

Submission by



to the

**Ministry for the Environment**

on the

**Proposed priority products and priority product stewardship scheme  
guidelines Consultation Document**

October 2019

# **PROPOSED PRIORITY PRODUCTS AND PRIORITY PRODUCT STEWARDSHIP SCHEME GUIDELINES CONSULTATION DOCUMENT SUBMISSION BY THE GLASS PACKAGING FORUM**

## **1. About the Glass Packaging Forum**

The Glass Packaging Forum (GPF) purpose is to connect businesses that sell glass-packaged consumer goods with those that collect and recycle glass. This enables glass to be returned to the furnace or made into alternative products, with the aim of zero container glass to landfill.

Established in 2006, in response to looming glass stockpiles and lack of infrastructure and systems to manage the stewardship of glass, the Glass Packaging Forum (GPF) promotes the environmental benefits of glass packaging and manages the accredited GPF Product Stewardship Scheme. There are more than 100 member companies who pay levies based on a cost per tonne of glass, as it moves through the supply chain into the New Zealand market place.

The GPF acknowledges that glass recovery is influenced by a large number of factors, most outside of the GPF's control. The Forum therefore works hard to build strong relationships with local and central government, waste management companies, recyclers and other community groups to promote and facilitate best practice for the recovery of glass.

The GPF is a collaboratively designed circular economy for glass, returning cullet to furnace at O-I, via a network of collection hubs, services and community facilities in order to ensure the circular benefits of glass are harnessed again and again.

As an accredited product stewardship scheme (re-accredited in 2017), The GPF has a targeted recycling rate of 82% by 2024 and is working hard to ensure glass can easily be recycled throughout New Zealand.

The GPF provides financial assistance, in the form of grants, to provide infrastructure to improve glass recovery, facilitate glass recycling and fund research into alternative uses for glass. Examples of investing in sensible infrastructure include the '5R Hub' in Christchurch who successfully process glass from neighbouring districts including: The West Coast, Ashburton, Wanaka, Queenstown and Dunedin.

To date over \$3.2million has been invested in projects that improve glass recycling outcomes throughout the North and South Island. This industry funding has been crucial in improving both the quality and quantity of glass available for recycling.

The GPF represents its members' interests within industry and government and seeks to continuously improve the performance, relevance and awareness of glass product stewardship. The GPF conducts an annual data mass balance exercise to determine the percentage of glass captured for recycling and alternative uses. This data is included in the annual GPF Product Stewardship Accreditation Report which is submitted annually to Ministry for the Environment (MfE).

Disclaimer: Coca Cola Amatil NZ are members of the Packaging Forum's Glass Packaging Product Stewardship Scheme (GPF) and have stated that they do not give permission for the Packaging Forum or GPF to represent Amatil NZ on any points where packaging is used to hold any beverage for retail sale, where beverage producers are the key producer responsible.

## **1. General Observations on the Consultation Document**

*For the purpose of this submission, the Product Stewardship Organisation (also known as a Producer Responsibility Organisation) is the Glass Packaging Forum with its governance function the Steering Committee and the Packaging Forum Board. The Packaging Forum are the owners of the Glass Packaging Forum scheme.*

- 1.1 Glass Packaging Forum welcomes the opportunity to comment on the Proposed Priority Products and Priority Product Stewardship Scheme Guidelines Consultation Document (“the Consultation Document”).
- 1.2 We support the objective set out in the Executive Summary’s first paragraph, namely that: *The Government wants New Zealand to have a productive, sustainable, inclusive and low emissions economy. The aim is for a more prosperous and fairer society, and economic growth within environmental limits. Part of this process is designing waste out of the system by transitioning from a linear ‘throw-away culture’ (take-make-dispose) to a circular economy (make-use-return).* (p.7)
- 1.3 We also support the objective of *exploring* regulated product stewardship *in partnership with stakeholders* (p.17), with stakeholders referred to in various parts of the consultation document, namely producers, distributors, resellers, collectors, recyclers, Territorial Authorities, social enterprises, advocates for consumers, advocates for environmental and community health and inclusive of Maori’s role in Kaitiaki of the environment (outside of the Crown responsibility within Government).
- 1.4 Furthermore we support solutions *designed to suit New Zealand’s situation and needs* (p. 3), and for that to occur design, implementation and delivery must go hand in hand with supporting current kerbside, public place and commercial infrastructure whilst also looking at improved onshore recycling infrastructure whilst at the same time recognising how products are used in the home, in business, at retail of all types and out socialising.
- 1.5 Generally, we support the tools within the Waste Minimisation Act specifically:
  - Section 9: Declaration of Priority Products
  - Section 10: Product Stewardship Schemes required for Priority Products
  - Section 12: Ministerial guidelines for product stewardship schemes for priority products
  - Section 22: Regulations in relation to priority products and accredited schemes
  - Section 23: Regulations in relation to products (whether or not priority products), materials and waste; and
  - Section 24: NZ Customs Service to provide information about priority products
- 1.6 We note that the Consultation Document *does not cover potential regulations under sections 22 or 23 of the Waste Minimisation Act or other regulations under other legislation, to support the effective operation of a priority product stewardship scheme.* (p.32)
- 1.7 The GPF agrees that effective product stewardship schemes, as defined in the Waste Minimisation Act 2008, would help assist New Zealand transition from a linear economy to a circular economy.
- 1.8 The GPF provides evidence that voluntary product stewardship schemes can deliver strong results with 62.4% of total glass to market captured for bottle to bottle recycling or processing into alternative materials. At the point of writing this submission, we are on track toward a 70%

glass capture however this figure won't be confirmed until after all data has been collated for the 2018/19 reporting period.

- 1.9 In considering whether to declare beverage containers a priority product, the Minister must consider the uniqueness of glass packaging, the effectiveness of the GPF voluntary stewardship scheme and the circular onshore recycling of glass packaging.
- 1.10 The GPF believes that glass packaging fails to meet the criteria to be declared a priority product. We consider it would be inappropriate to declare glass packaging as a priority product until the Government fully understands what a declaration would mean for glass recovery in New Zealand.

## **2. Scope of Mandate for Members**

Glass Packaging Forum represents 100 members who can be roughly categorised in seven impact areas covered by the Consultation Document (p.13):

- 2.1 Brand Owners - Businesses who import/produce onshore packaging for filling
- 2.2 Distributors of products in packaging, or distributors of packaging for others to use across the whole spectrum of packaging in scope (p.36, Q3, Q5 and Q6)
- 2.3 Commercial and Community Based collectors of end of life packaging made available for recycling of packaging in scope (p.36, Q5)
- 2.4 Recyclers and processors who use the end of life packaging materials in secondary process including cullet for **glass manufacture, roading and drainage**.
- 2.5 Ratepayers – all of our businesses are ratepayers in the area in which they are domiciled and have a national impact through the assets they provide/manage such as Visy Recycling who beneficiate glass from throughout New Zealand, O-I who receive the beneficiated glass from Visy Recycling and who procure cullet from local government and commercial operations; Smart Environmental, Enviro Waste, Waste Management, Rubbish Direct, Glass Technologies Ltd who hold contracts with councils and business for their kerbside and commercial recycling, Fulton Hogan for roading and drainage construction, along with our Brand Owners who distribute products nationally and internationally.
- 2.6 Consumers - all of our members and their employees are consumers and for the most part actively involved in their employer's sustainability initiatives beyond that of their workplace footprint.

