

# Comparison of Plastic Packaging Regulations and Product Stewardship Schemes in Australia and New Zealand

A Submission to PPPS

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In the spirit of reconciliation MRA Consulting Group acknowledges the Traditional Custodians of country throughout Australia and their connection to land, sea and community. We pay our respects to Aboriginal and Torres Strait Islander peoples and to Elders past, present and emerging.

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# Glossary

**Table 1: Glossary**

Terminology	Definition
ACOR	Australian Council of Recycling
AFGC	Australian Food and Grocery Council
APCO	Australian Packaging Covenant Organisation
ARL	Australasian Recycling Label
EPA	Environment Protection Authority
NEPM	National Environment Protection (Used Packaging Materials) Measure
NZPSC	New Zealand Product Stewardship Council
RAWR Act	Recycling and Waste Reduction Act 2020
WMA	Waste Management Act 2008

# 1 Introduction

The Packaging Forum, in partnership with the New Zealand Food and Grocery Council successfully applied for Waste Minimisation Funding (WMF) administered by the Ministry for the Environment to lead the co-design of a plastic packaging product stewardship scheme for New Zealand.

The project is a multi-stakeholder co-design of a plastic packaging product stewardship scheme for all plastic packaging used for consumer goods at retail or wholesale level, as defined in the Declaration of Priority Products Notice 2020-go4533.

The geographic proximity and mutual recognition trade arrangements of Australia and New Zealand encourages an aligned approach to plastic packaging management. However, differences in government structure, legislation, targets, approaches, and relevant parties, will lead to variations in product stewardship schemes between the two countries. This report will support the co-design process of the Plastic Packaging Product Stewardship Scheme (PPPS), and in engaging with stakeholders and government in discussions about these differences.

This report was developed for the PPPS project to provide a snapshot of the Australian and New Zealand contexts surrounding the development of plastic packaging product stewardship schemes as well as a comparison of any similarities and differences between the two. The following topics will be addressed:

1. Government action:
  - a. Legislation, policy, regulations;
  - b. Bans;
  - c. International agreements and conventions;
  - d. Guidelines; and
  - e. Plans.
2. Relevant parties:
  - a. Organisations;
  - b. Advisory groups and Committees;
  - c. Councils; and
  - d. Liable parties.
3. Scheme design and implementation:
  - a. Scheme governance structure; and
  - b. Examples of schemes.
4. Kerbside bin harmonisation.
5. Other contributing factors.

## 2 Government Action

### 2.1 Comparison of Australian and New Zealand Contexts

At a government level, there are two key factors that most significantly inform the differences between Australian and New Zealand product stewardship schemes, these are:

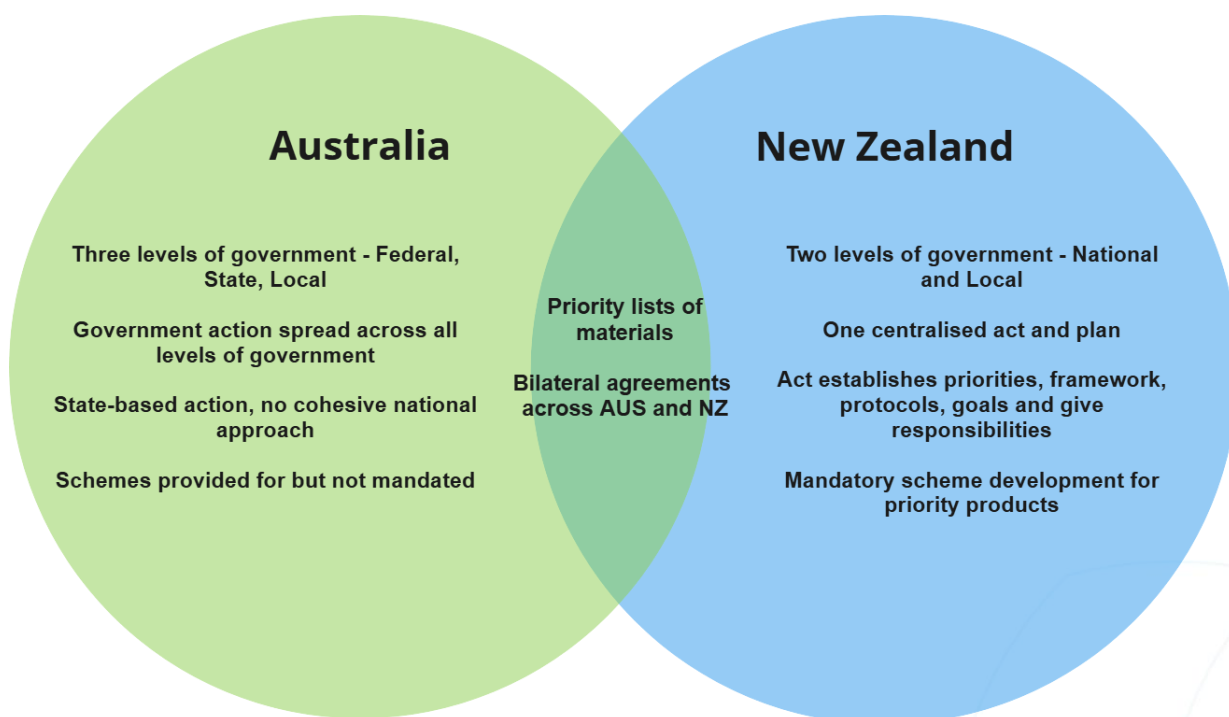
- The difference in political structure between the two countries; and
- That plastic packaging product stewardship schemes are mandated in NZ but not in Australia.

In Australia, whilst plastic packaging waste is provided for in federal legislation, it is largely addressed at a state-level, meaning that there are many different approaches throughout the country, and many different instruments, policies, strategies, and action plans.

In New Zealand, where a federal political structure does not exist, plastic packaging is regulated at a central government level, resulting in a more cohesive national approach.

Figure 1 provides a high-level overview of the similarities and differences between the government action taken by each country, a more detailed review can be found at Appendix 1 – Government Action.

**Figure 1: Comparison of Government Structure and Action**



### 2.2 Notes for Consideration

- As Australia has not mandated product stewardship schemes for plastic packaging, relevant industry parties have a greater capacity to influence scheme implementation and/or scope to safeguard their financial interests.
- The centralised approach from New Zealand establishes a more authoritative direction for scheme development and limits the capacity for relevant parties to be selective about which targets, plans, or strategies will inform their actions.

## 3 Relevant Parties

### 3.1 Comparison of Australian and New Zealand Contexts

Australia and New Zealand have a similar structure of relevant parties, both countries have government bodies controlling regulation and environmental ministers who are responsible for allocating priority products. Both countries have large, centralised organisations that liaise with government and industry, groups dedicated to product stewardship, food and grocery councils, and recycling or product stewardship councils.

Australia's National Packaging Covenant sets a clear threshold for party liability which simplifies scheme liability criteria. Whereas in New Zealand the legislative definitions are broad and would benefit from amendment to supplement plastic packaging scheme implementation.

Table 2 provides a high-level overview of the key relevant parties in each country, a more detailed review can be found at Appendix 2 – Relevant Parties.

**Table 2: Relevant Parties in Australia and New Zealand**

Type	Australian Parties	New Zealand Parties
<b>Producers</b>	<ul style="list-style-type: none"> <li>Australian Food and Grocery Council (AFGC)</li> </ul>	<ul style="list-style-type: none"> <li>NZ Food &amp; Grocery Council</li> <li>Packaging Forum</li> </ul>
	<ul style="list-style-type: none"> <li>ANZPAC Collective Action Group</li> </ul>	
<b>Retailers</b>	<ul style="list-style-type: none"> <li>Australian Retailers Association</li> <li>National Retail Association</li> </ul>	<ul style="list-style-type: none"> <li>Retail NZ</li> </ul>
<b>Packaging</b>	<ul style="list-style-type: none"> <li>Australian Packaging Covenant Organisation (APCO)</li> <li>APCO Collective Action Group</li> <li>APCO Material Stewardship Committee</li> </ul>	<ul style="list-style-type: none"> <li>Packaging NZ</li> <li>Plastics NZ</li> </ul>
	<ul style="list-style-type: none"> <li>Australasian Recycling Label (ARL)</li> </ul>	
<b>Waste &amp; Recycling</b>	<ul style="list-style-type: none"> <li>Australian Council of Recycling (ACOR)</li> <li>Waste Management and Resource Recovery Association Australia (WMRR)</li> </ul>	<ul style="list-style-type: none"> <li>Waste &amp; Recycling Industry Forum</li> <li>WasteMINZ</li> <li>Zero Waste Network</li> <li>New Zealand Product Stewardship Council</li> </ul>
<b>Umbrella Forum</b>	<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>Recycling Leadership Forum</li> </ul>
<b>Local Government</b>	<ul style="list-style-type: none"> <li>Local Government NSW</li> <li>Local Government Victoria</li> <li>Local Government (Qld)</li> <li>Local Government Association of South Australia</li> <li>WA Local Government Association (WALGA)</li> </ul>	<ul style="list-style-type: none"> <li>Local Government NZ</li> <li>Taituarā</li> </ul>

Type	Australian Parties	New Zealand Parties
<b>State Government</b>	<ul style="list-style-type: none"> <li>• NSW EPA</li> <li>• EPA Victoria</li> <li>• Queensland Department of Environment, Science and Innovation</li> <li>• EPA SA</li> <li>• EPA WA</li> <li>• EPA Tasmania</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<b>Federal/Central Government</b>	<ul style="list-style-type: none"> <li>• Minister for the Environment and Water</li> <li>• Product Stewardship Advisory Group</li> </ul>	<ul style="list-style-type: none"> <li>• EPA</li> <li>• Ministry for the Environment</li> </ul>

## 4 Scheme Design and Implementation

### 4.1 Comparison of Australian and New Zealand Contexts

Across Australia and New Zealand, there are three categories of product stewardship scheme:

1. **Mandatory schemes:** compliance is required and enforced by law.
2. **Co-regulatory:** collaboration between government and industry, government establishes regulations, but industry has significant input and responsibility in implementation and management of scheme.
3. **Voluntary:** developed and implemented by industry without legal requirement, voluntary participation.

