



Ms Joanna O'Brien
Senior Policy Officer
Container Refund Scheme
Policy and Business Branch
Department of Primary Industries, Parks, Water and Environment (DPIPWE)
GPO Box 1550
HOBART TAS 7001

Email: CRS.Enquiries@dipwe.tas.gov.au
Joanna.obrien@epa.tas.gov.au

9 July 2021

Dear Ms O'Brien

Re: Draft Container Refund Scheme Bill 2021 and the Regulatory Impact Statement

Thank you for the opportunity to provide feedback on DPIPWE's draft *Container Refund Scheme Bill 2021* and the *Regulatory Impact Statement*. The Waste Management and Resource Recovery Association of Australia (WMRR) is the national peak body for all stakeholders in the essential \$1.5 billion waste and resource recovery (WARR) industry. We have more than 2,000 members across the nation, representing a broad range of business organisations, the three (3) tiers of government, universities, and NGOs.

Our members are involved in a range of important WARR activities within the Australian economy, including community engagement and education, infrastructure investment and operations, collection, manufacturing of valuable products from resource recovery materials, energy recovery, and responsible management of residual materials.

WMRR congratulates the Tasmanian government for developing a draft Bill, RIS, and explanatory paper that are well thought out, considered, and reflects on the lessons learned in Australian jurisdictions where Container Refund Schemes (CRS) presently operate. In particular, WMRR fully supports the government's intent to roll-out a split responsibility governance model, where a public tender will determine a scheme coordinator and network operator(s) and that, as will be stipulated in forthcoming legislation, these roles are independent of each other. It is evident that the Tasmanian government has a good understanding of the inherent conflict in beverage producers being responsible for managing all elements of a CRS scheme, yet recognises that there is an important role for the beverage industry within the CRS.

WMRR acknowledges that the Department continues to undertake policy and regulatory work that will determine the pathways and details related to targets, the refund point network, operations, and more, and that it is the government's intention to undergo public consultation on this work. Against this backdrop, WMRR is requesting that the Department considers the following as it develops its draft policy and regulatory framework that will underpin Tasmania's CRS:

WMRR NATIONAL OFFICE
57 ST JOHNS ROAD
GLEBE NSW 2037
(02) 8746 5000
INFO@WMRR.ASN.AU

1. **Scheme targets:** WMRR recommends that scheme targets, including those related to deposit values (which should be aligned nationally) and refund collection points, as well as details and requirements pertaining to collection points, are determined by the Tasmanian government well ahead of the scheme's commencement. These details and KPIs should be clarified as part of scheme design and then included in the tender process in order that proponents are aware of their obligations and penalties for failing to meet these KPIs, and are able to address the risk and financial impacts associated with these, which must be evidenced in tender assessments to enable appropriate evaluation and calculate the true cost of the scheme.

As part of this, and as evidenced in NSW, there is a clear added benefit of the government mapping out proposed collection point locations in order to mitigate the risk of some areas being underserviced while others having operators in close proximity of each other (as is the case in Queensland). The benefit to Tasmania of doing this will be the ability to maximise this once-in-a-lifetime opportunity to develop waste and resource recovery infrastructure (both collection points and remanufacturing capacity) for the state.

2. **Rules of engagement for MRFs and local government:** the rules and principles that determine how payments will be shared between local government and MRFs must be carefully considered and determined ahead of the CRS roll-out. WMRR suggests that the government looks at WA's model, where each quarter, the MRF will make a claim for containers collected through the MSW and C&I streams; once the costs of scheme compliance are calculated, the remaining total refund is split equally between the MRF and the local government based on the weight of containers collected by said council. Importantly, the refund sharing protocol must be consulted on with both the WARR industry and local government and agreed to before the scheme commences to avoid unnecessary disputes between the parties.
3. **Container eligibility:** WMRR commends the government for taking a flexible approach towards scheme design that would enable anticipated national changes, for example, refund amounts and container eligibility, when national harmonisation of schemes, which is already being discussed, occurs. WMRR encourages the Tasmanian government to be an early mover by expanding the scope of eligible containers to include all beverage containers including wine and spirit bottles as this would result in less consumer confusion and increased return of containers. This is particularly true if the scheme evolves into a product stewardship scheme, moving beyond one that is aimed at littering of away-from-home consumed beverage containers towards one that requires producers to have greater responsibility, including utilising Australian recycled materials in the containers registered. Further, WMRR recommends that the Tasmanian government considers how it can ensure that only those containers that are genuinely recyclable are collected (for example, LDPE and composite containers remain an issue in other jurisdictions).
4. **Consumer participation:** while it is evident that the government understands the importance of accessible collection points, to ensure that consumers make every effort to redeem their

WMRR NATIONAL OFFICE
57 ST JOHNS ROAD
GLEBE NSW 2037

(02) 8746 5000
INFO@WMRR.ASN.AU



refund – and in doing so, mitigate the impacts on these consumers (both businesses and householders) – WMRR recommends developing a comprehensive, timely, and consistent marketing and education program to be rolled out at least six (6) months prior to the scheme’s commencement, as well as an ongoing initiative that requires committed and executed marketing spend.

WMRR looks forward to continued engagement with DPIPWE as it develops the requisite policies and regulations to drive a successful roll-out of the state’s CRS. Please do not hesitate to contact the undersigned if you would like to further discuss WMRR’s submission.

Yours sincerely

Gayle Sloan
Chief Executive Officer
WMRR

Justin Jones
Tasmania Branch Committee President
WMRR