### **3. Feedback on Consultation Document**

The Glass Packaging Forum's feedback on the Consultation Document is contained to proposed priority products in Q5 (a) and (b) and have encouraged members to submit on impacts related to all priority products Q1 through 6 as it may relate specifically to them.

**This submission will respond to the inclusion of beverage glass specifically in the consultation document.**

The reader should note that the GPF stewardship scheme collects beverage glass **and** container glass; container glass is not included in the range of products consulted on.

The following are our views on the proposals

1. Declaration of priority products being targeted
2. Common guidelines for scheme dealing with these products

### **Q5. Proposed priority product declaration for packaging**

**Q5(a):** *Do you agree with declaring beverage packaging as priority products: packaging used to hold any beverage for retail sale that has more than 50 millilitres and less than 4 litres of capacity, made of any material singly or in combination with other materials (e.g., plastic, **glass**, metal, paperboard or mixed laminated materials).*

**For Reference: Extracted from The Waste Minimisation Act 2008 Reprint 01 January 2018**

**Section 9 Declaration of priority products**

- (1) The Minister may, by notice in the *Gazette*, declare a product to be a priority product.
- (2) The Minister must not make the declaration unless he or she is satisfied that—
  - (a) either—
    - (i) the product will or may cause significant environmental harm when it becomes waste; or
    - (ii) there are significant benefits from reduction, reuse, recycling, recovery, or treatment of the product; and
  - (b) the product can be effectively managed under a product stewardship scheme.
- (3) Before the Minister makes the declaration, he or she—
  - (a) must obtain and consider the advice of the Waste Advisory Board; and
  - (b) must consider any public concerns about environmental harm associated with the product when it becomes waste (including concerns about its disposal); and
  - (c) must provide the public with an opportunity to comment on the proposal; and
  - (d) must consider the effectiveness of any relevant voluntary product stewardship scheme in terms of the criteria set out in subsection (2); and
  - (e) may consider any other matters that he or she thinks relevant.
- (4) The Minister may, by notice in the *Gazette*, revoke a declaration made under subsection (1) if he or she is satisfied that it is appropriate to do so.

### **Q5(a) Response (glass beverage packaging)**

We **disagree** that glass beverage packaging as described meets the *risk of significant environmental harm when it becomes waste (p.24, WMA 9(2)(a)(i))* because:

- 3.1. It is inert if subject to littering, and if it is deposited in waterways it sinks to the bottom and over time (a long time) will return to sand.
  - 3.2. Although not the pathway of choice if disposed of to landfill glass does not contribute to either leachate or landfill gas creation.
  - 3.3. In the 2017/2018 National Litter Survey, glass beverage containers comprised only 2.5% of all visible litter in the litter count, in comparison to all other beverage packaging, which made up 10.1% of all litter (National Litter Survey Litter Field Count 2017/18 – Waste Not Consulting).
  - 3.4. The use of glass packaging reduces reliance on plastic packaging which has limited recycling opportunity.
  - 3.5. Access to glass recycling is continually improving thanks to strategic funding and the collaborative approach taken by the GPF in partnership with industry, councils, and community.
- *We refer the reader to the Submission made by O-I New Zealand the primary processors of container glass for detailed response to Q5(a)*

### **Q5(a) Response (non-glass beverage packaging in scope)**

We **agree** that non-glass beverage packaging as described excluding beverage glass and aluminium for which strong recycling opportunity exists meets the *risk of significant environmental harm when it becomes waste (p.24, WMA 9(2)(a)(i))*.

- 3.6. There are clear signs of increasing public concerns around the environmental harm caused by beverage containers, and in particular plastic containers. The Colmar Brunton Better Futures Survey found that the build-up of plastics in the environment was the top concern for New Zealanders, with 72% of responders listing this as a concern, making it the most common concern among New Zealanders
- *We refer the reader to submissions made by our members who produce beverages in non-glass packaging for Q5(a)*

### **Q5(a) Response (capacity)**

- 3.7. Container glass packaging is typically sized from 1l down, the following comment is made with our recommendation that container glass is out of scope for priority product, we therefore agree that non glass beverage containers from 4 litres to 50ml will benefit from reduction, reuse, recovery or treatment of the product as it will include products used in the home, commercially and outside of the home. The focus however should be on where the use of the beverage is and the capture system that most suits consumers' needs.
- The reader should note that non-beverage glass packaging includes all other food products sold in glass, the majority of which are consumed in the home or in the hospitality precinct, for which our existing kerbside and commercial collection systems ensure the glass is stewarded through the GPF.

### Q5(a) Response (Waste Minimisation Benefits)

We **agree** that for all non-glass beverage packaging *there are significant benefits from reduction, reuse, recycling, recovery or treatment of the product* “Waste Minimisation Benefits” (p.25, WMA 9(2)(a)(ii)) because:

- 3.8. Since 2006, glass recycling has received significant investment as a result of the GPF activity. Considering this investment alongside the performance of the GPF, existing services and facilities provided by councils, there is no significant “additional” benefit to be gained through the inclusion of glass as a priority product.
- 3.9. The GPF actively supports the existing glass supply chain and works with O-I to ensure increased quality of glass cullet is available for the furnace. Efforts are invested to ensure that sustainable glass flow continues and that strong relationships exist with GPF members, the recycling industry, Councils and the Zero Waste Network. It is critical that the reader understands the infrastructure investment and supply chain requirements

➤ *We refer the reader to the Submission made by O-I New Zealand the primary processors of container glass for detailed response to Q5(a)*

#### 3.9.1. The Glass Recovery Process

**The glass recovery process is complex. The following text is designed to provide the reader with a detailed understanding of this activity.**

As an accredited product stewardship scheme the GPF is reliant on productive relationships to raise the profile of glass recycling and to increase total glass capture. This approach has led to a strong national strong supply chain for the processing and recycling of glass.

- Fulton Hogan are the largest user of cullet in roading aggregate or as drainage medium
  - Visy Recycling Ltd own the only beneficiation operation in New Zealand which is at capacity due to the impact of co-mingled collections in the Auckland region.
  - O-I owns the only furnaces and are New Zealand’s only manufacturer of container glass products. These products are sold in New Zealand and exported. Not all beverage containers can be made out of high volumes of recovered cullet due to the purpose for which the container is to be used for (i.e. high pressure filling). Fillers of beverage packaging specify quality of their beverage packaging as this relates to the capability of the filling line and quality criteria that must to avoid breakages and explosions.
- *We refer the reader to the Submission made by O-I New Zealand the primary processors of container glass for detailed response to use of recycled cullet in manufacture as it relates to Q5(a)*

**Step 1.** Recovered glass cullet by its very nature is heavy and masses out on weight before volume when being transported. Therefore, there is significant collaboration required and cost involved in managing the hub and spoke system that enables the collected material throughout the country to be recovered economically AND meet the demand flows and capacity of the beneficiator and the furnace to enable it to be recycled. If used for roading and drainage it can be stockpiled for a limited period however contamination from other sources (such as non-hard stand surfaces) and sugars from the unrinsed cullet impacts on quality the longer it is stored.

