



Submission on the Draft Recycling and Waste Reduction (RWR) Bill

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ThinkNewsBrands

ThinkNewsBrands is part of the Premium Content Alliance group which consists of Australia's leading television, digital and print media companies. ThinkNewsBrands manages the newspaper and magazine publishers product stewardship agreement with governments. It was previously known as NewsMediaWorks and it continues the work of the Publishers National Environment Bureau which was established in 1991.

Australian newspaper and magazine publishers commitment to environment

Australia's major newspaper and magazine publishers have been working together to ensure the sustainability of print since 1990. This work continues today under the banner of ThinkNewsBrands and its Environment Advisory Group.

The Environment Advisory Group consists of News Corp Australia, Nine Media, Seven West Media Limited and Bauer Media Group. Together with Australia's newsprint manufacturer Norske Skog it has developed the industry's National Environmental Sustainability Agreement (NESA).

The only agreement of its kind in the world, the NESA is a voluntary industry agreement endorsed by state and federal governments. Key elements of its commitments include annual reporting on newspaper recycling to provide stakeholders with accurate information on which to make decisions to advance recycling. Backing this up is a commitment to provide space in its publications to promote messaging that underpins recycling. For example: to correctly sort recyclables and to reduce contamination to allow the reuse of resources.

Publishers support the objects of the proposed Bill, which are:

- a) to reduce the impact on human and environmental health of products, waste from products and waste material, including by reducing the amount of greenhouse gases emitted, energy and resources used and water consumed in connection with products, waste from products and waste material;
- b) to realise the community and economic benefits of taking responsibility for products, waste from products and waste material;
- c) to contribute to Australia meeting its international obligations concerning the impact referred to in paragraph (a).

Underpinning support for these objectives, the newspaper and magazine publishing industry has for more than three decades committed to reducing the health and environmental impacts of its products. Lead was removed from newspaper inks back in the 1970s, inks are now so safe they meet the standard for coatings on children's toys. Major newspaper print sites in Australia meet the Zero Waste Alliance definition as "Zero Waste" sites with more than 90 percent of waste not going to landfill.

Production of paper for publishing is also sustainably managed. Australian-made newsprint comes from plantation pine forests that are controlled sources or certified by the Forest Stewardship Council (FSC) or Programme for the Endorsement of Forest Certification (PEFC). The Norske Skog Australian paper mill at Boyer in Tasmania is Chain of Custody certified. This means sustainable practices are systematically incorporated into the production of the materials needed to bring print news media to Australians.

Responsible production of newspapers uses less energy and reduces greenhouse gas emissions. Recycling also achieves savings in natural resources.

Comment on the proposed legislation

Publishers support the objects of the proposed legislation and the mechanisms proposed to achieve these. In relation to the Product Stewardship sections publishers have some comments. In relation to the export ban of recyclables there is a question around exemptions. These comments and questions are as follows:

Product Stewardship Act

1. Ministers Priority List

It is noted that in section 92 of the proposed Bill, the Minister must publish on the Department's website a Minister's priority list before the end of each financial year. This list sets out a list of products which the Minister is proposing to consider, during the next financial year, for some form of regulation under this Act. Under 1c) of this section the minister will set out the reasons for proposing to give this consideration and what actions the Minister recommends be taken within a timeframe. In previous State level priority lists, criteria based on environmental impacts and volumes were considered. In the proposed Bill no criteria are specifically mentioned which may give guidance to the creation of the priority list.

There does not appear to be a formal legislative framework as part of all this that allows the Minister to remove a product from the Priority List although it the Minister may make a decision not to include a product to the List in subsequent years. It may be valuable to allow proactive industries that demonstrate a commitment to addressing the objects of the Act once notified they are included on the Priority List to be allowed to be removed should they meet the Ministers requirements.

2. Unintended consequences

It is suggested that some clarity may need to added to section 75. In this section it is stated that a person is a liable party in relation to a product if the person is a constitutional corporation and used the product in Australia. This may have unintended consequences, if for example a company imports equipment is it then liable for product stewardship responsibilities which may at a later date relate to this equipment? Would responsible disposal be adequate if recycling were not possible?

Export ban of recyclables

3. Exemptions

The proposed RWR Bill proposes in Part 3 “Exemptions” in relation to regulated waste material. In particular the ability to gain an exemption to having a waste export licence or from a condition in a waste export licence.

Will this proposed exemption have a transparent process to ensure independent decision making processes advise the minister? Considerable commercial advantage could be obtained by a business which gains an exemption hence avoiding licencing and compliance costs. This could create a “non-level playing field” amongst competing exporters. In Sections 109 it is stated that an audit can be performed on export operations covered by an exemption and this provision is supported.

Definition of waste

It is noted that the Bill has a unique definition of waste that does not align with the definition used in many State jurisdictions. Harmonisation of the definition of waste with the definitions used successfully in many of the States may provide significant benefits. Victoria, Queensland and NSW have definitions which may provide a valuable template.

Conclusion

Publishers appreciate the opportunity to review and comment of the proposed RWR Bill and support the objects of the proposed legislation and in general the mechanisms proposed to achieve these. There are some questions around the export exemptions and meaning of some provisions of the Product Stewardship proposals which we have raised.

The industry remains committed to product stewardship and reducing the impacts of its products on the environment and would welcome any further discussion on our submission.



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Dr Tony Wilkins
Executive Director Environment
ThinkNewsBrands

t: 0413080789

e: awilkins@thinknewsbrands.com.au

a: Level 2, 124 Walker Street, North Sydney