



Submission to the NSW Plastics: The Way Forward Consultation

The AIIA is Australia's peak representative body and advocacy group for those in the digital ecosystem. The AIIA appreciates the opportunity to contribute to the New South Wales (NSW) Environment Protection Authority (EPA) consultation on addressing plastic pollution.

To facilitate smooth integration and reduce regulatory burden on businesses, we strongly recommend aligning NSW's approach with the Australian Packaging Covenant Organisation's (APCO) Expanded Polystyrene (EPS) phase-out scheme. APCO is the entity in charge of managing and administering the Australian Packaging Covenant (the Covenant), which is a national regulatory framework under the National Environment Protection (Used Packaging Materials) Measure 2011 (NEPM). This framework defines the collective responsibility shared by governments and businesses across Australia in managing the environmental impact of packaging.

Specifically, we recommend that the alignment include consideration of exclusions, such as EPS used in business-to-business packaging and specialised packaging applications, which are currently exempt under the APCO guidelines. Business-to-business packaging is managed through existing company EPS recycling programs and the specialised packaging refers to products where there is not currently a suitable alternative to EPS due to the fragile nature or weight of the product.

A unique regulatory approach in NSW would be unworkable, as it is not feasible for companies to customise packaging to comply with the requirements of a single jurisdiction. This could result in products breaching NSW-specific regulations or becoming unavailable in the state, ultimately limiting consumer choice. Harmonising NSW's approach with the APCO framework will promote greater regulatory coherence and facilitate a smoother transition for affected businesses.

Yours sincerely
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