**Step 2.** Cullet must meet a quality standard before it can be used in any process. The quality standard for use in roading and drainage is very similar to the quality standard for cullet used

in the furnace. Therefore, how it is collected, stored, bulked up and transported is critical to quality outcomes.

**Step 3.** All cullet for use in the re-manufacture of container glass **must be beneficiated**. The act of beneficiation removes the labels, caps, and organic contamination from the cullet before it is suitable to enter the furnace. This is achieved by the glass being broken through a roll crusher and then passing through various machines including an eddy-current for aluminium, a magnet for ferrous metals and a number of optical machines which pick up ceramic, stones and porcelain and eject these using high powered air jets. The cullet comes out of the beneficiation process largely decontaminated (some labels are hard to remove) and a uniform size.

Cullet that is contaminated with other materials (i.e. from a co-mingled collection source) needs to be beneficiated more than once tying up a critical national asset and increasing costs. The cost and time it takes to separate, colour sort, grind and beneficiate the glass from co-mingled collections adds significant complexity and cost to the glass recovery system.

Cullet that comes from source separated collections passes through the beneficiator faster and with limited re-processing.

Beneficiated cullet from Visy, must meet a set of quality criteria before it can be accepted by the cullet purchaser to enter the furnace, O-I.

Extremely poor quality cullet must enter a third process before it can be used for re-manufacture adding additional cost and environmental impacts (energy and water use). Visy and Glass Technologies Ltd provide this service. The material produced is referred to as 'fine grind'.

The demand for beneficiated cullet outside of New Zealand is limited to non-existent in the current resource recovery climate. Handling is a barrier to shipping.

**Step 4:** The beneficiator relies on a steady flow of cullet to be beneficiated 24/7/365

The furnace relies on a steady flow of beneficiated cullet that meets the quality criteria 24/7/365

Both the beneficiator and the furnace are impacted significantly by materials flows through the country which is why the hub-and-spoke management of recovered cullet is critical as storage at both sites in Auckland is limited, while storage in regions is more practical, economically sensible and manageable. It also enables some future proofing in the case of natural disasters where transport routes are constrained, and transport routes are utilised for essential services.

**Step 5:** New Zealand manufactured beverage glass must compete in a commercial environment with imported product. The stewardship scheme makes no differentiation between where glass is generated from, however all cullet is processed onshore.

Due to the limitations of how much glass the O-I furnaces can melt, essentially there is a limit on the volume of cullet that the current furnace owner O-I will procure to use as recycled content. The current stewardship scheme manages material availability incrementally as demand for manufactured glass product increases.

The current stewardship scheme works across the whole supply chain to ensure that all the parts work in synchronicity within our current infrastructure capacity in New Zealand.



### Q5(a) Response (Product Stewardship Effectiveness)

We **agree in principle** that all beverage packaging not operating under a product stewardship scheme described can be effectively managed under a product stewardship scheme “Product Stewardship Effectiveness” (p.25, WMA 9(2)(b) because:

- 3.10. Product Stewardship schemes can be designed around the materials flow of a specific product through to a range of products – a well designed scheme (and an excellent governance structure) can be nimble and can support the product from import through to use through to capture at end of life and return to centralised processing taking into account our geography and use of the materials.
  - 3.11. If glass bottles were to be declared a priority product, further consideration would be required to determine whether there should be a single product stewardship scheme for all beverage containers or whether the existing GPF scheme could evolve sufficiently.
  - 3.12. A well-designed Product Stewardship scheme such as the GPF supports a well - designed materials type segregated kerbside infrastructure that satisfies ratepayer convenience for recycling in the home (and by default some consumers). It can also dovetail and complement existing infrastructure where it’s available and support the development of new infrastructure where needed.
  - 3.13. All product stewardship schemes that operate in a “voluntary” basis suffer from free riders which in turn impacts on their ability to fund the full cost to collect and manage post-consumer packaging.
  - 3.14. The Glass Packaging Scheme design specifically invests the greater proportion of its levies for glass beverage packaging to support Councils and communities.
  - 3.15. We **agree** that focusing on glass beverage packaging that is discarded inconsiderately by consumers in public places (i.e. the societal problem) is an important waste minimisation benefit and would expect to see an increase in the quantum of littering fines as well as the increase in “smart” public place recycling bins to support litter reduction and product segregation and recovery.
  - 3.16. Container Deposit Schemes (CDS) are only **one type** of capture system for specified materials. All regulated product stewardship schemes require five common components:
    - Fair and transparent advanced disposal fee that covers all costs to collect the material and transport to markets
    - National assets and regional solutions that can process and add value to the material
    - Ability to stimulate the Circular Economy including markets to purchase the processed material
    - Systems (Governance, mass balance, auditing, enforcement)
    - Consumer education
- We draw the reader’s attention to the fact that 85% of the glass beverage industry have been paying a levy on their beverage packaging since 2004 when no levy has been applied to plastic beverage packaging during the corresponding period.

3.17. We **disagree** with “deposit” weighted container stewardship schemes as a solution for New Zealand due to the perverse outcomes on materials commodity management and significantly increased costs to consumers demonstrated from international models.

3.18. We prefer a broader product stewardship framework which does not exclude any one packaging type. In this instance any scheme for beverage glass must be inclusive of preserve and condiment glass and olive oil /sauce bottles etc. To explain this point further, clear glass currently accounts for a little over 24% of glass processed by O-I and includes clear bottles for alcoholic and non-alcoholic beverages, spirits, preserves, conserves and increasingly, sauce bottles. A large percent of this glass would not be captured within the proposed CDS and would still continue to present a contamination risk to all kerbside recycling and recycling infrastructure services (at the time of submission compilation the exact tonnage of non-beverage flint glass is unknown). Should a Council choose to reduce the level of recycling investment due to the introduction of a CDS; this glass stream is likely to go to landfill.

