



Senator Varun Ghosh
Chair, Senate Standing Committees on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600
By email: ec.sen@aph.gov.au
Submission via [online portal](#)

15 June 2026

Dear Senator

Re: *Extended Producer Responsibility Scheme for Packaging (No Time to Waste) Bill 2026*

Thank you for the opportunity to provide feedback on the [Extended Producer Responsibility Scheme for Packaging \(No Time to Waste\) Bill 2026](#) ("the Bill"), which seeks to establish a national Extended Producer Responsibility (EPR) scheme for packaging, placing legally binding obligations on producers, importers and distributors to manage the end-of-life impacts of packaging placed on the Australian market. The scheme would include product stewardship measures focused on reducing packaging use, improving packaging design, and increasing recycled content, and also make Australia's National Packaging Targets mandatory. Together, these measures aim to reduce virgin plastic consumption and waste, boost recycling and resource recovery, lower emissions, support economic growth, and better protect the environment.

The Waste Management and Resource Recovery Association of Australia (WMRR) is the national peak body representing Australia's \$20 billion waste and resource recovery (WARR) industry. With more than 2,300 members from over 380 entities nationwide, we represent the breadth and depth of the sector, including representation from business organisations, the three (3) tiers of government, universities, and Non-Government Organisations (NGOs), including research bodies. WMRR advocates for governments to recognise the crucial role that our essential industry has in managing material, reducing carbon impacts, improving material productivity, enhancing market opportunities and driving local investment, whilst yielding environmentally positive circular outcomes (such as using less for longer). Our fierce advocacy of the waste management hierarchy emphasises the necessity of regulated sustainable design, extended producer responsibility (EPR) and the provision of clear regulatory, infrastructure and policy pathways for the use of secondary raw materials as 'standard practice', in order to keep valuable materials in circulation at their highest and best use for longer.

WMRR strongly supports the introduction of a nationally consistent, mandatory EPR scheme for packaging and notes that the feedback from Commonwealth's [2024 consultation](#) on national packaging reform demonstrated strong public support for Commonwealth intervention, with more than 80 per cent of respondents supporting national regulation and 65 per cent supporting a mandatory EPR scheme.

Australia has spent more than two (2) decades attempting to improve packaging outcomes through voluntary and co-regulatory approaches. Despite substantial effort and investment, packaging waste in Australia continues

WMRR NATIONAL OFFICE
57 ST JOHNS ROAD
GLEBE NSW 2037
(02) 8746 5000
INFO@WMRR.ASN.AU
WMRR.ASN.AU

to grow – with 1.2 million tonnes of plastic packaging generating waste in [2023-24](#), recycling performance remains inconsistent, and key national packaging targets remain unmet. The Bill represents a critical opportunity to establish a modern regulatory framework that places responsibility where it belongs: on those who design, manufacture, import and profit from packaging products.

Well-designed EPR schemes, supported by improved recovery and recycling infrastructure, product standards, targeted bans and appropriate economic incentives, can drive more sustainable production and consumption patterns. WMRR emphasises that genuine EPR must extend beyond recyclability grading systems and eco-modulated fees. It must establish legal and financial responsibility across the full lifecycle of packaging, including design, material selection, reuse, recycled content, recovery and end-of-life management. For this reason, it is imperative that the scheme also includes mandatory labelling requirements. Scheme design must be cognisant of system-wide constraints, including access to processing and collection infrastructure, markets and contamination.

Furthermore, WMRR supports the Bill because it recognises that packaging waste is fundamentally a design and market failure rather than a consumer behaviour problem. The Bill can establish the regulatory certainty necessary to drive sustainable packaging design, create demand for recycled materials, stimulate investment in domestic recycling infrastructure and support Australia's transition to a circular economy.

In support of the Bill, WMRR makes the following comments.

i. Voluntary stewardship has failed to meet the national packaging targets

Australia's current co-regulatory packaging framework, administered through the *National Environment Protection (Used Packaging Materials) Measure* and the Australian Packaging Covenant Organisation (APCO), has failed to deliver transformational change. The framework has not achieved its 2025 targets, including:

- 100 per cent reusable, recyclable or compostable packaging;
- 70 per cent recycling or composting of plastic packaging;
- 50 per cent average recycled content in packaging; and
- the phase-out of problematic and unnecessary single-use plastics.