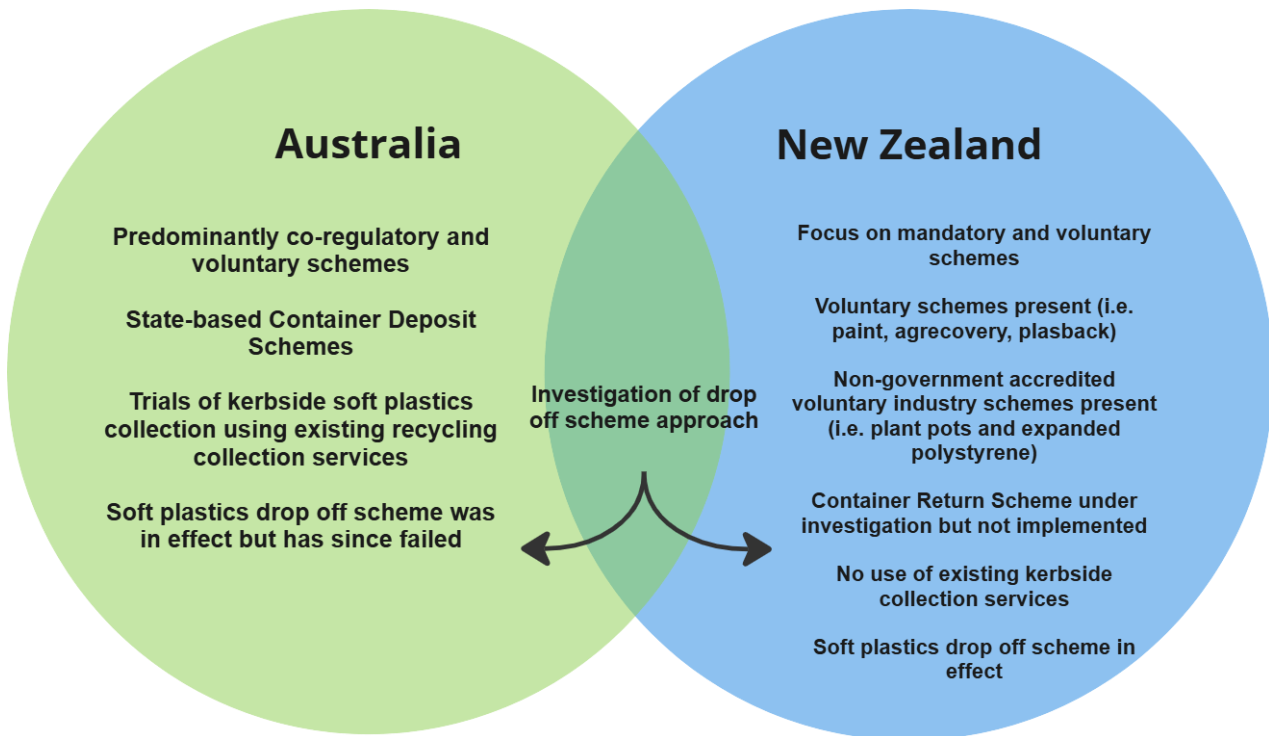
The approach of each country is vastly different, New Zealand has both mandatory and voluntary product stewardship categories and has mandated plastic packaging schemes inclusive of compostable plastic packaging and plastic in combination with other materials. However, there is no mandate for other packaging materials.

In contrast, Australian plastic packaging schemes are largely voluntary or co-regulatory, however the ministers have recently inferred that Australia may be moving to a regulatory environment for all packaging.

Whilst New Zealand is still in the development phase of schemes, Australia has implemented multiple schemes across different states.

Figure 2 provides a high-level overview of the similarities and differences between scheme approach and implementation in each country, a more detailed review can be found at Appendix 3 – Scheme Design and Implementation.

**Figure 2: Comparison of Scheme Structure and Approach**



## 4.2 Notes for Consideration

- The higher the level of regulation, the greater the administrative costs and regulatory burden on industry. This also results in less industry control over scheme design, and fewer opportunities for industry leadership.
- Australia has already introduced several schemes and had both successes and failures. This experience has contributed to a greater understanding of what works and what does not work within the Australian context, allowing for more efficiency going forward.

# 5 Kerbside Bin Harmonisation

## 5.1 Comparison of Australian and New Zealand Contexts

Utilising existing infrastructure and kerbside collection services can significantly improve the success and efficiency of a scheme, as well as the ability to implement it quickly with a high degree of community participation.

New Zealand has introduced a national standardisation of materials accepted for kerbside recycling. The intent of this harmonisation was improved efficiencies in processing, education, and a unified national approach, however one of the unintended impacts has been a decrease in harmonisation with Australia.

In Australia, the materials accepted in kerbside recycling is currently unique to each local government area. Most states will not allow compostable packaging to be disposed of in the organics collection service. However, the Environment Ministers group are in the process of kerbside harmonisation development and are expected to announce the roadmap in November 2024.

Further, the state of Victoria has drafted and consulted on state kerbside standards for a 4-bin system. Victoria is the most advanced state for kerbside harmonisation in Australia, making it a

logical baseline for comparison with New Zealand. However, since Victoria is still in the community consultation phase, a direct comparison is not yet feasible.

The uncertainty around recyclable materials and products hinders effective contamination management. In 2023, the Australian Competition & Consumer Commission (ACCC) introduced principles requiring businesses to clarify conditions on environmental claims, ensuring packaging is not misleadingly labelled as recyclable if it cannot be practically recycled.

New Zealand has excluded soft plastics from kerbside recycling bin accepted materials. This may impede large-scale collections options for packaging, as is being trialled by the AFGC-led National Plastics Recycling Scheme (NPRS) trials in Australia. Similar systems are being run by private businesses, such as Curby, who provide services directly to individual Councils. Victoria has also included soft plastics, to be collected in a bag, in their draft kerbside standards.

Kerbside harmonisation will also increase the efficiency of the ARL program. At the moment, some packaging can be recycled in some locations but not at others. One overarching set of accepted materials will facilitate community education, remove confusion, and allow for more authoritative labelling on packaging.

Figure 3 provides a high-level overview of the similarities and differences between the utilisation of kerbside services and the kerbside recycling harmonisation in each country, a more detailed review can be found at Appendix 4 – Kerbside Bin Harmonisation.

Figures 4 and 5 show the kerbside collection systems in Australia and New Zealand to demonstrate the difference between the two countries, and the scale involved with implementing kerbside harmonisation across the states in Australia.

**Figure 3: Comparison of Kerbside Bin Harmonisation**

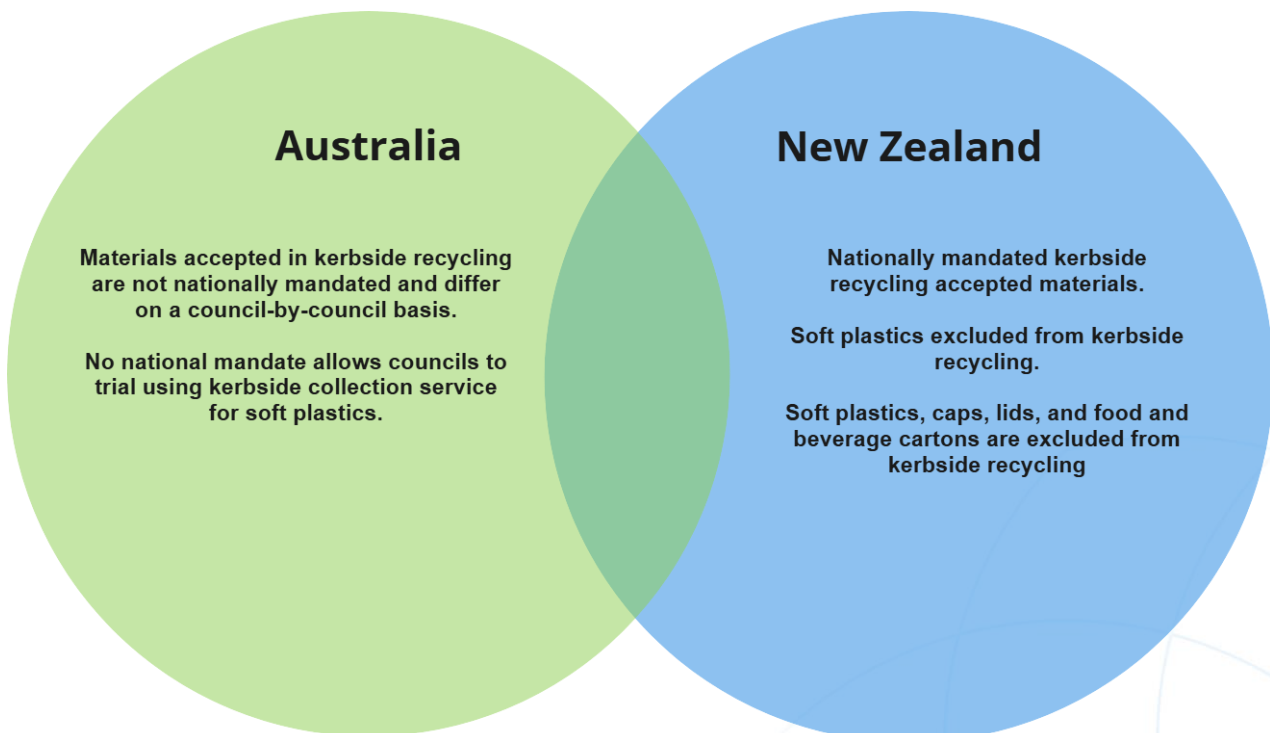


Figure 4: Australian Kerbside Collection Systems



Figure 5: New Zealand Harmonised Kerbside Collection System



## 5.2 Notes for Consideration

- The standardisation of materials accepted in kerbside recycling in New Zealand, will benefit the national implementation of product stewardship schemes for the following reasons:
  - Accepted material standardisation allows government and industry to have a holistic understanding of the landscape, facilitating the implementation of a single approach at a national level.
  - Similarly, all material recovery facilities (MRFs) require similar processing capacities, schemes therefore will not need to create contingencies for if a MRF is unable to accept a material.
  - A single set of clearly defined accepted materials reduces confusion and accordingly is likely to decrease contamination and community distrust of recycling.
- The harmonisation across New Zealand minimises the amount of regulatory reform required to make changes such as allowing soft plastics, plastic caps and lids, and food and beverage cartons, in the kerbside recycling bin. However, the regulations in New Zealand do not currently allow for trials to pave the way for integrating new materials into the kerbside bin.
- Making service changes at a national level in Australia would involve a greater amount of collaboration.