**Q5(b):** *Do you agree with declaring single-use plastic consumer goods packaging as priority products: packaging used for consumer goods at retail or wholesale level made of plastic resin codes 1, 2, 3, 4, 5, 6 or 7, singly or in combination with one or more of these plastics or any non-plastic material, and not designed to be refilled.*

**Q5(b) Response (Single Use Packaging Use Range)**

3.20. This question is out of scope for the Glass Packaging Forum

**Q5(b) Response (Resin Codes)**

3.21. This question is out of scope for the Glass Packaging Forum

**Q7 Proposed Guidelines**

*Do you agree with the proposed guidelines for priority product stewardship schemes outlined in table 3 of the public consultation document?*

3.22. Glass Packaging Forum **agrees** with the majority of proposed guidelines for product stewardship schemes for priority products and respond in detail to each design feature below:

*Table 3: Proposed guidelines for priority product stewardship scheme design (Page 27 of consultation guidelines)*

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
<b>1.Intended objectives and outcomes</b>	<ul style="list-style-type: none"> <li>a) Specify the expected reduction in harm to the environment from the implementation of a scheme and/or the expected benefits from reduction, reuse, recycling, recovery or treatment of the product to which a scheme relates.</li> <li>b) Specify the expected quantifiable waste minimisation and management objectives for the product to which a scheme relates, and the plan to achieve significant, timely and continuous improvement.</li> <li>c) All schemes will be designed to incentivise product management higher up the waste hierarchy in priority order: waste prevention, reuse, recycling, recovery (materials and energy), treatment and disposal.</li> <li>d) For products containing hazardous materials: industry certification and compliance with other legislation for installation or use, maintenance, collection, transport, storage and disposal pathways.</li> </ul>

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
	e) All schemes will be designed and financed to manage orphaned and legacy products, <sup>1</sup> as well as current products entering the market.

3.23. **Q7(1)** Glass Packaging Forum **agrees** with the intended objectives and outcomes and note that good data on imported/distributed material will be key to setting targets against these objectives and outcomes.

Glass Packaging Forum advises that 1(a, b, c and e) are incorporated voluntarily into their existing scheme 1(e) as it is a consumer-based scheme; the Glass Packaging Scheme does cover orphaned and legacy products 1(e).

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
<b>2. Fees, funding and cost effectiveness</b>	<p>a) The full net costs of collection and management of the priority product (reuse, recycling, processing, treatment or disposal) will be covered by producer and product fees associated with the scheme (eg, 'producer pays' or 'advance disposal fee').<sup>2</sup></p> <p>b) The impact of more than one accredited scheme and opportunities for maintaining competition should be considered in terms of net cost effectiveness (including monetary and non-monetary costs and benefits).</p> <p>c) Specify plans to manage risk to sustainable scheme income, such as price volatility and leakage of materials into other markets.</p> <p>d) Specify how existing and emerging technologies will be used to help track and manage product or waste throughout the supply chain (eg, bar codes, radio frequency identification (RFID), and block chain).</p>

3.24. **Q7(2)** Glass Packaging Forum does **not support** the proposed fees, funding and cost effectiveness guidelines and suggests these be shared across the whole supply chain. Furthermore:

The Glass Packaging Forum would require an independent Cost Benefit Analysis to be undertaken to inform what an advanced disposal fee quantum may be required to meet 2 (a).

Glass Packaging Forum notes that Guideline 2(a) is not possible to enforce in a voluntary framework without corresponding product controls. To explain this further the current container glass levy is a three-way split levy per tonne ((1) importer/manufacture + (2) filler + (3) distributor = full levy per tonne).

The Glass Packaging Forum also notes that Guideline 2(a) has both the potential to see significant cost burden that would be passed onto the consumer as well as challenges being presented to the existing collection infrastructure network.

Due to the scheme being accredited under a voluntary framework, Glass Packaging Forum as the Product Stewardship Organisation (PSO) cannot **enforce** payment of all three parts of the levy through the supply chain therefore relies on influence of the brand owners through their supply chain, and social responsibility of some retail chains.

<sup>11</sup> Legacy products include those sold into the market in earlier years that are now obsolete or banned (eg, agrichemicals containing POPs). Orphaned products include current or recent products for which a liable producer is no longer present (eg, e-waste marketed by companies no longer in business).

<sup>2</sup> The WMA defines producers to include people who: manufacture and sell a product in New Zealand under their own brand; are the owner or licence holder of a trademark under which a product is sold in New Zealand; import a product for sale in New Zealand; or manufacture or import a product for use in trade by them or their agent.

With use of Regulations WMA Section 23, Glass Packaging Forum would then be able to enforce the payment of this levy. This action along with a consequential review of the levy quantum itself (by undertaking an independent Cost Benefit Analysis), Glass Packaging Forum would be able to cover the full net costs of collection and management of container glass (including beverage glass).

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
<b>3. Governance</b>	<ul style="list-style-type: none"> <li>a) The scheme governance entity will be independent, non-profit and represent producers and wider stakeholders, including public interest.</li> <li>b) Governance should include wider stakeholders in two types of advisory groups: those including product producers and recipients of product management fees who have technical or supply chain knowledge, and other stakeholders who represent wider community and consumer interests.</li> <li>c) Structure and accountability of the scheme governance entity will be specified. Clear mechanisms will be implemented to fully control scheme operation, manage non-compliance and report on outcomes.</li> <li>d) The selection process for scheme directors will be transparent, and scheme governance provisions will follow best practice guidelines for New Zealand.<sup>3</sup></li> <li>e) Given the size of New Zealand’s population and market, the default expectation will be that either a single accredited scheme per priority product, or a clear platform for cooperation between schemes for efficient materials handling, will be part of the design.</li> </ul>

3.25. **Q7(3)** Glass Packaging Forum **agrees** with the proposed governance guidelines and notes that the use of advisory groups may be broader than two depending upon the material to be stewarded.

It also adds that often governance positions are voluntary (i.e. time donated by the wider stakeholders) which may impact on the number of suitably qualified “governors” a Product Stewardship Organisation may attract unless these are remunerated positions. We would recommend that governance training is a pre-requisite for governors during their initial term. We would recommend that succession planning is included in the guidelines.

Glass Packaging Forum advises that 3(a, b, c) are incorporated voluntarily into their existing scheme, with documentation for Steering Committee members in place, and legally prepared contracts for the provision of Scheme Management services in place. 3(d) following best practice guidelines for governance is part of the current work plan. Glass Packaging Forum is working actively on collaboration across industry platforms to cooperate on stewardship of packaging to deliver its 2024 diversion goal.

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
<b>4. Non-profit status</b>	<ul style="list-style-type: none"> <li>a) Given the prominence of expected net public good outcomes, the default expectation is that all priority product stewardship schemes will be operated by non-profit entities representing key stakeholders.</li> </ul>

3.26. **Q7(4)** Glass Packaging Forum **agrees** in principle with the not for profit status.

Glass Packaging Forum seeks clarity about definition of the role of Scheme Operation as opposed to Governance in this design feature guidelines. It assumes that Scheme Operation means the functions of the Product Stewardship Organisation (PSO) or Producer

<sup>3</sup> For example, the Institute of Directors of New Zealand *Code of Practice for Directors* [www.iod.org.nz/Portals/0/Publications/Founding%20Docs/Code%20of%20Practice.pdf](http://www.iod.org.nz/Portals/0/Publications/Founding%20Docs/Code%20of%20Practice.pdf).

Responsibility Organisation (PRO) not the commercial entities that might be contracted to deliver the services of the scheme.