At the same time, Australia's plastic recovery rate remains low, while problematic and poorly designed plastics continue entering supply chains. States and territories have attempted to address some of these shortcomings by for example the introduction of individual bans and regulations. However, policy inconsistencies remain and create compliance challenges for businesses operating nationally and given that design and stewardship obligations are currently a federal head of power- there is a limit as to what states can achieve to improve design and require recycled content nationally to provide the incentives to improve packaging recycling rates. The result is a fragmented regulatory environment, and limited change in recovery rates given the failure of APCO to meaningfully address design requirements including recycled content despite being in existence for two (2) decades.

ii. Genuine EPR requires more than eco-modulated fees

WMRR has consistently argued that eco-modulated fees alone do not constitute genuine EPR. Recent proposals such as the Commonwealth's Kerbside Recyclability Grading Framework (initially consulted on in 2024 and now

being revisited by an independent reviewer) risk conflating fee structures with producer responsibility. While eco-modulated fees may provide useful incentives, they are not a substitute for legal obligations placed upon producers. A genuine EPR framework must require producers to:

- design packaging for circularity;
- eliminate unnecessary packaging;
- reduce harmful and problematic chemicals and materials;
- increase reuse and refill opportunities;
- fund collection, sorting and recycling systems;
- incorporate recycled content;
- support domestic end markets; and
- take responsibility for end-of-life outcomes.

iii. Producer responsibility must extend across the entire lifecycle of packaging not just downstream recovery.

The collapse of REDcycle illustrates why this distinction matters. REDcycle failed because packaging volumes placed on the market (520,000 tpa) dramatically exceeded available processing capacity (10,000tpa) -due to the inability to invest in this infrastructure given the lack of end market for the materials/ products created, not because consumers failed to participate correctly. Australian consumers have long demonstrated a willingness to separate materials and participate in recovery schemes and consistently advise they are prepared to pay more for products that can be recycled. The system failed however, because producers were not required to ensure end markets and therefore underwrite the recovery infrastructure required at scale nationally for the 520,000 tonnes placed on market each year of soft plastics.

Please note also APCO was complicit in the consumer confusion surrounding this packaging, as whilst there was only approximately 10,000 tonnes of processing capacity available (predominantly in the eastern states) all 520,000 tpa were able to use the ARL label stating it was 'recyclable' when this was actually impossible given processing limitations. This is yet another limitation of the existing system administered by APCO, in that there is no link between the awarding of the ARL label and whether it is possible to genuinely recover the material within existing processing capabilities – which runs foul of the requirements of ACCC *Greenclaims* process which requires that to claim recyclable not only that there is a facility to process, but also that the product will reach that facility.

iv. Mandatory design standards are essential

WMRR strongly supports the Bill's emphasis on design requirements because sustainable packaging outcomes cannot be achieved solely through waste management interventions after products have entered the market. This sentiment was echoed in the recent report from the Senate Standing Committee on Community Affairs' [report](#) on the impact of microplastics and other toxics on human health which included recommendations for strengthened EPR and for the Commonwealth to lead this action.

Packaging reform should prioritise:

1. Avoidance of unnecessary packaging.
2. Reduction of packaging material use.
3. Reuse and refill systems where appropriate

4. Recyclability and recoverability.
5. Safe end-of-life management.

The cornerstone of the circular economy is that products are intentionally designed for safe reinvestment back into the productive economy. Mandatory design requirements should ensure packaging is:

- durable and fit-for-purpose;
- reusable where appropriate;
- readily recyclable;
- free from hazardous substances;
- compatible with collection and processing systems; and
- designed to maximise resource recovery and circularity.

v. *Recycled content requirements will enable circular market development*

Australia cannot achieve a circular economy without addressing both the supply and demand sides of recovered materials. Australia's Circular Economy Framework sets ambitious targets, including doubling Australia's circularity rate by 2035, increasing material productivity by 30 per cent, reducing per capita material footprints by 10 per cent, and safely recovering 80 per cent of resources by 2035. Achieving these outcomes requires markets for secondary recovered materials.