## 6 Other Contributing Factors

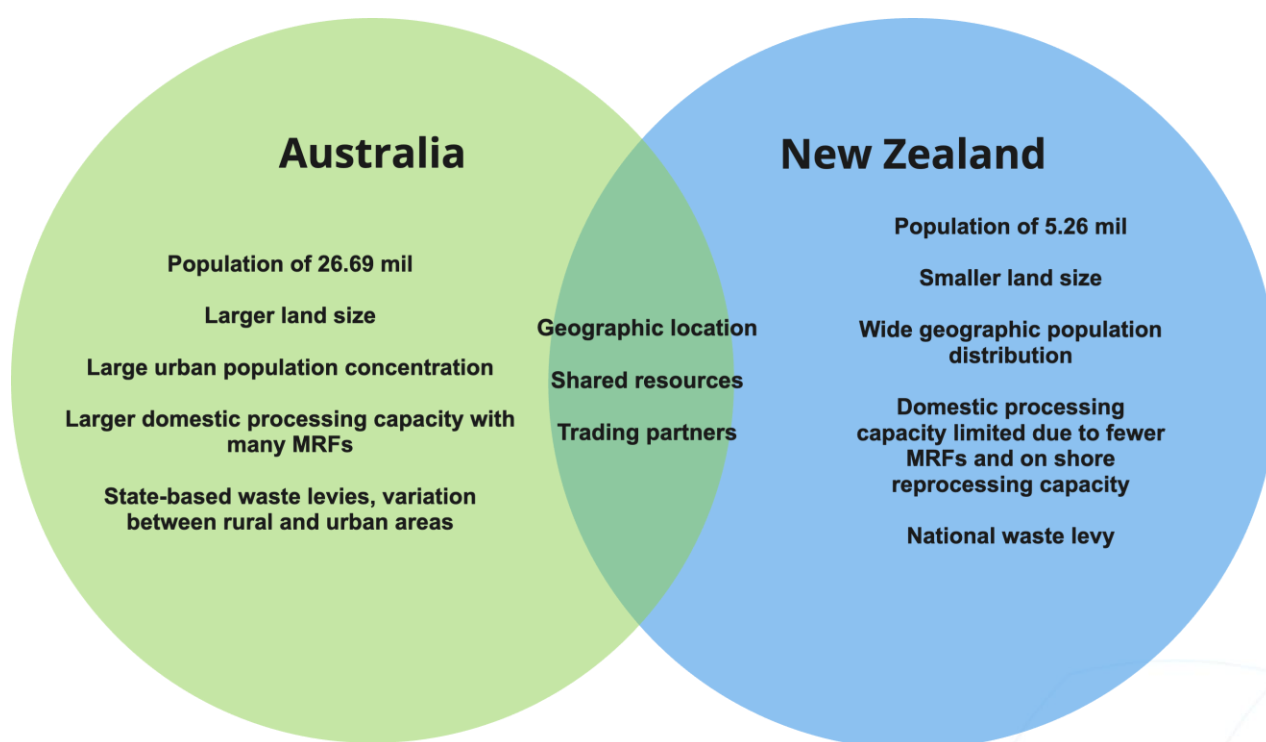
### 6.1 Comparison of Australian and New Zealand Contexts

Australia and New Zealand have many contextual similarities that impact the development of product stewardship schemes, inclusive of geographic proximity, shared resources, and bilateral agreements.

However, there are also contextual differences between the countries that must be considered on a country-by-country basis. These include considerations such as economies of scale, existing infrastructure, and accessibility, and will result in disparities in the structure and outcome of the schemes.

Figure 6 provides a high-level overview of these contextual differences: a more detailed review can be found at Appendix 5 – Other Contributing Factors.

**Figure 6: Comparison of Other Contributing Factors**



## 7 Conclusion

The geographic proximity and mutual recognition trade arrangements of Australia and New Zealand encourages an aligned approach to plastic packaging management. This report investigates the contexts and key considerations for each country, identifying any similarities which may provide opportunities for collaboration, as well as differences which will likely result in varied outcomes.

### **Government Action**

New Zealand benefits from having one central government, which is able to make overarching determinations that apply to the entire country. Whilst New Zealand has developed less legislation than Australia, this country-wide harmonisation provides great benefit to the impact of legislation.

Australia's political landscape has resulted in a more fractured approach to the legislative and regulatory management of packaging waste. This is detrimental as it limits inter-state collaboration, and also leads to confusion and increased contamination as people move between council areas.

These differences in political structure may result in greater hurdles in collaboration due to an increased number of government stakeholders to liaise with.

### **Relevant Parties**

Australia and New Zealand benefit from an existing relationship of collaboration, many of the relevant parties have established relationships, or operations in both countries, and are accustomed to giving consideration to the Australian/New Zealand context as a whole.

### **Scheme Design and Implementation**

Australia and New Zealand have already independently commenced development and implementation of different product stewardship scheme structures. There is a significant difference between the approach of each country with New Zealand adopting both a mandatory and voluntary approach while Australian schemes tend to be voluntary or co-regulatory.

There are opportunities for each country to learn from the other, Australia could benefit from the New Zealand example to inform how they might establish more mandatory schemes, as mandatory schemes are more effective. Whilst New Zealand is still in the development phase and can look to Australia's many existing schemes to learn which elements are effective and which should be avoided.

### **Kerbside Bin Harmonisation**

New Zealand has standardised the materials accepted in the kerbside recycling bin at a national level, allowing for greater flexibility in response to unexpected events such as natural disasters. Australia will benefit from improving the harmony in materials collected in the kerbside bins. However, it should also be noted that the current lack of standardisation has allowed a flexibility for councils and states to try different approaches, which may act as examples when selecting the best approach.

Ideally, each country will get to a place where they have implemented kerbside bin harmonisation whilst factoring in opportunities for adapting which materials are accepted as appropriate.

Collaboration between the two countries in their packaging waste management strategies could yield significant benefits for both countries and improve efficiencies. A combined approach would increase waste volumes which could, if controlled and managed effectively, lead to the development of additional waste management infrastructure and resources.

These collaborative advantages could be further optimised through increases in the harmonisation of waste management practices between the two countries. An example of this could be kerbside bin collection harmonisation across both nations, however this would require further investigation.

Food Standards Australia New Zealand (FSANZ) has provided an example of how harmonisation between the two countries is possible. Additionally, food standards impact upon packaging requirements, meaning that there is already alignment between Australia and New Zealand on certain packaging requirements.

### **Other Contributing Factors**

Several instruments have been designed to allow greater alignment and collaboration between Australia and New Zealand, inclusive of the CER Agreement and the Trans-Tasman Mutual Recognition Act 1997. Clause 10(2)(b) of the Trans-Tasman Mutual Recognition Act allows compliance with Australian laws relating to labelling or packaging standards to be sufficient in New Zealand without the necessity of compliance with New Zealand law, and vice versa.

Many member companies will be looking to the CER Agreement for guidance on packaging requirements and legislative coordination.

However, it would not be appropriate for the two countries to have identical schemes as there are a wide range of differences in government structure, legislation, existing schemes, relevant parties, and existing infrastructure, which must be factored into scheme development.

These differences will likely result in disparities between the way schemes are managed, their efficiencies, their cost, what resources they use, and how they impact the community and industry players.

Whilst there are many distinctions that will lead to varying outcomes, both countries would benefit from greater harmonisation across the following areas:

- Kerbside bin harmonisation;
- Compostability, specifically alignment between packaging, processing standards, and regulations;
- Single-use plastics and the difference between the scope of materials and definitions; and
- Container deposit/product stewardship schemes.

Ultimately, a clearly defined direction is pivotal to the success of packaging waste management. Certainty drives efficiency and positive movement in the market. Whereas uncertainty in the market will result in inertia, inefficiencies, and opportunity costs for both countries as capital investment and corporate strategies will wait for clear legislative direction.

## Appendix 1 – Government Action

Table 3 and Table 4 below provide a high-level overview of the legislation that governs how waste and materials – including plastic packaging – are managed within Australia and New Zealand, respectively.

This comparison highlights that New Zealand’s waste and resource recovery sector (WaRR) is regulated by the central government while Australia’s WaRR sector is largely governed by State Government.

