



Ms Gina Cass-Gottlieb
Chair and Agency Head
23 Marcus Clarke Street
Canberra ACT 2601

Email: exemptions@accc.gov.au

30 July 2024

Dear Ms Cass-Gottlieb

Re: ResiLoop application for authorisation

Thank you for the opportunity to provide feedback on ResiLoop's application for authorisation to establish and operate a voluntary, industry-led product stewardship scheme to collect and recycle resilient flooring waste. The Waste Management and Resource Recovery Association of Australia (WMRR) is the national peak body representing Australia's \$17 billion waste and resource recovery (WARR) industry. With more than 2,200 members from over 400 entities nationwide, we represent the breadth and depth of the sector, including representation from business organisations, the three (3) tiers of government, universities, and Non-Government Organisations (NGOs), including research bodies.

WMRR supports strong product stewardship regulations and recognises the role the ACCC is playing in allowing businesses to collaborate on sustainable initiatives without fear of cartel conduct or colluding in end-of-life material management. However, the same level of consideration, requirements, and restrictions need to be placed on those operating at the start of the supply chain. This is to ensure end of life management and sustainable supply chain practices are a genuine consideration and obligation on all businesses, and not simply an afterthought or a nice to have. For example, design standards including safety standards need to be considered on all products placed on market to ensure end-of-life considerations and recovery are enshrined as producer responsibilities if Australia has any hope of changing the current linear (make, break, waste) cycle.

WMRR recognises the time constraint for ResiLoop and supports an interim authorization. While a voluntary scheme is proposed, this does not detract from the need to ensure it is properly costed to reflect the actual cost of recovery to participants, and the real escalation of these costs over the lifecycle of the authorization to ensure its longevity and genuine sustainability. The fact that the scheme is voluntary, resulting in the proposal of a short-term lower product levy to encourage participation, highlights both the challenge of voluntary schemes and the concern that this approach is not conducive to a long-term financially viable scheme that covers the true costs of a stewardship. WMRR is concerned that short-sighted costings run the risk of not only harming this scheme's efforts but hindering further product stewardship schemes if the integrity of these policy levers is doubted.

When reviewing subsequent applications, the ACCC should include a clear review of the proposed levy to ensure it is still accurate and reflects the growing maturity of recovery markets. The scheme's

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voluntary nature will also need to be reviewed to ensure that non-participants are not gaining a competitive advantage nor free riding. As the market for resilient flooring is relatively small these issues should be apparent.

Please contact the undersigned if you wish to further discuss WMRR's submission.

Yours sincerely

Gayle Sloan

Chief Executive Officer

Waste Management and Resource Recovery Association of Australia