



Mr Jason Jacobi  
Secretary  
Department of Natural Resources and Environment Tasmania  
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14 June 2023

Dear Mr Jacobi

### **Re: Draft Container Refund Scheme Regulations 2023**

The Waste Management and Resource Recovery Association of Australia (WMRR) appreciates the opportunity to provide comment on Tasmania's *Draft Container Refund Scheme Regulations 2023* explanatory paper. WMRR is the national peak body representing Australia's \$15.8 billion waste and resource recovery (WARR) industry. With more than 2,200 members from over 500 entities nationwide, we represent the breadth and depth of the sector, within business organisations, the three (3) tiers of government, universities, and NGOs. WMRR's members are heavily involved in all Australian jurisdictions that currently have refund schemes, performing the role of network operators, operating collection points, administering Material Recovery Facilities (MRF) contracts, operating MRFs and operating remanufacturing facilities.

WMRR encourages Tasmania to be an early mover and go beyond the current list of proposed eligible containers, based off the existing South Australian model, to include glass wine and spirit bottles now, given that Queensland has already advised that they will expand to include these from November 2023 and that there is also a real possibility that other Australian states will move to harmonise with Queensland prior to the actual commencement of the Tasmania scheme. Moving to the broader acceptance criteria before commencement will provide certainty for those involved and will avoid the need to change the scheme at a later date. It will also provide the Tasmanian community, which has waited longer than any other jurisdiction for the scheme, greater refund returns from the outset-rewarding their patience!

To assist in creating a circular economy and addressing the clear shortfall in remanufacturing infrastructure in Tasmania, WMRR would also urge the government to consider requiring eligible containers registered under the scheme to include a percentage of Australian recycled content. Not only will this contribute to moving towards circularity, but it will also assist in reducing Greenhouse gas emissions, energy demands and create additional local jobs and investment in Tasmania (stated goals in *Tasmania's Climate Change Action Plan 2023-25*).

Further to this, whilst the scheme represents a world class collection system for valuable material, Tasmania continues to struggle to recycle, recover and remanufacture this material back into products that are coveted both locally and overseas due to both the lack of remanufacturing infrastructure in Tasmania and the lack of government policy prioritising green public procurement. In tandem with

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this expansion government must address these key issues as well and commit to showing leadership in creating a market in Tasmania for products made from recycled materials.

WMRR's responses to the consultation questions can be found at **Annexure A**. Please contact the undersigned if you wish to further discuss WMRR's submission.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Sloan', positioned above the printed name.

Gayle Sloan

**Chief Executive Officer**

Waste Management and Resource Recovery Association of Australia

DRAFT

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**Submission**

Discussion paper	WMRR's response
General	Importantly a funded public education campaign on the final agreed containers will be required with the roll out at least six (6) months prior to the scheme's commencement. As well as commensurate policies and actions to grow market demand for recycled products that this scheme (and the broader recycling industry in Tasmania) produces and investment in local remanufacturing facilities.
Exempt containers	WMRR endorses a nationally harmonised scheme and urges Tasmania to work with other jurisdictions to ensure that the scheme is not out of date by the time it commences. As stated above, Queensland has already announced the expansion of eligible containers to include glass wine and spirit bottles, it is anticipated that the other states will harmonise their respective schemes, and we would urge Tasmania to commit to this change now. Please note that WMRR also supports the exclusion of non-recyclable at scale in Australia packaging (i.e., Tetra Pak and other aseptic packaging).
Prescribed marks for containers	WMRR supports an accessible and straightforward marking that aligns with other jurisdictions, to enable ease of registration and recognition, and minimises expense of registration.
Refund amount	As previously stated WMRR is fully supportive of national consistency.
Applications for approval of containers	<p>WMRR supports the first supplier having responsibility for gaining container approval, this provides role clarity and certainty as to who is accountable.</p> <p>In light of the fact that the first supplier is responsible for ensuring that there is compliance with the scheme, they must also be the party that ensures that the design of the container (and the label) is compliant with the requirements of the scheme and genuine recyclability requirements.</p> <p>However, government needs to establish and enforce clear design acceptance guidelines to ensure that approved containers are genuinely recyclable, and not deem demonstrably unrecyclable containers (foil and aseptic). Including non-recyclable containers in the scheme will simply amount to government endorsed greenwashing.</p> <p>Further, to promote and raise awareness of the CRS and the circular economy, WMRR advocates for a clear and consistent label promoting what is made from Australian recycled material. This would assist consumers in making informed choices about purchasing Australian recycled materials,</p>

	which would drive market demand for recycled products, create Australian jobs and drive investment in Australia.
Transferring container approvals	WMRR has no view on transferring approvals. However, it is important for community and business, that Tasmania is consistent with respective Australian schemes.
Maximum amount of containers	WMRR has no view on whether this is an appropriate amount. However, we recommend that there is national consistency in whatever threshold is decided.
Refunds not payable for containers in certain circumstances	WMRR supports this rational and again urges Tasmania to ensure that this is consistent and communicated to the community and operators.
First responsible suppliers	WMRR supports the definition used as this allows for instances of contract bottlers being exempt and brand owners being held responsible.
Reporting	<p>WMRR supports regular public reporting, and encourages the inclusion of financial reporting. Tasmania has the benefit of learning from operating schemes and WMRR strongly advocates for setting targets for recovery and reuse, with definite actions to reach these goals.</p> <p>Secondly a key to accurate reporting of recovery rates is access (required by legislation), for the coordinator and regulators to the sales and recovery figures (publicly aggregated for material type). The less able this data can be verified independently - the less reliable the reported recovery rate is.</p>
Circumstances where a MRF operator may send a container to landfill	WMRR agrees that these circumstances are unlikely however the regulations are suitable.
Mass refund agreements	WMRR does not have a particular view on this however as stated throughout this submission consistency with other schemes should be considered.
Guidelines	WMRR supports this.
Transitional arrangements	WMRR argues that stored containers should be considered eligible and that Tasmania should consider timeframes and an implementation plan to address this and other issues such as MRF processing agreements, labelling, etc to ensure a smooth transition.