Australia currently has no nationally mandated recycled content requirements and no comprehensive procurement framework to drive demand for recovered materials, unlike those clearly stated in the [EU Packaging and Packaging Waste Regulation](#) (PPWR). At the same time, export restrictions introduced since 2020 have limited overseas markets for recovered materials without corresponding restrictions on imported products. This complex and uneven playing field (the lack of limitation on export has meant that cheaper imported material continues to price out local recycled materials) continues to undermine investment in domestic remanufacturing infrastructure- stalling recovery rates and arguably given the advent of design standards overseas, leading to an influx of additionally poorly designed packaging- for example recently Australia is seeing the use of vinyl labels that are highly problematic for the recovery process. Mandatory recycled content requirements should therefore form a central component of the scheme. These requirements would:

- create stable demand for recovered materials;
- improve investment certainty;
- strengthen domestic manufacturing;
- reduce reliance on virgin resources;
- improve materials productivity; and
- lower emissions associated with extraction and manufacturing.

The Bill aligns directly with Australia's Circular Economy Framework and broader national productivity objectives. The Circular Economy Ministerial Advisory Group's report, *The Circular Advantage*, identified significant gaps in Commonwealth regulation regarding product design, material standards and extended producer responsibility. The Bill provides an opportunity to begin addressing these gaps.

vi. *The scheme should utilise learning from international best practice*

Australia should align with leading international frameworks, particularly those operating in the European Union. In particular, the [EU Packaging and Packaging Waste Regulation](#) (PPWR) provides an example of packaging reform built upon genuine EPR principles. It includes:

- mandatory producer responsibility;
- recyclable-by-design requirements;
- recycled content obligations;
- packaging reduction measures;
- clear labelling requirements;
- restrictions on problematic materials; and
- producer funding obligations.

These measures sit within a broader framework that includes *Registration, Evaluation, Authorisation and Restriction of Chemicals* (REACH) – which controls the manufacture, import, supply and safe use of chemical substances in the EU, *Classification, Labelling and Packaging of substances and mixtures* (CLP) –which requires companies to classify, label and package their hazardous chemicals correctly before placing them on the market), the [Circular Economy Action Plan](#), Right to Repair initiatives and the [Zero Pollution Action Plan](#).

Importantly, recyclability grading systems in Europe operate as part of comprehensive EPR systems rather than as stand-alone policy instruments. This is something that WMRR has raised with the Commonwealth following consultation on Design for Kerbside Recyclability Grading Framework which proposed implementing eco-modulated fees for recyclability and attempting to equate this to implementing ‘design requirements’ and establishing producer responsibility.

Conclusion and recommendations

WMRR strongly supports the Bill which addresses a longstanding gap in Australia's packaging regulation by placing responsibility on those who design, manufacture, import and profit from packaging products. A mandatory national EPR scheme incorporating enforceable producer obligations, sustainable design requirements, recycled content obligations and lifecycle accountability will deliver substantial environmental, economic and social benefits. Most importantly, it will shift Australia's packaging framework away from managing waste after it is created and towards preventing waste through better design, stronger markets and genuine producer responsibility. This systems-based approach is essential if Australia is to achieve its circular economy ambitions, strengthen domestic resource recovery and ensure valuable materials remain in productive use for as long as possible.

WMRR recommends that the Commonwealth:

1. Pass the Bill and establish a nationally consistent mandatory EPR scheme for packaging, based on the PPWR.
2. Ensure producers placing packaging on the Australian market bear both legal and financial responsibility throughout the packaging lifecycle (thereby requiring producer investment in collection, sorting, recycling and reprocessing infrastructure).
3. Review the national packaging targets and make them legally enforceable.
4. Introduce mandatory packaging design requirements focused on avoidance, reduction, reuse and recyclability.



5. Mandate minimum recycled content requirements that increase over time.
6. Use eco-modulated fees as a supporting mechanism rather than a substitute for producer responsibility or design requirements.
7. Align the scheme with international best practice.
8. Establish robust compliance, reporting and enforcement provisions to ensure that the resulting reduction in packaging waste is measured and verifiable.

WMRR urges the Commonwealth to sharpen its focus on Australia's achieving a circular economy that actively and enforceably designs out packaging waste and pass the Bill. Continuing to trust voluntary schemes for packaging and assigning resources and consultation periods to frameworks that provide "guidance" is causing unnecessary delays in achieving our resource recovery and circular economy goals.

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

Yours sincerely

Gayle Sloan

Chief Executive Officer

Waste Management and Resource Recovery Association of Australia