ways to better manage the accreditation cost burden.*
  - *Consider broadening the range of similar products covered under a scheme to better facilitate community take up.*
- *Develop methods for capturing reuse of products (on and offshore) that can contribute to schemes' targets.*

#### Minister's annual product list in supporting product stewardship outcomes

#### *Recommendations:*

- *That the Minister's annual product list be made transparent with a more rigorous, public process to determine how and why products are added, removed or escalated for regulatory intervention on the list.*

- *That the Australian Government take action to regulate products on the list that have not made progress towards voluntary industry schemes in agreed timeframes.*
- *That local government be better consulted in decisions regarding products on the Minister's annual product list.*
- *That expanded polystyrene, plastic commercial cleaning containers, and mattresses and mattress bases be examined for consideration for inclusion in the list.*
- *That packaging be considered for reinstatement on the list.*

### **TOR 3. The operation and scope of the National Television and Computer Recycling Scheme.**

#### Scaling Factors

##### *Recommendations:*

- *NTCRS target trajectory should be revisited regularly in light of technology advances to ensure the program remains sustainable and meets its projected outcomes.*
- *Consideration be given to scaling factors that incentivise longevity, reuse over recycling and the ease of recycling.*

#### Equitable distribution of collection services

##### *Recommendations:*

- *That the recycling target is applied on a regional basis, based on population.*
- *That services in rural, regional and remote locations be improved as a priority with consideration given to setting mandatory collection and service delivery targets in these areas on a population basis to fulfil reasonable access requirements.*
- *That a more flexible approach be considered to manage scheme demand and targets, for example the ability to 'carry over' collected product towards future targets.*

#### Reporting on energy recovery

##### *Recommendations:*

- *All material flows post collection should be reported.*
- *Any proposed targets for energy recovery should examine the unintended outcomes on reuse and recovery targets and reflect community expectations and the waste hierarchy.*

#### Cost recovery

##### *Recommendations:*

- *Overall program management and management of individual schemes under the Act (not limited to NTCRS) be funded through cost recovery to ensure not only regulatory oversight, but an effective system of product stewardship for Australia.*
- *Local government be compensated through cost recovery from producers for activities undertaken that directly contribute to scheme targets being met.*
- *Local government be compensated when schemes fail or have incomplete coverage and local government is left to manage scheme products at the end of their life.*

### Expansion to other products

#### *Recommendations:*

- *The scheme be expanded at a minimum to associated products where the liable party is likely to be the same (eg TV peripherals and set top boxes) and that consideration be given to expanding the scheme to all electronic waste (all e-waste with a power cord, small batteries or is solar powered) in a staged approach.*
- *Consideration be given to out of scope products collected from council collection services being recycled and paid for by the scheme.*

### Improvements to the scheme's administration, monitoring and compliance processes

#### *Recommendations:*

- *Consideration be given to a formal consultative process for local government involvement and stronger coordination across government and clarification of roles.*
- *A dedicated, well-branded scheme website be developed and promoted to the community where co-regulators can advertise drop off locations, consistent branding and marketing material can be accessed, targets are recorded and consistent integrated messages are promoted.*
- *Regular independent scheme auditing is undertaken.*
- *Local government is compensated for their costs in implementing the scheme.*
- *Ensure that council e-waste collection services do not result in the community being double charged for recycling the product.*

### **TOR. 4. The interaction of the Act with other Commonwealth, state and territory and local government legislation, policy and programs.**

#### *Recommendation:*

- *Local government legislation, policy and programs be considered in developing and implementing product stewardship schemes under the Act.*
- *The interaction between the Act and the revision of the National Waste Policy should be considered.*

### **TOR 5. International and domestic experience in the use of product stewardship to deliver enhanced environmental, social and economic outcomes through product design, dissemination of new technologies and research and development.**

#### *Recommendation:*

- *Consideration be given to funding an overarching organisation to take a collaborative approach between public and private sectors similar to the Product Stewardship Institute in the United States, to facilitate effective and efficient product stewardship in Australia.*

For further information, please contact Liz Quinlan, Senior Policy Officer – Waste, on Liz.Quinlan@lgnsw.org.au or 02 9242 4095.