Glass Packaging Forum advises that they are a Scheme under the Packaging Forum umbrella which is currently an incorporated society with an underpinning constitution whose purpose and objectives are repeated below:

3.1	<i>The Forum shall address all matters relating to the environmental lifecycle of packaging including manufacture, filling, importing, selling and the subsequent collection of glass, paper, cans, plastic and other packaging materials from consumers. The Forum will address the issue of uses for post-consumer / end of life packaging and any other activities that may be required to achieve the Forum’s goals from time to time and to do anything necessary or helpful to achieve the above purposes.</i>
3.2	<i>Objects: The objects for which the Forum is established are</i>
3.2.1	<i>To promote and develop, a philosophy of “Product Stewardship” among those involved in the packaging industry.</i>
3.2.2	<i>To develop processes and programmes which utilise post-consumer packaging effectively and viably.</i>
3.2.3	<i>To provide a forum in which other stakeholders in the collection and subsequent utilisation of waste consumer packaging containers can work together to get best practise outcomes.</i>
3.2.4	<i>To promote the role of packaging in a modern society and ensure that the wider community has an accurate understanding of its benefits and limitations.</i>
3.2.5	<i>To form, promote and manage Schemes.</i>
3.2.6	<i>And any other packaging recycling activities deemed to be essential to the Forum from time to time.</i>

Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	
Design feature	
<b>5. Competition</b>	<ul style="list-style-type: none"> <li>a) The scheme will clearly provide for transparent, non-discriminatory and competitive procurement processes for downstream services, such as collection, sorting, material recovery and disposal.</li> <li>b) The scheme will ensure that no collectors and recyclers (whether existing, new entrant or social enterprise) are unfairly excluded from participation. This includes making service packages of suitable scale (whether geographically, by material or other measure) to allow both large and small providers to compete fairly.</li> <li>c) Multiple accredited schemes will be considered if the net community and environmental benefit (including cost-effectiveness and non-monetary impacts) is likely to be improved.</li> <li>d) Provision will be made for regular independent audit of agreements among competitors.</li> <li>e) The design process for the scheme will have adhered to guidelines on collaborative activities between competitors as issued by the Commerce Commission, including, but not limited to, applying for collaborative activity clearance from that commission (eg, Commerce Commission, 2018a, 2018b, 2018c and 2019).</li> </ul>

3.27. **Q7(5)** Glass Packaging Forum **supports** the proposed competition guidelines.

Glass Packaging Forum advises that design features 5(a, b, d and e) are incorporated voluntarily into their existing scheme, excepting that 5(e) applying for collaborative activity clearance from the Commerce Commission has not been sought as not required under a voluntary framework.

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
<b>6. Stakeholder engagement and collaboration</b>	a) The scheme will specify how wider stakeholders will be involved in decision-making by governance group (eg, use of stakeholder advisory groups). b) The scheme will have been designed with the active engagement of stakeholders currently involved in the product end of life (eg, collectors and recyclers). c) The scheme will specify how use of existing collection and processing infrastructure and networks will be maximised and new infrastructure and networks co-designed and integrated between product groups.

3.28. **Q7(6)** Glass Packaging Forum **supports** the proposed stakeholder engagement and collaboration guidelines.

Glass Packaging Forum advises that 6(a, b and c) design features are incorporated voluntarily into their existing scheme. The Glass Stewardship Scheme works across a wide range of partnerships and actively engages with members, Councils and contractors in the interest of raising the profile and diversion rate of glass.

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
<b>7. Compliance</b>	a) The scheme will have a clear means of enforcing compliance of all participants and reporting liable non-participants to the government enforcement agency. b) The scheme will have strategies to reduce 'leakage' of higher value end-of-life products (eg, 'cherry picking' of e-waste components by informal collectors).

3.29. **Q7(7)** Glass Packaging Forum **supports** the proposed compliance guidelines and note that these are not able to be enforced in their voluntary schemes. Essentially under the function of the GPF, glass is glass and there is no opportunity to profit from removing any component from the supply chain. The GPF notes there will be a likely impact of cherry picking on kerbside recycling and some drop off facilities.

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
<b>8. Targets</b>	a) All schemes will be expected to set and report on targets that have the following characteristics: <ul style="list-style-type: none"> <li>• significant, timely and continuous improvement</li> <li>• benchmarked against and aspiring to attain best practice recovery and recycling or treatment rates for the same product type in high-performing jurisdictions</li> <li>• a clear time bound and measurable path to move toward attaining best practice</li> <li>• targets for new product and market development to accommodate collected materials.</li> </ul> b) Results against targets will be publicly reported at least annually. c) Material collection, recovery and disposal rates will be measured against one of the following: <ul style="list-style-type: none"> <li>• actual trend data, if the scheme has pre-existed as a voluntary scheme</li> <li>• the average aggregate weight or count of products sold into the market in the previous three reported years</li> <li>• another specified method where market entry information does not yet exist.</li> </ul>

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
	<p>d) Plans will be specified for review, adjustment and reporting on performance targets preferably annually and no less than every three years, taking account of changes in the market, natural events and technology.</p> <p>e) A clear distinction will be made between funding arrangements and market capacity to manage both potential high volume legacy and orphaned product collections in earlier years and ongoing continuous improvement of collection rates.</p> <p>f) Performance targets will include measures for public awareness of scheme participant satisfaction and a record of response by the scheme to concerns raised. This will be made available to scheme auditors.</p>

3.30. **Q7(8)** Glass Packaging Forum **agrees** with the proposed target guidelines.

Glass Packaging Forum welcomes transparent baseline reporting across all accredited schemes nationwide. All the targets for Glass Packaging Forum schemes are reviewed and reported publicly on an annual basis including the method of calculating mass balance data for materials flows. Consideration must be given to the impact of natural disasters, primarily earthquakes on a scale of Christchurch and Kaikoura which have had a significant storage and logistical impact on the flow of materials when local resources were diverted to priority areas. The impact of that has been felt for many years post the events. It **recommends** that adjustment for these factors needs to be addressed immediately between the PSO/PRO and the Ministry for the Environment regulator.

Lastly, there is a fine balance between collection of material into the scheme and the ability to process material or sell offshore – the difference being stockpiling or undersupply for processing. Targets need to reflect that fine balance and be timed to move progressively with each aspect.

Glass Packaging Forum advises that 8 (a, b, c, d, e and f) are incorporated voluntarily into their existing schemes.

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
<b>9. Timeframes</b>	<p>a) The timeframe within which an application for accreditation or reaccreditation of the priority product scheme is expected to be made after declaration of priority product is as follows:</p> <ul style="list-style-type: none"> <li>• priority product categories with existing accredited voluntary schemes (eg, refrigerants, agrichemicals, farm plastics, packaging): within one year from the date of priority product declaration</li> <li>• priority product categories with accreditation proposals that have been developed through a multi-stakeholder consultation process including, as a minimum, producers, local authorities, major users, existing collectors and recyclers (eg, tyres): within one year from the date of priority product declaration or the date of proposal completion, whichever comes later</li> <li>• other priority product categories: within three years from the date of priority product declaration.</li> </ul> <p>b) Within the accredited seven-year period, at least one full review will be undertaken of scheme costs and effectiveness. The results of reviews and proposed scheme amendments to improve cost effectiveness will be reported via the annual reporting process.</p>

- 3.31. **Q7(9)** Glass Packaging Forum in principle agrees with the timeframes however **seeks further clarity** about the timeframe for existing accredited schemes and their re-accreditation.