**Table 3: New Zealand Waste Legislation**

New Zealand Context	
<b>Waste Minimisation Act 2008 (WMA)</b>	<p><b>Purpose:</b></p> <ul style="list-style-type: none"> <li>Provides a central government framework for New Zealand’s waste reduction objectives.</li> <li>Imposes a waste levy on all waste disposed at landfill.</li> <li>Allows Minister for the Environment to declare priority products for product stewardship. Plastic packaging and farm plastics established as two of the six priority products identified in July 2020.</li> <li>Allows Minister for the Environment to accredit product stewardship voluntary and mandatory product stewardship schemes.</li> <li>Allows for regulations to be made to control the disposal of products, materials or waste, require take-back services, deposit fees or labelling of products.</li> <li>Requires certain products and industries to implement product stewardship schemes to manage the lifecycle of their products.</li> <li>Place responsibility for managing end-of-life products on producers, importers, and retailers.</li> <li>Outlines the roles and responsibilities for Territorial Authorities and establishes the Waste Advisory Board.</li> </ul>

### New Zealand Context

#### Importing and Exporting Waste EPA Rules

- Due to an amendment to the Basel Convention, from 1 January 2021, a permit is required for the import or export of the following types of plastic waste:
  - Hazardous plastic waste;
  - Most mixed plastic waste;
  - Separated plastic waste not included in Schedule 3, Part 2A of the Imports and Exports (Restrictions) Prohibition Order (No2) 2004;
  - Contaminated plastic waste.
- Consent must be sought from the importing country before it is shipped.
- The importing country must deal with the plastic waste in an environmentally sound manner.
- Compliance with the roles and controls of the importing country is mandatory.
- Must understand level of contamination that is acceptable in the country that the waste is being exported to.

Table 4: Australian Waste Legislation

### Australian Context

#### Recycling and Waste Reduction Act 2020 (RAWR Act)

##### Purpose:

To encourage the development of a circular economy, including through product stewardship.

Provides a framework for managing Australia's recycling and waste reduction objectives.

A key objective outlined in the Act is the development of a circular economy through product stewardship, the Act provides for 3 levels of product stewardship: voluntary, co-regulatory and mandatory.

Requires publication of a product stewardship priority list before the end of each financial year, known as the Minister's Priority List. This list identifies the materials and products that require priority product stewardship action.

Upcoming reform on packaging regulation by 2025 will require packaging to comply with a National Packaging Design Standard, implement minimum amounts of recycled content in packaging, and prohibit the use of certain chemicals in packaging. This will ensure that all packaging in Australia is designed to be recovered, reused, recycled, and reprocessed safely in line with circular economy principles.

Provides the framework for waste export bans, of which rules for waste plastic exports under the Act commenced in July 2021.

## Australian Context

<p><b>National Environment Protection (Used Packaging Materials) Measure 2011 (NEPM)</b></p>	<p><b>Purpose:</b>          Established by National Environment Protection Council (under the National Environment Protection Council Act 1994) to set national objectives designed to assist in the protection of aspects of the environment.          Sets out protocols for the processes to be followed to allow assessment of whether the listed desired environmental outcomes are achieved.          Establishes a co-regulatory framework for implementing the Australian Packaging Covenant. Implementation of the covenant is administered by APCO.          Requires all states and territories to apply legislative and regulatory mechanisms to support the covenant by ensuring that businesses that voluntarily participate in the covenant are not disadvantaged compared with those who do not.          Provides definition of consumer packaging as all packaging products made of any material, or combination of materials, for the containment, protection, marketing or handling of consumer products.</p> <p><b>Goal:</b>  <i>“To reduce environmental degradation arising from the disposal of used packaging and conserve virgin materials through the encouragement of re-use and recycling of used packaging materials by supporting and complementing the voluntary strategies in the Australian Packaging Covenant.”</i></p> <p><b>Desired Environmental Outcomes:</b>          Design: optimise packaging to use resources efficiently and reduce environmental impact without compromising product quality and safety.          Recycling: efficiently collect and recycle packaging.          Product Stewardship: demonstrate commitment by all signatories.</p>
<p><b>Australian Packaging Covenant</b></p>	<p><b>Purpose and Structure:</b>          National regulatory framework under the NEPM that establishes how both government and businesses across Australia share the responsibility for managing the environmental impacts of packaging.          The Covenant is managed and administered by The Australian Packaging Covenant Organisation (APCO) and is supported by a five-year strategic plan. Covenant supports an industry-led component of a co-regulatory arrangement underpinned by the NEPM.</p> <p><b>Application:</b>          The Covenant applies to businesses in the packaging supply chain of packaging/packaging products with an annual turnover of \$5 million or more. These businesses must either become a Signatory to the Covenant or comply with NEPM obligations by law. If an organisation chooses to comply with NEPM obligations over becoming a signatory to APCO, it must report to the relevant State and Territory Government.</p> <p><b>Aims:</b>          To optimise resource recovery of consumer packaging through the supply chain; and          To prevent the impacts of fugitive packaging on the environment.</p>

### Australian Context

<b>National Waste Export Ban: Plastics</b>	<b>Purpose and Structure:</b> <ul style="list-style-type: none"> <li>Regulates the export of waste plastic and requires that exporters of waste plastic to hold an export licence and declare each export consignment of waste plastic prior to export.</li> <li>Exporting regulated under the RAWR Act 2020, and the RAWR (Export – Waste Plastics) Rules 2021.</li> <li>From 1 July 2022, waste plastics can only be exported if they have been sorted into single resin or polymer type and further processed or processed with other materials into processed engineered fuel.</li> </ul>
<b>Product Stewardship Act 2011</b>	<ul style="list-style-type: none"> <li>Repealed and replaced by RAWR Act.</li> </ul>
<b>State legislation</b>	Refer to Table 5. Additional information <a href="#">available here</a> .

**Table 5: Australian State-Level Waste Legislation and Strategies**

NSW	VIC	SA	QLD	WA	TAS	ACT	NT
<p><b>Waste and Sustainable Materials Strategy</b> Phase out problematic and unnecessary plastics by 2025 Plastic litter reduction target of 30% by 2025 Reduce total waste generated by 10% per person by 2030 80% average recovery rate from all waste streams Introduce a new overall litter reduction target of 60% by 2030 Eliminate problematic and single use plastics by 20205 Triple the plastics recycling rate by 2030 Halve the amount of organic waste sent to landfill by 2030 Net-zero emissions from organics to landfill by 2030</p> <p><b>Plastic Reduction and Circular Economy Act 2021 No 31</b> Defines what is classified under problematic or unnecessary plastics. Introduces a range of staged bans on certain single-use products. Provides design standards for certain products. Supporting actions: Circular Plastics Program Circular Solar Grants Container Deposit Scheme Mandated FOGO collection for C&amp;I by 2025; and Residential collection by 2030</p> <p><b>POEO Regulation Order 28 June '24</b> Establishes recovery target of 90% for all material used in packaging products. Applicable to brand owners of consumer products and retailers who provide plastic bags for the transportation of consumer products.</p>	<p><b>Recycling Victoria, A New Economy</b> Design to last, repair and recycle Use products to create more value Recycle more resources Reduce harm from waste and pollution Measure Australia's progress Supporting actions: Victoria enacted the Circular Economy</p> <p><b>(Waste Reduction and Recycling) Act 2021</b> 5 Regional Circular Economy Plans Grants for Community Circular Economy Projects CEBIC Circular Economy Business support grants Circular economy innovation fund Mandated FOGO collection from households by 2030</p>	<p><b>South Australia's Waste Strategy 2020 – 2025</b> Zero avoidable waste to landfill by 2030 Per capita waste generation 5% from a 2020 baseline Targets for metropolitan sector: 75% MSW diversion by 2025 90% C&amp;D diversion by 2025 95% C&amp;D diversion by 2025 Target for non-metropolitan sector Regional Waste Management Plans are in place for all SA regional LGAs and/or regional city clusters and set regionally appropriate and progressive waste diversion targets by 2023 Supporting actions: Circular Economy Market grants REAP Grants Implementing CE in Regional SA – Targets and Developing partnerships</p>	<p><b>Waste Management and Resource Recovery Strategy</b> By 2050: 25% reduction in household waste 90% of waste is recovered and does not go to landfill 75% recycling rates across all waste types</p> <p>Supporting actions: Circular economy lab</p>	<p><b>Waste Avoidance and Resource Recovery Strategy 2030</b> 10% reduction in waste generation per capita by 2025 and 20% by 2030 Increase material recovery to 70% by 2025 and 75% by 2030 Recovery energy only from residual waste from 2020 No more than 15% of waste generated in Perth and Peel regions is landfilled by 2030 All waste is managed and/or disposed to better practice facilities by 2030</p> <p>Supporting actions: Closing the Loop – consultation paper Mandated FOGO collection in Perth and Peel regions by 2025</p>	<p><b>Draft Waste Action Plan</b> Introduce waste levy by 2021 Introduce CDS by 2022 100% compostable packaging by 2025 5% waste reduction per person by 2025 and 10% by 2030 40% recovery rate from all waste streams by 2025 and 80% by 2030 Have lowest incidence of littering by 2023 Phase out problematic waste by 2030 Reduce organic waste to landfill by 25% by 2025 and 50% by 2030</p>	<p><b>Waste Management Strategy 2011-2025</b> Growth in waste is less than growth in population Reuse of goods expands Resource recovery rate of 90% by 2025 Leads Aust. in low litter and illegal dumping Protect and enhance natural resources Waste sector carbon neutral by 2020</p> <p>Supporting Actions Draft ACT Circular Economy Strategy</p>	<p><b>Draft Circular Economy Strategy 2022 - 2027</b> Modernise regulatory framework to protect the environment and create the right regulatory settings for growing to a circular economy Start transition to a circular economy Establish a circular economy industry as a contributor to the Territory's \$40billion by 2030 vision. No set targets</p>

Table 6 provides a high-level overview of the waste / resource recovery policies, agreements, guidelines, and plans in Australia and New Zealand, respectively.

