

How many companies have chosen to be regulated this way by the EPA instead of going down the voluntary path?

To date no companies have chosen to be regulated by the EPA under Part 8 of the Waste Regulation.

Can you explain how that works?

The Australian Packaging Covenant Organisation (APCO) manages and administers the Australian Packaging Covenant. By becoming signatories to the Covenant, industry members receive support to design packaging that is resource efficient and recyclable, increase the recovery and recycling of used packaging and act to reduce litter. APCO membership provides support and technical guidance to meet a brand owner's obligations under the *National Environment Protection (Used Packaging Materials) Measure 2011* (the NEPM).

While participation in the Covenant is voluntary, brand owners who choose not to become signatories, or who fail to comply with the Covenant requirements, are regulated under the NEPM in each of the States and Territories in which the company sells its products. In NSW, Part 8 of the Protection of the Environment Operations (Waste) Regulation 2014 (the Waste Regulation) is the instrument that supports the NEPM requirements.

APCO is currently undertaking a brand owners audit to determine whether all relevant brand owners are signatories with the Covenant. APCO will refer brand owners that are non-signatories or not compliant to the relevant State or Territory for further follow up and compliance action where necessary. Referrals are expected to be provided to the EPA in late 2021/early 2022.

The EPA works with APCO, the Federal Government and other States and Territories to implement compliance and behaviour change strategies to encourage brand owners to become signatories of the Covenant.

Are you aware of what those two targets are?

Clause 80 of the Protection of the Environment Operations (Waste) Regulation 2014 enables the EPA to set targets for:

- a) the recovery of material used in packaging products (whether in relation to all or to particular material so used)
- b) review of packaging design.

As per the NSW Government Gazette, the EPA has set a target of 85 per cent of recovery of material used in packaging products until 30 June 2022; and that 100 per cent of existing and 100 per cent of new packaging must be reviewed using the Sustainable Packaging Guidelines.

These targets would apply to all businesses regulated by the EPA under Part 8 of the Waste Regulation.

How many companies and which companies?

To date no companies are regulated by the EPA under Part 8 of the Waste Regulation.