Specifically, Glass Packaging Forum **assumes** that the existing accredited schemes: Glass Packaging Stewardship (GPF) will be seeking re-accreditation against the “**Guidelines for Priority Product Scheme Accreditation**” proposed to be announced circa December 2019 – i.e. those relating to this whole section 7 within 12 months should beverage/packaging glass be gazetted as a priority product.

Glass Packaging Forum understands that their schemes accreditation may be varied (WMA Section 16) or revoked (WMA Section 18 (c) if an alternative stewardship scheme for the same priority product is accredited and it is proven to achieve outcomes that the incumbent scheme cannot reasonably be expected to meet and, in both cases, due process needs to be followed.

The Act requires the Minister to be satisfied that the product can be effectively managed in a Product Stewardship scheme. It is not clear whether section 9(2)(b) refers to a voluntary or a mandatory product stewardship scheme. The approach taken in the Discussion Document indicates that a mandatory scheme is what should be considered under section 9(2)(b). However we suggest there should be scope for the Minister to assess that any existing voluntary scheme is delivering the same or better outcomes than could be achieved by regulating the product or scheme.

Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	
Design feature	
<b>10. Market development</b>	a) The scheme will have a research and development budget to develop new recycled products, encourage transition to circular product and recycled product materials design, and cooperate with other stakeholders to enhance onshore infrastructure.

- 3.32. **Q7(10)** Glass Packaging Forum **supports** the market development guidelines.

The Glass Packaging Scheme voluntarily incorporates market development into its scheme design by way of a contestable fund commensurate with ~50% of its levy take to enhance onshore infrastructure and to support applications for research and development into alternative uses of glass fines unable to be utilised in the remanufacture of bottles.

Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	
Design feature	
<b>11. Performance standards, training and certification</b>	<p>a) The scheme will have clear means for ensuring adequate training and certification of all people recovering and managing a product throughout its life cycle, to ensure best practice in prevention and reduction of harm to people and the environment.</p> <p>b) Any relevant standards for best practice will be referenced in training, supplier accreditation and monitoring (eg, AS/NZS 5377 for e-waste collection and processing). The scheme will participate in the development and revision of relevant standards.</p> <p>c) The scheme will have clear chain of custody arrangements for monitoring processing of materials and reduction of harm, both onshore and offshore, including annual reporting of findings.</p>

- 3.33. **Q7(11)** Glass Packaging Forum **supports** the performance, standards, training and certification guidelines.

Glass Packaging Forum works with providers who can demonstrate their scheme management capability and capacity commensurate with the material being stewarded.

Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	
<b>Design feature</b>	
<b>12. Liability and insurance</b>	<ul style="list-style-type: none"> <li>a) The scheme will have clear chain of custody arrangements for monitoring receipt and processing of materials and reduction of harm, both onshore and offshore, including annual reporting of findings.</li> <li>b) The scheme will ensure that liability of parties is clear for each stage of product and materials handling, and adequate insurance for liability is in place at each stage of the process.</li> </ul>

3.34. **Q7(12)** Glass Packaging Forum **agrees** with the Liability and Insurance guidelines.

Glass Packaging Forum contracts are clear about chain of custody of materials and liability for insurance purposes. This design feature will need to be specific to each scheme material flow, markets and end use processors.

Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	
<b>Design feature</b>	
<b>13. Design for environment</b>	<ul style="list-style-type: none"> <li>a) The scheme will contain financial or other incentives for diversion of collected products to highest and best resource use, weighted for applications higher up the 'waste hierarchy' (in priority order: reduction, reuse, recycling or composting, energy recovery, safe treatment and disposal).</li> <li>b) The fees paid by a producer to a collective scheme will, as far as possible, be linked to actual end-of-life treatment costs of their products, such as through variable or modulated fees.</li> <li>c) The scheme will facilitate good communication, feedback and incentives between designers, manufacturers, sales and marketing teams, distributors, retailers, consumers, collectors, recyclers and end disposal operators, to inform improved design of products and systems.</li> <li>d) The scheme will fund initiatives to improve circular resource use by reducing the 'end-of-life' components of the product(s) and improving design for reusability and recyclability of the priority product(s).</li> </ul>

3.35. **Q7(13)** Glass Packaging Forum **supports** the Design for Environment guidelines.

Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	
<b>Design feature</b>	
<b>14. Reporting and public accountability</b>	<ul style="list-style-type: none"> <li>a) The scheme will provide for clear, regular and open reporting and communication with stakeholders.</li> <li>b) Annual reports will be made public. These will include measurement of outcomes and achievement of targets, fees collected and disbursed, and net cash reserves held as contingency.</li> <li>c) Provision will be made for regular independent financial, compliance, enforcement and environmental audits of scheme performance.</li> <li>d) Scheme plans will address the following: data availability, especially when several PROs are in competition; materials' traceability; precise definition for data collection and reporting (eg, recycling rates and operational costs).</li> <li>e) The scheme will have mechanisms in place to protect competitive information relating to detailed operational costs (eg, 'black box' data collection by third party with aggregate reporting).</li> <li>f) Scheme performance measures will be harmonised between schemes as far as possible.</li> </ul>

- 3.36. **Q7(14)** Glass Packaging Forum **supports** the Reporting and Public Accountability Guidelines.

Glass Packaging Forum advises that its voluntary schemes already provide for 14 (a)(b)(c)(e) and (f). 14(d) relates to availability of mass balance data and Glass Packaging Forum agree this is significantly important as it relates to transparent performance of delivery against targets.

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
<b>15. Public awareness</b>	<ul style="list-style-type: none"> <li>a) Branding and clear information on how and why the scheme operates will be easily available at point of distribution (intercompany) and purchase (consumer), point of waste product collection and online, and a link to the online information will be on the product or product packaging.</li> <li>b) The scheme will provide for transparent product stewardship fees at point of purchase.</li> <li>c) The scheme will ensure that consumer labelling standards for the product are complied with (eg, under the Hazardous Substances and New Organisms Act 1996 for hazardous substances).</li> <li>d) The scheme will regularly measure and report on public awareness and scheme participant satisfaction, and improvements made accordingly.</li> </ul>

- 3.37. **Q7(15)** Glass Packaging Forum **agrees with 15 (a), (c) and (d).**

**15 (b)** the Glass Packaging Forum agrees with this in principle within the constraints of consumer labelling that already exists for beverages non-alcohol and alcohol. The GPF recognises that members already face pressure from evolving mandatory labelling requirements and the guidelines will exacerbate pressure on labelling real estate.