**Table 6: Australian and New Zealand Waste Policies, Agreements, Guidelines and Plans**

Australian Context	New Zealand Context
<p><b>National Waste Policy 2018:</b>            Provides a framework for collective action by businesses, governments, communities, and individuals until 2030.            Responds to challenges facing waste management and resource recovery in Australia.            Designed around circular economy principals, focusing on requirement for better design, reuse, repair and recycle models. Identifies five key circular economy principles.            Provides framework for businesses to embrace technological developments and new opportunities.            Supports Australia’s international obligations.            Drives the National Waste Policy Action Plan 2019.</p>	<p><b>The Declaration of Priority Products Notice 2020:</b></p> <ul style="list-style-type: none"> <li>• Government announcement of six products to be declared ‘priority products’ for the establishment of product stewardship schemes, pursuant to Section 9(1) of the WMA.</li> <li>• Products are listed if they will or may cause significant environmental harm when they become waste, or if there are significant benefits from better management of the product.</li> <li>• Declaration of a priority product creates an obligation for a product stewardship scheme to be developed and accreditation obtained.</li> <li>• Relevant schedules:               <ol style="list-style-type: none"> <li>1. Schedule 3: Agrichemicals and their containers.</li> <li>2. Schedule 5: Farm Plastics (The Agrecovery Foundation is leading the process)</li> <li>3. Schedule 6: Plastic Packaging (The Packaging Forum and New Zealand Food and Grocery Council are leading the process).</li> </ol> </li> <li>• Identifies which products or materials are considered within the definition of the schedules.</li> <li>• All identified materials or products are declared as priority products for the purposes of the WMA.</li> </ul>

Australian Context	New Zealand Context
<p><b>The National Waste Policy Action Plan 2019</b></p> <ul style="list-style-type: none"> <li>• Establishes seven national targets and addresses key action areas to deliver against the targets. The national targets include:               <ol style="list-style-type: none"> <li>1. Ban the export of waste plastic, paper, glass, and tyres (2020)</li> <li>2. Reduce total waste generated in Australia by 10% per person (2030)</li> <li>3. 80% average resource recovery rate from all waste streams following the waste hierarchy (2030).</li> <li>4. Significantly increase the use of recycled content by governments and industry.</li> <li>5. Phase out problematic and unnecessary plastics (2025).</li> <li>6. Halve the amount of organic waste sent to landfill (2030).</li> <li>7. Make comprehensive, economy-wide and timely data publicly available to support better consumer, investment, and policy decisions.</li> </ol> </li> </ul>	<p><b>Aotearoa New Zealand Waste Strategy</b></p> <ul style="list-style-type: none"> <li>• Provides a roadmap to 2050 for a low-emissions, low waste society built upon a circular economy.</li> </ul> <p><b>Guidelines for Product Stewardship Schemes for Priority Products Notice 2020:</b></p> <ul style="list-style-type: none"> <li>• Provides guidelines and regulation regarding proposed product stewardship schemes. Pursuant to Section 12(1) of the WMA.</li> <li>• Outlines requirements of accreditation applications.</li> </ul> <p>Addresses timeline for scheme applications, expected scheme impacts, and expected scheme contents</p>
<p><b>National Plastics Plan 2021:</b></p> <p>Outlines Australia’s actions towards a circular economy and the reduction of plastic waste going to landfill via the following key elements:</p> <ul style="list-style-type: none"> <li>– Phase out Problematic and Unnecessary Plastics inclusive of some plastic packaging products.</li> <li>– National Packaging Targets: Industry to deliver 4 National Packaging Targets by 2025.</li> <li>– Look for regional solutions to assess and identify collection processes and the feasibility of reprocessing packaging waste in remote and regional areas through partnerships.</li> <li>– Increase industry use of recycled materials.</li> </ul>	<p><b>National Plastics Action Plan for Aotearoa New Zealand</b></p> <ul style="list-style-type: none"> <li>• High-level outline of Government action on plastic waste management and action plan for next steps.</li> <li>• Ministry for the Environment to drive the plan.</li> <li>• Some key issues addressed include:               <ul style="list-style-type: none"> <li>- Regulated product stewardship.</li> <li>- Potential container return scheme.</li> <li>- Kerbside collection standardisation.</li> <li>- Compostable packaging.</li> <li>- Phase-out of single-use and hard-to-recycle plastics.</li> <li>- Plastics innovation fund and infrastructure investment.</li> </ul> </li> </ul>

Australian Context	New Zealand Context
<p><b>Minister’s Priority List</b></p> <ul style="list-style-type: none"> <li>• Federal Environment Minister annually determines which products to place on the Product Stewardship Priority List (see Table 7).</li> <li>• The list identifies products and materials requiring stewardship action, if the industry does not act to support this list, the Minister may consider regulatory measures per the <i>Recycling and Waste Reduction Act 2020</i>.</li> </ul>	
<p><b>Trans-Tasman Mutual Recognition Agreement</b></p> <ul style="list-style-type: none"> <li>• Bilateral agreement between Australia and New Zealand that allows for the free flow of goods and services between the two countries by recognising each other’s regulatory standards and qualifications.</li> <li>• Australian legislation supporting the agreement: Trans-Tasman Mutual Recognition Act 1997 (<a href="#">link</a>)</li> <li>• New Zealand legislation supporting the agreement: Trans-Tasman Mutual Recognition Act 1997 (<a href="#">link</a>)</li> </ul>	
<p><b>Australia New Zealand Closer Economic Relations Trade Agreement (CER Agreement)</b></p> <p>Bilateral free trade agreement and economic relationship between Australia and New Zealand.</p> <p>Requires any items traded between AUS and NZ to undergo CTC, to allow for classifications to be within the internationally accepted Harmonized Commodity Description and Coding System (HS).</p> <p><a href="https://www.abf.gov.au/free-trade-agreements/files/instructions-guidelines-nz-aus-fta.pdf">https://www.abf.gov.au/free-trade-agreements/files/instructions-guidelines-nz-aus-fta.pdf</a></p>	
<p><b>Basel Convention</b></p> <p>Multilateral environmental agreement developed to control transboundary movements of hazardous, and some other, wastes and their disposal.</p> <p>In 2019, Conference of the Parties to the Convention adopted the Plastic Waste Amendments which introduced new categories for plastic waste and created conditions for improved transparency and regulation of the global trade of plastic waste. These amendments also defined what would constitute hazardous plastic waste.</p> <p>Only global legally binding instrument addressing plastic waste.</p> <p>Introduces procedures for importing or exporting certain categories of plastic waste. Specified categories of plastic waste subject to the provisions pertaining to waste minimisation and environmental management.</p>	

In Australia, the Federal Environment Minister annually decides which products to place on the Product Stewardship Priority List as highlighted in Table 7. The list identifies products and materials that need urgent product stewardship action and signals that the Minister may consider regulatory measures if the industry does not act. Regulatory measures which may be considered are set out in the *Recycling and Waste Reduction Act 2020*.

**Table 7: Overview of the materials declared on the Australian Minister's Priority List**

Material	Date added to the Minister Priority List
Waste architectural and decorative paint	2013-2014
Packaging (including Consumer and beverage packaging)	2013-2014
End-of-life air conditions with small gas charges	2013-2014
End-of-life refrigerators with small gas chargers	2013-2014
End-of-life handheld batteries (less than 5kg in weight)	2014-2015
Batteries (all)	2016-2017
Plastic microbeads and plastics containing them	2016-2017
Photovoltaic systems	2016-2017
Electrical and electronic products	2016-2017
Plastic oil containers	2016-2017
Child car seats	2020-2021
Clothing textiles	2021-2022
Problematic and unnecessary single-use plastics	2021-2022
Mattresses	2022-2023
Plastics in health-care products	2022-2023
End-of-life tyres	2022-2023
No new materials were added	2023-2024

## Appendix 2 – Relevant Parties

Table 8 provides a high-level overview of the governing bodies and relevant parties that regulate and function within the waste / resource recovery sector in Australia and New Zealand, respectively with specific focus on the plastic packaging sector.

**Table 8: New Zealand Relevant Parties Appendix**

New Zealand Relevant Parties
<b>Producers</b>
<p><b>NZ Food and Grocery Council (<a href="#">link</a>)</b></p> <ul style="list-style-type: none"> <li>• Industry association that represents both manufacturers and suppliers of New Zealand’s food, beverage, and grocery brands.</li> <li>• FGC makes representations to government, retailers, and any other relevant organisations on matters that impact the industry.</li> <li>• Liaises with government departments on food legislation, trade practices, and environmental issues.</li> <li>• Work alongside any relevant stakeholders and NGOS.</li> <li>• Membership is voluntary and available to companies in New Zealand that supply food, beverages or non-food products or services to the grocery industry.</li> </ul>
<p><b>Packaging Forum NZ (<a href="#">link</a>)</b></p> <ul style="list-style-type: none"> <li>• Membership organisation that establishes a forum to support the industry for collaboration on sustainable outcomes for packaging.</li> <li>• Develops best-practice product stewardship solutions for packaging.</li> <li>• Develop annual reports, submissions to government consultants, guides, and conduct industry research.</li> <li>• Membership is voluntary and available to businesses and organisations in New Zealand that are involved in the packaging industry.</li> </ul>
<p><b>ANZPAC Collective Action Group (<a href="#">link</a>)</b></p> <ul style="list-style-type: none"> <li>• Team of industry representatives across the supply chain and governments to oversee strategic delivery of ANZPAC 2025 Regional Targets and design of a model for a transition towards advanced sustainable packaging in ANZPAC region (Australia, New Zealand, and Pacific Islands).</li> <li>• ANZPAC 2025 Regional Targets <ul style="list-style-type: none"> <li>- Eliminate unnecessary and problematic plastic packaging through redesign, innovation, and alternative delivery models;</li> <li>- 100% of plastic packaging to be reusable, recyclable, or compostable by 2025;</li> <li>- Increase plastic packaging collected and effectively recycled by at least 25% for each geography within the ANZPAC region; and</li> <li>- Average 25% recycled content in plastic packaging across the region.</li> </ul> </li> <li>• Membership is voluntary and available for brand owners, retailers, manufacturers and businesses throughout the plastics supply chain and sustainability professionals.</li> </ul>

## New Zealand Relevant Parties

### Retailers

#### **Retail NZ ([link](#))**

- Provides a voice for the retail sector in New Zealand. Retail NZ will liaise with business owners and then advocate on their behalf to local and central governments.
- Source of information for retailers on business advice, skills, insights, and legislation.
- Provides education to business owners about responsibilities and legislative/regulatory compliance requirements.
- Membership is voluntary and available to retail business owners.

