



1 February 2021

Commissioners Ms Julie Abramson and Mr Paul Lindwall
Productivity Commission
4 National Circuit
BARTON ACT 2600

Dear Ms Abramson and Mr Lindwall,

Submission to the Inquiry into the Right to Repair

Thank you for the opportunity to make a submission to the Productivity Commission's Inquiry into the Right to Repair. The Australian Local Government Association (ALGA) is the national voice for 537 councils across Australia. Each year, Local Government collects and receives around 9 million tonnes of waste¹, sorts it at material recovery facilities (MRFs), dispatches what can be recycled to reprocessing facilities, resells what can be reused through community-based 'green shed' programs, and landfills the remaining portion. In 2018-19, Local Governments landfilled 4.9 million tonnes of waste, and during the same period paid an estimated \$1.13 billion² in waste levies. Collecting, treating, and disposing of Australian domestic waste costs local government an estimated \$3.5 billion annually.

Local governments, therefore, have an interest in diverting waste from landfill, and support the proposition, expressed in the inquiry's consultation paper, that improving the right to repair will potentially lead to improved environmental outcomes due to less resource use and waste.

As co-author of the *National Waste Action Plan (2020)*, ALGA advocated for the adoption of the 'waste avoidance hierarchy' (reuse, repair, recycle before disposal) as the guiding principle in developing an Australian 'circular economy'. The Plan incorporates a number of actions that directly and indirectly address rates of repair, including the requirement that states, territories and the Australian Government:

1. Review and report on recommendations to introduce laws to improve consumers' 'right to repair' options (Action 2.6);
2. Develop Australian standards or adopt appropriate international standards that maximise the value of materials throughout the life of a product, to increase life cycle potential and avoid waste (Action 2.11);
3. Support community-based repair centres, enabling communities to avoid creating waste (Action 2.7);
4. Evaluate the effectiveness of product stewardship and extended producer responsibility activities across the country, to help inform future efforts (Action 3.3);

The current Productivity Commission inquiry is welcomed as potentially an important step toward fulfilling the first of these actions. In the following response to the Inquiry's consultation paper, ALGA is able to respond to information requests 1, 2 and 8 only.

¹ Australian Government, *National Waste Policy Action Plan 2020*, p5

² National Waste and Recycling Industry Council, 2019, *Review of Waste Levies in Australia* p3

Information Request 1

What would a 'right to repair' entail in an Australian context? How should it be defined?

Right to Repair entails consumers being able to have their consumer durables repaired by a repair shop or service provider of their choice, but also be able to potentially repair simpler products themselves with commonly available tools. Both forms of repair require ready access to spare parts and specialised tools, software and service information.

Information Request 2

What types of products and repair markets should the Commission focus on?

As a concept, right to repair should apply to all consumer durables. All electrical devices and appliances with a power cord, not just digital electronic devices, should be considered. Options should also be reviewed for addressing barriers to repairing furniture and baby and children's toys and equipment, items commonly disposed of in Local Government landfills due to their designed disposability or low durability.

Information Request 8

What policy reforms or suite of policies are necessary to facilitate a 'right to repair'?

A wide range of options should be identified and appraised, including the measures already introduced in Europe via the EU Ecodesign Directive. The Commission's report should assess:

- resourcing Local Government community-based repair programs (discussed below);
- prioritising repair and reuse in product stewardship legislation (discussed below);
- introducing subsidies and tax concessions for repair/repairers;
- enacting laws prohibiting planned product obsolescence;
- requiring original equipment manufacturers to provide independent repairers with fair access to parts, tools and repair information;
- requiring manufacturers to produce spare parts for a specific period of time;
- extending guarantee periods and periods where burden of proof of fault lies with the manufacturer;
- introducing national repair targets, which stipulate an annual per capita quota for the amount of consumer durables (by weight) that must be repaired;
- requiring products to provide information and labelling relating to reparability;
- designing a star system for reparability;
- introducing government procurement quotas for repairable products;
- introducing a certification/accreditation scheme for repairers;
- collecting repair data, and introducing weighing protocols for repaired items to assist in data collection;
- introducing standards determining the type or durability of materials used in the manufacture of particular products;
- introducing product construction/engineering standards; and
- introducing easy disassembly design standards for products.


The first two items on this list require further explanation:

Supporting Local Government community-based repair Community-based repair has the potential to contribute significantly to overall rates of repair. As a recent CSIRO report on the circular economy stated, ‘there needs to be clear roles for participants in the circular economy, spanning the public, household, government, private and non-profit sectors’³. The partnership between 21 Sydney metropolitan Local Government Councils and the product-repair social enterprise Bower provides a model and useful case study for successful community-based repair. The Councils have service agreements with Bower, paying a fee (based on the number of households serviced) for the collection, repair and sell-on of items at lower prices. Councils also fund, promote and invite residents to Bower-run Repair Cafes, which mentor community repairers, supplying advice, supervision and tools. Through supporting Repair Cafes, Local Government is addressing a major barrier to repair – a deficit of repair skills and negative attitudes to using reclaimed goods. Council support, however, is precarious. Local Government waste management has come under extreme economic pressure since China banned waste imports from Australia in 2018. Lack of Australian recycling capacity forces Councils to export non-durable waste to other countries that now pay negligible, if any, rates for municipal solid waste. This has impacted the amount Sydney Councils can afford to pay Bower for its collection service. With state, territory and Commonwealth funding support, however, Local Governments could conceivably roll out the Bower model nationally, adding significantly to the estimated \$15.6 billion dollars⁴ that repair and maintenance already adds to Australia’s annual GDP.

Reviewing product stewardship legislation to ensure repair and reuse are prioritised The Australian Government’s newly enacted *Recycling and Waste Reduction Act 2020*⁵ is to be commended for stating that Product Stewardship should aim to take action that ‘relates to improving the durability, reparability and reusability of products’. However, more needs to be done to turn aim into action. For example, the National Television and Computer Recycling Scheme (NTCRS) diverted 50% of e-waste from landfill in 2018-19. This number could be increased by extending the scheme to a wider range of e-waste products. However, a large proportion of e-waste is difficult to recycle and once separated from the recoverable proportion is landfilled. Half of the e-waste recovered in the 2018-19 period was sent overseas, and it is difficult to verify much of its fate. Avoiding disposal in the first instance is a logical starting point for improvement, and a key element in the Commission’s report should be investigating how re-use can be integrated with the NTCRS and other product stewardship schemes. At present, no product stewardship scheme operating in the country includes targets or incentives for repair and reuse. Product repair and re-useability must be made an integral part of Australia’s product stewardship toolkit.

ALGA looks forward to making a comprehensive submission in response to the Commission’s forthcoming draft report on the Right to Repair. Please contact Roz Chivers, Executive Director, Policy and Research on 02 6122 9414 if you would like to discuss further.

Yours sincerely


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Chief Executive
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³ CSIRO, 2021, *Circular economy roadmap for plastics, glass, paper and tyres*, p1

⁴ ABS 2020 *Australian Industry, 2018-19*

⁵ *Recycling and Waste Reduction Act 2020*, of Commonwealth of Australia, Canberra, Chapter 1(3cii)