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
<b>16. Monitoring, compliance and enforcement</b>	<ul style="list-style-type: none"> <li>a) The scheme will have a clear means of enforcing compliance of all participants and reporting liable non-participants to the government enforcement agency.</li> <li>b) The scheme will have strategies to reduce 'leakage' of higher value end-of-life products (eg, 'cherry picking' of e-waste components by informal collectors).</li> <li>c) The Government will enforce WMA regulations.</li> <li>d) Revocation of accreditation is possible under WMA section 18 if reasonable steps are not being taken to implement the scheme, and the scheme's objectives are not being met or are not likely to be met within the timeframes outlined in the scheme.</li> </ul>

- 3.38. **Q7(16)** Glass Packaging Forum **agrees** with the monitoring, compliance and enforcement guidelines. It recognises that more information would need to be provided to Product Stewardship Organisations regarding the role of Government in the enforcement of WMA regulations.

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation
<b>17. Accessible collection networks</b>	<ul style="list-style-type: none"> <li>a) The scheme will provide for an end-of-life product collection system that is reasonably accessible for all communities generating that waste product, whether metropolitan, provincial or rural.</li> <li>b) Collection will be free to the public (fully funded by the scheme) for all products covered by the scheme.</li> <li>c) Collection will be based on the product, not proof of purchase.</li> <li>d) Collections will, as far as possible, share infrastructure and public information with other collection schemes in the area.</li> </ul>

3.39. **Q7(17)** Glass Packaging Forum **supports** the intent of the accessible collection and networks guidelines, it notes that this support needs to be provided within the constraints of the Commerce Commission Act. The Glass Packaging Forum is actively working with Councils and contractors to extend the reach of glass recycling into rural areas. This has now been achieved across the Hastings and Marlborough Districts and work with Councils, industry and community is being undertaken to ensure access to glass recycling throughout NZ.

#### **4. Additional Comments**

WMA 2008, Section 9(3)(d) "The Minister...must consider the effectiveness of any relevant voluntary product stewardship scheme in terms of the criteria set out in subsection (2)

- 4.1. Glass Packaging Forum considers that their Accredited Voluntary Glass Packaging Product Stewardship Scheme for Container Glass (including Beverage Glass) is effective. The profile of glass packaging and its recyclability has never been higher.
- 4.2. Following a restructure of the scheme in 2017, the re-accreditation of the Scheme has a targeted recycling rate of 82% by 2024 and as at September 2018 achieved 62% capture of total glass to the NZ market.
- 4.3. The collection of mass balance data from Councils and Waste Managers occurs throughout September annually, we are in the middle of collecting the volume of glass recovered and recycled; current indications suggest we are toward 70% glass capture however this figure won't be confirmed until after all data has been collated for the 2018/19 reporting period.
- 4.4. The continued approach of investing in sensible infrastructure is on track to achieve this target. Clear examples of good investment are the Tauranga City Council kerbside glass recycling collection which has seen glass tonnage rise from an estimated 3,500 tonnes to over 7,000 tonnes in its first year of operation. The GPF invested \$165,000 toward this positive project.
- 4.5. The investment by the GPF in sensible infrastructure is beginning to yield benefits as some of the previous obstacles are overcome around storage capacity and transportation. This is demonstrated clearly by the additional tonnage processed by the O-I furnace during 2018/19 financial year.
- 4.6. Between 2019 through 2024, the scheme is designed to increase capacity alongside New Zealand cullet beneficiator (Visy Recycling) and container glass manufacturer (O-I) through the creation of hub/spoke collection systems nationwide. It is important that the Government and MfE understand that the investment in a new furnace is in the order of at least \$30 million dollars, and therefore increased capacity in beneficiation and initiatives that deliver high quality

glass cullet to O-I is the more beneficial focal point of investment. Furthermore it recognises that the market for container glass sale in New Zealand is a competitive market with a significant volume of imported container glass; and lastly it recognises that while the market capacity may grow for onshore sales of container glass, not all container glass can contain recycled content due to the specific requirements of fillers – specifically those fillers of containers under pressure.

- 4.7. The Scheme offers a circular packaging solution with cullet primarily returned to furnace at O-I in Auckland via a network of hubs ensuring its embodied energy is captured again and again, and where needed used as a roading aggregate or drainage medium in the South Island.
- 4.8. As a working example of the circular economy in action it is reassuring for consumers to understand that glass is 100% recyclable right here in New Zealand with zero reliance on overseas markets. Glass can be recycled to make new bottles an infinite number of times without ever reducing its quality.
- 4.9. The Glass Packaging Forum prides itself on its proactive relationships with local authorities, waste and recycling operators, The Zero Waste Network and a wide range of community operators – all with an interest in increasing glass recycling. These relationships are crucial to a sustainable supply chain.
- 4.10. The Glass Packaging Forum wishes to highlight that all glass destined to be recycled through the O-I furnace MUST first be processed by a beneficiation plant (VISY) to allow for the removal of all contamination which includes bottles tops and labels. No post-consumer material would be able to be sent direct to furnace. The quality of the recovered cullet is an essential cornerstone to reaching our target of 82% by 2024.
- 4.11. The Glass Packaging Forum suggests that Co-mingled kerbside collections have the single most detrimental impact on the ability to recycle “recovered” materials due to the high level of contamination resulting in higher processing costs and increased “loss” of recovered material. While co-mingled collections provide collection efficiency, the failure of co-mingled kerbside collections as a tool to provide increased quality and quantity of commodity has been clearly demonstrated across Australia.
- 4.12. Both Auckland and Christchurch provide co-mingled collection services. This collection methodology degrades the collected materials’ integrity, making them less suitable for recycling and thereby reducing their value; leading to significant loss. Glass pieces under 8mm are too small to be effectively colour sorted which adds complexity to the glass recycling process by requiring the material to be washed and fine ground, in order to make it suitable for the furnace.
- 4.13. Existing kerbside recycling services provide an efficient mechanism for the recovery of glass. The efficiency and convenience of one truck servicing multiple households cannot be understated. Councils have invested significant resource to provide services that suit the needs of their residents that provide both high participation and yield of quality material when source separated. There is a well-established trend of Councils opting for colour source separation kerbside collection methodology as a recognised best practise.

## 5. Additional Comments: A co-design regulated approach

- 5.1. Glass Packaging Forum wishes to participate in any subsequent co-design processes on behalf of its members.
- 5.2. Glass Packaging Forum is aware that there are competing interests in the proposed co-design of stewardship for beverage packaging across membership organisations whose members are potentially impacted by regulation of beverage packaging. Specifically, this is referring to the example of Container Deposit Systems being the regulated product stewardship “payment and capture system” for beverage packaging.
- 5.3. While Glass Packaging Forum membership covers stakeholders across the supply chain (excluding Local and Central Government), it recognises that competing interests by members across several membership organisations on outcomes of regulated stewardship and compliance with the Commerce Commission guidelines for the development of product stewardship programmes would be very difficult to maintain and deliver by a single industry organisation itself.
- 5.4. It therefore proposes that Government (Ministry for the Environment) support the set up of a consultation framework that enables membership organisations impacted by potential priority products to participate at the appropriate levels. We consider these to be:

**Governance** should be represented by those completely independent of the impacts and benefits of a co-designed scheme and should be directors who are experienced in good governance

**Advisory Groups** should be established for each piece of the supply chain impacted (eg impacted by materials flow, impacted by cost, impacted by infrastructure changes, impacted by logistics).