### Packaging

#### **Packaging New Zealand ([link](#))**

- Represents organisations across the whole packaging life cycle, inclusive of raw material suppliers, packaging manufacturers, brand owners, retailers, recycling operators and service providers.
- Packaging New Zealand provides a voice for organisations across the packaging life cycle when advocating to local and central government, the media, and consumers.
- Membership is voluntary and available for any organisation involved in the packaging life cycle.

#### **Plastics NZ ([link](#))**

- The Industry Association for the New Zealand plastics industry.
- Provide wide range of member companies information, training and educational opportunities to help them improve operations.
- Provides a collective voice for the industry when dealing with government, training, funding, and research organisations.
- Membership is voluntary and available to companies in New Zealand that fit one of the following membership types: corporate suppliers, corporate manufacturers, corporate recyclers, corporate associations or affiliates.

#### **The Australasian Recycling Label (ARL) ([link](#))**

- Labelling system that provides consumers with easy-to-understand recycling information on packaging. In place in both AUS & NZ.
  - Removes confusion and reduces contamination in recycling streams.
  - In Australia, the ARL program is recognised in the National Waste Policy Action Plan and National Plastics Plan.
  - The New Zealand Ministry for Environment has endorsed the ARL program. The New Zealand Food and Grocery Council is the delivery partner for APCO's ARL implementation in New Zealand, and this has been incorporated into the terms of reference for the Recycling Leadership Forum.
- Run by Australian organisations: APCO, Planet Ark, PREP Design, Recycle Mate, and Adaptation.
- Membership is voluntary and available to members of the Australian Packaging Covenant Organisation.

## New Zealand Relevant Parties

### Waste & Recycling

#### Waste & Recycling Industry Forum ([link](#))

- Industry voice for waste and recycling matters in New Zealand.
- Represent companies who collect and recycle or dispose of New Zealand's waste.
- Members handle approximately 90% of New Zealand's total waste and recycling flow.
- Work alongside government and waste sector stakeholders to shape policymaking and raise public awareness and understanding.

#### WasteMINZ ([link](#))

- New Zealand's largest representative body for waste, resource recovery, and contaminated land sectors.
- Contains eight sector groups that provide best practice guidance, leadership, and resources.
- Membership is voluntary and available to relevant parties in the industry.

#### R&RR Sector Group:

- Maximise recovery and delivery of high-quality materials for remanufacture in alignment with circular economy principals
- Steering committee members create a strategic plan with a vision and objectives for the next two years.
- Develop submissions for government consultation.
- Engage with wider sector group for feedback on submissions.
- Advocacy on behalf of sector, inclusive of consultation with other organisations, writing to ministers, or development of position statement.
- Developed the Guidelines on Claims about Recyclability, Recycled Content, Reusability and Repairability.

#### WasteMINZ Product Stewardship Sector Group:

- Established to advance mandatory schemes for priority products announced by the Minister.
- Ensure regulated schemes are designed to include equity, accessibility, and are designed around the repair hierarchy.
- Development of Right to Repair in Aotearoa NZ report.
- Steering committee members create a strategic plan with a vision and objectives for the next two years.
- Develop submissions for government consultation and develop education regarding product stewardship.
- Engage with wider sector group for feedback on submissions.
- Advocacy on behalf of sector, inclusive of consultation with other organisations, writing to ministers, or development of position statement.

#### Zero Waste Network ([link](#))

- Comprised of different groups across New Zealand working with their local community towards zero waste.
- Provides community representation to enterprises across Aotearoa New Zealand in the pursuit of zero waste.

### New Zealand Relevant Parties

- Establishes a network of zero waste community enterprises to connect, empower, and trial new solutions.
- Informs policy and procurement
- Membership is voluntary and available to community-based non-for-profits or co-operative groups, businesses, companies, organisations, local government, and individuals who would like to support the network.

#### **New Zealand Product Stewardship Council (NZPSC) ([link](#))**

- Independent body advocating for regulations, programs and effective product stewardship practices.
- The Council conducts research and analysis on product stewardship best practices.
- Advocates for policies that incentivise businesses to design and produce less wasteful products.
- Raise awareness about product stewardship through presentations, conferences, and publications.
- Provide a platform for local authorities and communities to discuss and shape product stewardship programs.

### Umbrella Forum

#### **Recycling Leadership Forum**

- To provide expert advice and information to the Ministry for the Environment on improving the recyclability and recovery of packaging materials.
- Explore the challenges associated with the kerbside collection system, inclusive of bans on certain items and materials that are to be accepted in household recycling bins.
- Investigate solutions and make recommendations regarding any identified issues.
- Liaise with other industry bodies in New Zealand and Australia as necessary.

### Local Government

#### **Local Government NZ ([link](#))**

- A membership body for New Zealand's councils/kaunihera, that provides representation to help local knowledge and community interests be reflected in national conversations.
- Advocates for national interests of local government, speaks out for local government to the media, assists in decoding policy to local councils and making submissions on their behalf.

#### **Taituarā ([link](#))**

- Taituarā is a membership network for professionals working in and for local government, connecting and providing growth opportunities for members.
- Provides learning, development, and networking opportunities for members, best practice guidance, communications on latest developments in the sector.

New Zealand Relevant Parties
<ul style="list-style-type: none"> <li>• Advocates on behalf of local government professionals to central and local government via feedback on reviews and consultations.</li> <li>• Membership is voluntary and available to all New Zealand local government staff; associate membership is open to anyone who wishes to keep up to date with local government developments.</li> </ul>
Central Government
<p><b>EPA (<a href="#">link</a>)</b></p> <ul style="list-style-type: none"> <li>• Government agency responsible for regulating activities that affect Aotearoa New Zealand’s environment.</li> <li>• Crown Agent established under the Environmental Protection Authority Act 2011.</li> <li>• Report to the Minister for the Environment, the Associate Minister for the Environment, and the Minister for Climate Change.</li> <li>• Ensure Aotearoa New Zealand is meeting its international environmental protection obligations.</li> </ul>
<p><b>Ministry for the Environment (MfE) (<a href="#">link</a>)</b></p> <ul style="list-style-type: none"> <li>• The MfE acts as the Government’s primary advisor on environmental matters, it provides policy advice to enable the Government’s legislative and regulatory agenda.</li> </ul>

**Table 9: Australian Relevant Parties Appendix**

Australian Relevant Parties
Producers
<p><b>Australian Food and Grocery Council (AFGC) (<a href="#">link</a>)</b></p> <ul style="list-style-type: none"> <li>• Industry association positioned to be the voice of the food and grocery supply industry across Australia.</li> <li>• Works alongside members to develop policy positions and represent member views to government, trading partners and stakeholders.</li> <li>• Provides platform for collective action, information and industry insights.</li> <li>• Membership is voluntary, different levels of membership are available to finished goods and brand owners, distributors/contract manufacturers, consultants, service providers, event sponsors, industry associations, industry bodies, and organisations with a direct interest in the industry.</li> </ul>

## Australian Relevant Parties

### **ANZPAC Collective Action Group ([link](#))**

- Team of industry representatives across the supply chain and governments to oversee strategic delivery of ANZPAC 2025 Regional Targets and design of a model for a transition towards advanced sustainable packaging in ANZPAC region (Australia, New Zealand, and Pacific Islands).
- ANZPAC 2025 Regional Targets
  - Eliminate unnecessary and problematic plastic packaging through redesign, innovation, and alternative delivery models;
  - 100% of plastic packaging to be reusable, recyclable, or compostable by 2025;
  - Increase plastic packaging collected and effectively recycled by at least 25% for each geography within the ANZPAC region; and
- Average 25% recycled content in plastic packaging across the region.
- Membership is voluntary and available for brand owners, retailers, manufacturers and businesses throughout the plastics supply chain and sustainability professionals.

## Retailers

### **Australian Retailers Association ([link](#))**

- Retail body representing over 120,000 retail shop fronts and online stores.
- Advocates for, educates, protects and unifies independent, national, and international retail community.
- Provides legal assistance, skills and training, and policy and advocacy resources.
- Membership is voluntary and available for retail businesses of all sizes.

### **National Retailer Association ([link](#))**

- Representative retail industry association.
- Provides assistance with legal issues, policy, and advocacy.
- Provides information through resources, newsletters, and reports.
- Membership is voluntary and available to retail businesses of all sizes.

## Packaging

### **The Australian Packaging Covenant Organisation (APCO) ([link](#))**

- APCO is a non-for-profit organisation focused on the development of a circular economy for packaging in Australia, it is independent from government and industry.

## Australian Relevant Parties

- Centralised body responsible for the management and administration of the Covenant.
- Works closely with governments, industry, and strategic partners to deliver the 2025 National Packaging Targets.
- Membership and becoming a signatory are voluntary and available to brand owners, covenant supporters, industry associations, international affiliates, governments and sustainability professionals.

### **APCO Collective Action Group ([link](#))**

- Team of industry representatives from across the supply chain and at all levels of government.
- Convening and advisory role across whole packaging value chain.
- Sets visions, priorities, and data roadmaps for a packaging circular economy. Makes recommendations for establishment of improved co-regulatory framework.
- Advocates for harmonised policy framework.
- Publishes market insight reports to support investment.

### **APCO Material Stewardship Committees ([link](#))**

- Inclusive of: Labels Materials Stewardship Committee, Flexible Plastics Material Stewardship Committee, and Rigid Plastic Material Stewardship Committee.
- Promote circular economy for labels and labelled packaging.
- The Committee works across the value chain to identify and deliver feasible and sustainable pathways to label recycling and circularity.
- Develop and implement 3 – 5-year material roadmap for labels.
- Agree on annual action plan to deliver or support priority projects.
- Review and advise on technical issues relating to the ARL.

Ascertain willingness of industry and government stakeholders to participate in stewardship/extended producer responsibility schemes.

### **The Australasian Recycling Label (ARL) ([link](#))**

- Labelling system that provides consumers with easy-to-understand recycling information on packaging. In place in both AUS & NZ.
- Removes confusion and reduces contamination in recycling streams.
- In Australia, the ARL program is recognised in the National Waste Policy Action Plan and National Plastics Plant.
- The New Zealand Ministry for Environment has endorsed the ARL program. The New Zealand Food and Grocery Council is the delivery partner for APCO's ARL implementation in New Zealand, and this has been incorporated into the terms of reference for the Recycling Leadership Forum.
- Run by Australian organisations: APCO, Planet Ark, PREP Design, Recycle Mate, and Adaptation.

### Australian Relevant Parties

- Membership is voluntary and available to members of the Australian Packaging Covenant Organisation.

### Waste & Recycling

#### Australian Council of Recycling (ACOR) ([link](#))

- The industry body for recycling in Australia, including the collection, sorting, and recycling of plastics. Membership represented across the recycling value chain inclusive of businesses that:
  - collect, sort and remanufacture recyclates into new products (inclusive of CDS operations);
  - build a domestic circular economy, along with increasing the amount of locally sourced and recycled materials;
  - beneficially manage materials from the residential, commercial, industrial, and major infrastructure areas, and;
  - Process a broad range of materials and end-of-use items including packaging, tyres, batteries, electronic products, textiles, roads and more.
- Network that encourages dialogue, information exchange, relationship building, and leadership to drive policy for resource recovery, remanufacturing and recycling.
- Membership is voluntary and available to businesses across the recycling value chain.

#### Waste Management and Resource Recovery Association Australia (WMRR) ([link](#))

- National body for the entirety of the waste and resource recovery industry, inclusive of landfill, recycling, resource recovery, energy from waste, e-waste, organics, construction and demolition, commercial and industrial, hazardous and biohazardous waste.
- Provide advocacy to government, conferences and networking, information, education, and training.
- Membership is voluntary and available to any organisation associated with the industry and individuals.

#### Zero Waste Network ([link](#))

- Body representing Australian community recyclers.
- Provides a voice for community reuse, repair and recycling.
- Influences political environment and support of community reuse-recycling.
- Provides support, advice, and mentoring to local organisations.
- Membership is voluntary and available to community recycling enterprises.

## Australian Relevant Parties

### Local Government

#### Local Government Bodies

- Each state has a peak body representing the local government councils within the state and associate members such as county councils, joint organisations, and regional organisations of councils.
- The role of these bodies is to support, promote and advocate for the local government sector through providing education, policy advice, management support and grants.
- The local government bodies for the states are:
  - Local Government NSW
  - Local Government Victoria
  - Local Government (QLD)
  - Local Government Association of South Australia
  - WA Local Government Association (WALGA)

### State Government

#### State Regulatory Bodies

- Each state has an environmental protection regulator. These are statutory bodies established through legislation that work alongside federal and local governments to deliver protect, restore, and enhance the quality of the environment.
- These statutory bodies are:
  - NSW EPA
  - EPA Victoria
  - Queensland Department of Environment, Science and Innovation
  - EPA SA
  - EPA WA
  - EPA Tasmania

### Federal Government

#### Environment Ministers ([link](#))

- Minister for Climate Change and Energy
- Minister for Environment and Water
- Assistant Minister for Climate Change and Energy

### Australian Relevant Parties

- The environment ministers play key roles in shaping, developing and implementing national policies related to climate change, environmental protection and water management.
- Responsible for the development of the Minister’s Product Stewardship Priority List.

#### Product Stewardship Advisory Group:

Established under Section 108B of the Product Stewardship Act 2011.

- Repealed.

Table 10 provides a high-level overview of the definitions of the stakeholders who are obligated to participate in product stewardship schemes, provided in the RAWR Act and WMA.

**Table 10: Liable Parties Comparison**

Australian Context	New Zealand Context
<p><b>Liabe Parties</b></p> <p>Under the RAWR Act, rules may specify who counts as a liable party. Otherwise, liable parties are a function of co-regulatory product stewardship, and are defined as follows:</p> <ol style="list-style-type: none"> <li>1. A liable party, in relation to a product, is a person specified as a liable party in relation to that product in the rules.</li> <li>2. However, a person is a liable party in relation to a product only if the person:               <ol style="list-style-type: none"> <li>a) is a constitutional corporation; and</li> <li>b) has at any time:                   <ol style="list-style-type: none"> <li>i) manufactured the product in Australia; or</li> <li>ii) imported the product into Australia; or</li> <li>iii) distributed the product in Australia; or</li> <li>iv) used the product in Australia.</li> </ol> </li> </ol> </li> </ol>	<p><b>Liabe Parties</b></p> <p>“Producers” under the WMA:</p> <ol style="list-style-type: none"> <li>a) a person who manufactures a product and sells it in New Zealand under the person’s own brand; or</li> <li>b) is the owner or licence holder of a trademark under which a product is sold in New Zealand; or</li> <li>c) imports a product for sale in New Zealand; or</li> <li>d) manufactures or imports a product for use in trade by the person or the person’s agent.</li> </ol> <p>The proposed scheme design for a plastic packaging product stewardship scheme has recommended that producers be defined as:</p> <p><i>” A brand or importer of products in plastic packaging that are placed on the market in New Zealand via a retailer, wholesaler or offshore based marketplace for sale to a consumer or business”.</i></p>

**Australian Context**

Under the Australian Packaging Covenant, liable parties consist of all businesses in the packaging supply chain of packaging/packaging products with an annual turnover of \$5 million AUD or more. Stakeholders who are at or above this threshold are required to either join the covenant or ensure compliance under the NEPM.

**New Zealand Context**

However, this definition is not aligned with the WMA.

## Appendix 3 – Scheme Design and Implementation

In general, for both Australian and New Zealand, voluntary schemes are industry led, and businesses can elect to participate or not. Voluntary schemes in both countries can receive government accreditation. While accreditation provides credibility, voluntary scheme participation can lead to inconsistent participation from industry and exacerbate free riding. This has the potential to reduce the overall effectiveness of a scheme and increase the costs of scheme administration and operation for scheme members. From an industry perspective, the higher the level of regulation, the greater the regulatory burden and administrative costs for industry with conversely less control over scheme design, and fewer opportunities for industry leadership. Mandatory schemes require stakeholders identified as liable parties for scheme participation to contribute to scheme operations by law. Co-regulatory product stewardship, only specifically established in Australian legislation, provides an approach that involves both government and industry action for in product stewardship scheme management and operations. Table 11 provides a high-level overview of the voluntary and mandatory product stewardship scheme design in Australia and New Zealand, respectively.

**Table 11: Voluntary and Mandatory Scheme Design Comparison**

Australian Context	New Zealand Context
<p><b>Mandatory Schemes:</b></p> <p>Under the RAWR Act, mandatory product stewardship legally requires specifically identified stakeholders involved in a product's lifecycle—from manufacturers to consumers—to participate in the environmentally responsible management of these products. Parties liable to mandatory schemes are established in rules.</p> <p>When a product is declared on the Australian Minister's priority list, there is no consequent legal obligation for a product stewardship scheme to be developed to manage that product.</p>	<p><b>Mandatory Schemes:</b></p> <p>Under the WMA, if a product is declared as a priority on the Minister for the Environment's priority product list, a product stewardship scheme must be developed to manage it.</p> <p>A scheme manager must apply for accreditation to the Minister for the Environment. The Minister must accredit the scheme if it meets the criteria set out by the WMA.</p> <p>Where government regulations apply, liable parties are obligated by law to participate in the scheme.</p>
<p><b>Voluntary Schemes:</b></p> <p>Under the RAWR Act, voluntary product stewardship schemes can operate independently of government, and industry participation is not mandated.</p> <p>Voluntary product stewardship schemes can apply for government accreditation, which certifies that the scheme meets specific government</p>	<p><b>Voluntary Schemes:</b></p> <p>Under the WMA, voluntary product stewardship schemes apply to products which are not declared as priority by the Minister for the Environment. As such, they are typically industry led and organised.</p> <p>Voluntary schemes can apply for accreditation which officially confirms that the scheme certain criteria set by the WMA.</p> <p>Industry participation is not mandated.</p>

Australian Context	New Zealand Context
<p>criteria and allowing the scheme to use an official government product stewardship logo.</p>	
<p><b>Co-regulatory Schemes</b></p> <ul style="list-style-type: none"> <li>• Co-regulatory product stewardship schemes strike a balance between industry and government involvement in scheme management and operations. Industry is responsible for achieving regulatory targets and outcomes, which are established by government. The government's role is to set these targets through rules and regulation, as well as to monitor and enforce compliance.</li> <li>• Co-regulatory schemes such as the Covenant provide a co-regulatory framework to facilitate collaboration across industry and government. The Covenant is established at the federal level under legislation.</li> <li>• Liable parties for scheme participation are established in rules. For example, liable parties for the Covenant in Australia are assessed through a profit threshold- companies with an annual of over \$5 million AUD must either become a signatory to the Packaging Covenant or achieve compliance with the requirements of the NEPM.</li> </ul>	<p><b>Co-regulatory Schemes</b></p> <p>Co-regulatory schemes have not been established under New Zealand Legislation.</p>

Table 12 provides a high-level overview of the past, current and potential product stewardship schemes – voluntary, co-regulatory, and mandatory – for plastic packaging in Australia and New Zealand, respectively.

**Table 12: Current Plastic Packaging Product Stewardship Schemes**

Australian Context	New Zealand Context
<p><b>The Australian Packaging Covenant (Co-regulatory):</b></p> <p>The Covenant and APCO are responsible for product stewardship schemes and priorities for plastics and packaging. Large plastic bags are managed by Big Bag Recovery.</p>	<p><b>Plastic Packaging Product Stewardship Scheme:</b> Currently being co-designed by the Packaging Forum and the NZ Food &amp; Grocery Council, with funding from the NZ Waste Minimisation Fund.</p>
<p><b>Container Deposit Schemes (Voluntary):</b></p> <ul style="list-style-type: none"> <li>• State-based container deposit schemes, examples include NSW Return and Earn, Victoria CDSVIC, and QLD Containers for Change.</li> <li>• Structurally the scheme is established at a government level, it is then managed by a system coordinator, who manages network operators.</li> <li>• CDS drop off points for eligible containers offer refund to consumers.</li> <li>• The list of items accepted by container deposit schemes changes by state. For example, while the Northern Territory’s scheme accepts flavoured milk containers, NSW’s scheme does not.</li> <li>• Each of the different types of plastic packaging require different management and therefore diverse product stewardship approaches and recycling options.</li> </ul>	<p><b>Container Return Scheme (CRS):</b></p> <p>Implementation of NZ’s CRS has been thoroughly investigated but no decision has been made regarding the design or its implementation.</p> <ul style="list-style-type: none"> <li>• Government-funded investigation and co-design process for container return scheme.</li> <li>• Issues considered inclusive of: <ul style="list-style-type: none"> <li>- Scope of containers to be included in scheme.</li> <li>- Deposit level.</li> <li>- Network design for returns.</li> <li>- Governance structure and financial model.</li> </ul> </li> <li>• Decision on a CRS deferred in March 2023.</li> <li>• Note: per the Minister’s speech (<a href="#">link</a>), the government will consider options for single-use beverage containers.</li> </ul>

Australian Context	New Zealand Context
<p><b>AFGC NPRS</b></p> <ul style="list-style-type: none"> <li>• Industry-led soft plastic packaging scheme, food and grocery manufacturers pay a small levy to support the cost of collection and administration.</li> <li>• Collection to be expanded through kerbside collection program.</li> <li>• Trials completed in 2022 – 2023, with large scale pilots commencing in NSW and SA in August 2025</li> </ul>	<p><b>The Soft Plastics Recycling Scheme (Voluntary):</b></p> <ul style="list-style-type: none"> <li>• Voluntary, government accredited program, voluntary accreditation ends March 2025. Scheme cannot apply for an extension for voluntary accreditation but can apply under priority product criteria.</li> <li>• Soft plastic packaging to be dropped off at Soft Plastics Recycling bins available at supermarkets and some other stores.</li> <li>• Only able to accept clean, dry, and empty soft plastic bags and packaging.</li> <li>• Not able to accept hard plastic, wet or dirty soft plastics, metal, food waste, compostable plastic bags, or plant-based plastics.</li> </ul>
<p><b>REDcycle (Voluntary, no longer operating):</b></p> <p>REDcycle was a voluntary soft plastics product stewardship scheme that ran between 2011 – 2023. Scheme participants included major Australian supermarkets and product manufacturers.</p> <p>Collections were suspended in November 2022 due to limited processing capacity and markets for soft plastic products. It was later revealed that REDcycle had stockpiled over 10,000 tonnes of unprocessed soft plastic across Australia</p> <p>The scheme suffered from an imbalance between strong marketing and collection versus a weak recycling supply chain with few end-markets</p> <p>The collapse of REDcycle has resulted in damage to the Australian public’s confidence in recycling, and scrutiny on recycling effectiveness.</p>	<p><b>Agrecovery Green-farms Product Stewardship Scheme (Voluntary):</b></p> <p>Accredited under the WMA, under the Priority Product accreditation process.</p> <p>Green Farms Product Stewardship Scheme to be voluntary until regulations are in place to ensure all producers of the targeted products participate.</p> <p>Industry-led co-design process requires those selling targeted products to pay levies to enable a free nationwide collection network for farmers and growers.</p> <p>Schemes for NZ farmers and growers to assist them in the safe disposal of unwanted agricultural chemicals, and the recycling or recovery of empty containers, drums and IBCs. Farm plastics and agrichemicals and their containers are led by the Agrecovery Foundation.</p> <p>Recycling scheme for recycling seed, feed, and fertiliser bags 25kg and under in size.</p>

Australian Context	New Zealand Context
	<p>Eligible bags are free to recycle for consumers due to participating brands paying a voluntary levy to cover the cost of recycling.</p> <p>Bags must be made of either LDPE plastic (#4) or woven PP plastic (#5).</p> <p>Drop off at recycling points.</p>
<p><b>Curby Soft Plastics Program</b></p> <p>The Curby Soft Plastics Program uses existing infrastructure and systems. Clean, soft plastics are collected and tied in a bag, a QR code sticker is put on the bag to make it identifiable at the MRF, this bag of soft plastics is then disposed of in the normal recycling kerbside bin.</p> <p>Curby is not a government-run program, however, collaborates with local government councils, and MRF operators.</p> <p>It is only available in three council areas with other trials taking place across Australia.</p> <p>It is the most efficient solution for soft plastics as it is using existing infrastructure and able to manage large quantities. Whilst it is the cheapest option per tonne, it is the most expensive overall due to the large tonnages it collects.</p>	<p><b>Other voluntary schemes for plastic packaging</b></p> <p><b>Resene Paintwise Scheme</b>            Voluntary stewardship of plastic paint containers.</p> <p><b>Expol Expanded Polystyrene</b>            Voluntary stewardship of household polystyrene waste</p> <p><b>Plant Pot Recycling Scheme</b></p> <p><b>Pot Recycle</b>            Plant pot recycling scheme</p>

## Appendix 4 – Kerbside Bin Harmonisation

Table 13 provides a high-level overview on the status of kerbside bin harmonisation in Australia and New Zealand, alongside the roles of different governments, and associated legislative measures.

**Table 13: Kerbside Bin Harmonisation Comparison.**

Australian Context	New Zealand Context
<ul style="list-style-type: none"> <li>The materials which are accepted and excluded from kerbside recycling bins are determined by local governments. There is no federal legislation barring soft plastics from being accepted in kerbside recycling bins, as the contents of recycling bins are determined by local government.</li> <li>In Australia, there is currently no federal legislation implementing kerbside recycling bins harmonisation. Any harmonisation standards would be state-based and not federal. For example, the Victorian government has announced their plan to standardise kerbside bins. These changes will be rolled out gradually and are expected to be complete by 2030.</li> <li>The Australian Local Government Association is seeking \$120 million over four years via federal budget submission to standardise kerbside bins across Australia and implement a national education campaign.</li> </ul>	<ul style="list-style-type: none"> <li>From the 1<sup>st</sup> of February 2024 territorial authorities are required by the Government of New Zealand to standardise the materials accepted in kerbside recycling, food scraps, and food and garden organics kerbside collections.</li> <li>Pursuant to the WMA, Standard Materials for Kerbside Collections Notice 2023 establishes a standard list of materials that will be accepted or excluded from kerbside waste collections for all territorial authorities across New Zealand.</li> <li>All soft plastic packaging, untethered plastic or metal caps, lids and tabs; containers smaller than 50mm at their widest or point or larger than four litres; food and beverage cartons and aerosols are listed as excluded materials.</li> </ul>

## Appendix 5 – Other Contributing Factors

Table 14 provides a high-level overview of other factors which contribute to the context around plastic packaging recycling and schemes across Australia and New Zealand. The table outlines the difference between the two countries and the various considerations that are relevant to each.

**Table 14: Other Contributing Factors**

Australian Context	New Zealand Context
<p><b>Economies of Scale</b> – Population and Geography</p> <p>Australia (whole country): 26.69 million (QLD - 5.54 mil, NSW - 8.41 mil, Vic -6.92 mil).</p> <p>72% live in major cities, 18% in outer regional areas, 8.1% in outer regional areas, 1.2% in remote areas, 0.8% in very remote areas.</p> <p>Land size of 7.688 million km<sup>2</sup></p> <p>Approximately one MRF per 39,834 km<sup>2</sup>. The average distance to a MRF will impact the accessibility of schemes. However, must consider that most Australian land is unpopulated.</p>	<p><b>Economies of Scale</b> – Population and Geography</p> <p>New Zealand (whole country): 5.26 million.</p> <p>51.2% in major urban areas, 14.1% in large urban areas, 8.4% in medium urban areas, 10% small urban areas, 16.3% rural areas.</p> <p>Land size of 268,021 km<sup>2</sup>.</p> <p>Approximately one MRF per 13,401 km<sup>2</sup>.</p>
<p><b>Existing Infrastructure</b></p> <p>Over 150 key material recovery facilities (MRFs) across Australia.</p> <p>Australia’s existing CDSs free up space in the kerbside recycling bin, facilitating kerbside options for soft plastics recycling.</p>	<p><b>Existing Infrastructure</b></p> <p>Approximately 20 material recovery facilities (MRFs) across New Zealand.</p>
<p><b>Waste Levies</b></p> <p>Waste levies are controlled and established at the state level. Currently, New South Wales, Victoria, South Australia, Western Australia and the Australian Capital Territory impose a waste levy. The aim of the levies is to encourage diversion of waste from landfill.</p> <p>Waste levies are a financial contribution required to be paid by licensed waste facilities for each tonne of waste received at the facility</p> <p>Waste levies are charged to licensed waste facilities per tonne of waste received.</p>	<p><b>Waste Disposal Levy</b></p> <p>New Zealand’s waste disposal levy was introduced under the WMA. The levy is in effect nationally. The aim of the levy is to raise revenue to fund various waste minimisation activities, and the Waste Minimisation and Plastics Innovation Funds.</p> <p>The levy rate is set to increase incrementally for 3 years from financial year 2024.</p>

Levy rates vary between states, as well as within “levy areas” (for example, states can have different levy rates for rural or urban areas), and according to the type of material being sent to landfill.

Half of the revenue raised through the levy is allocated to territorial authorities for spending on promoting or achieving the waste minimisation activities set out in their waste management and minimisation plans.

Disposal facilities such as landfills are the main facilities subject to paying levy.

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