**Independent Chairs** should be appointed to these advisory groups so that they are independently chaired and that there is a transparent information flow up to the Governance Group

**Scheme Design** should be undertaken by those experienced in developing product stewardship solutions with the key criteria being impartiality, effective consultation and inclusiveness; the Scheme Designer(s) are responsible to the Governance Group and take advice and evidence from the Advisory Group as well as from public consultation; and

**A cost benefit analysis** should be a professional firm experienced in producing CBA’s and undertaken independent of the above groups based on facts-based evidence with more than one scenario tabled for the Minister to consider.

## APPENDIX 1

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
<b>1.Intended objectives and outcomes</b>	a) Specify the expected reduction in harm to the environment from the implementation of a scheme and/or the expected benefits from reduction, reuse, recycling, recovery or treatment of the product to which a scheme relates.	a) The GPF provides a working voluntary product stewardship scheme working to ensure as much glass as possible is diverted from landfill.	a) Glass Packaging Forum agrees with the intended objectives and outcomes and note that good data on imported/distributed material will be key to setting targets against these objectives and outcomes. b) We do not consider that glass causes environmental harm, based on its inherent properties and New Zealand's current recovery and remanufacture performance.
	b) Specify the expected quantifiable waste minimisation and management objectives for the product to which a scheme relates, and the plan to achieve significant, timely and continuous improvement.	c) Outlined in the re-accreditation plan e.g. 82% recovered by 2024	b) We suggest that the Ministry gather information and data on the quantity of imported glass material, as this will be far more difficult to regulate and will give an advantage to glass imports over glass container products made by O-I here in New Zealand.
	c) All schemes will be designed to incentivise product management higher up the waste hierarchy in priority order: waste prevention, reuse, recycling, recovery (materials and energy), treatment and disposal.	c) Glass is 100% and infinitely recyclable as well as bottle manufacture using recycled cullet provides 60% savings on carbon emissions. Given this, the scheme focuses on maximising efficient recovery and delivery back to the furnace.	c) Glass recycling is the perfect example of the circular economy in action. 100% recyclable, right here in NZ.
	d) For products containing hazardous materials: industry certification and compliance with other legislation for installation or use, maintenance, collection, transport, storage and disposal pathways.	d) N/A	d) N/A
	e) All schemes will be designed and financed to manage orphaned and legacy	e) All container glass is included in the scheme whether from a participating member or not	e) Glass Packaging Forum advises that 1(a, b, c and e) are incorporated voluntarily into their

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
	products, <sup>4</sup> as well as current products entering the market.		existing scheme 1(e) as it is a consumer-based scheme; the Glass Packaging Scheme does cover orphaned and legacy products 1(e).
<b>2. Fees, funding and cost effectiveness</b>	a) The full net costs of collection and management of the priority product (reuse, recycling, processing, treatment or disposal) will be covered by producer and product fees associated with the scheme (eg, 'producer pays' or 'advance disposal fee'). <sup>5</sup>	a) The scheme facilitates collection and transport of glass to furnace within an existing market structure. This is achieved through a number of platforms through a wide network of relationships. The colour separation at source is becoming recognised by Councils as the most cost-effective way of managing glass quality at kerbside.	a) Glass Packaging Forum does not support the proposed fees, funding and cost effectiveness guidelines and suggests these be shared across the whole supply chain.  We suggest that these guidelines are clearly written with a Container Deposit Scheme in mind with no regard for the performance of the existing voluntary scheme.  Building on the GPF's success and to enhance the system further, the Minister could consider establishing regulations under s23 of the Act to enforce payment of the levy
	b) The impact of more than one accredited scheme and opportunities for maintaining competition should be considered in terms of net cost effectiveness (including monetary and non-monetary costs and benefits).	b) The GPF is providing a working solution for raising the profile of glass packaging and its recyclability as well as improving the quality and quantity of recovered glass for bottle to bottle recycling.	b) We suggest that any competing scheme (CDS) would impact on the current scheme – cannibalising beverage containers, lowering the declaration levies collected and minimising the impact the current scheme has on glass recycling
	c) Specify plans to manage risk to sustainable scheme income, such as price volatility and leakage of materials into other markets.	c) The GPF is actively recruiting members to ensure the 15% free rider activity is reduced.	c) It is unclear how the Producer Pays principle will apply to imported glass material and to products across the industry. Increasing imports of glass stand to threaten the ability to recycle glass in the long term as the O-I

<sup>4</sup> Legacy products include those sold into the market in earlier years that are now obsolete or banned (eg, agrichemicals containing POPs). Orphaned products include current or recent products for which a liable producer is no longer present (eg, e-waste marketed by companies no longer in business).

<sup>5</sup> The WMA defines producers to include people who: manufacture and sell a product in New Zealand under their own brand; are the owner or licence holder of a trademark under which a product is sold in New Zealand; import a product for sale in New Zealand; or manufacture or import a product for use in trade by them or their agent.

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
			operation could experience a surplus of cullet.
	d) Specify how existing and emerging technologies will be used to help track and manage product or waste throughout the supply chain (eg, bar codes, radio frequency identification (RFID), and block chain).	d) RFID has been introduced to select council areas for glass collection. This country first provides data on the cost of collection, percentage participation.	d) This data will be reviewed and applied. Further funding may then be applied to the introduction of similar technology in other areas
<b>3. Governance</b>	a) The scheme governance entity will be independent, non-profit and represent producers and wider stakeholders, including public interest.	a) The scheme is governed by a committee of member representatives, elected by members each year and who represent both producer brands, recycling companies and packaging manufacturers.  Glass Packaging Forum advises that 3(a, b, c) are incorporated voluntarily into their existing scheme, with documentation for Steering Committee members in place, and legally prepared contracts for the provision of Scheme Management services in place.	a) Glass Packaging Forum agrees with the proposed governance guidelines and notes that the use of advisory groups may be broader than two depending upon the material to be stewarded.  We query how governance would be funded under the proposed Guidelines. Furthermore, governance positions are generally voluntary which may impact the number of persons who are qualified with relevant expertise for these roles, especially given the combined environmental, commercial and economic impact of decision-making.
	b) Governance should include wider stakeholders in two types of advisory groups: those including product producers and recipients of product management fees who have technical or supply chain knowledge, and other stakeholders who represent wider community and consumer interests.	b) Steering committee currently allows for stakeholder diversity.	b) a) The scheme is governed by a committee of member representatives, elected by members each year and who represent both producer brands, recycling companies and packaging manufacturers.

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
	c) Structure and accountability of the scheme governance entity will be specified. Clear mechanisms will be implemented to fully control scheme operation, manage non-compliance and report on outcomes.	c) The GPF is fully accountable for its actions and delivers positive product stewardship outcomes for glass recycling.	c) (a), (b) and (c) are already voluntarily incorporated into the GPF with formal legal arrangements supporting these. 3(d) is part of the current work plan.
	d) The selection process for scheme directors will be transparent, and scheme governance provisions will follow best practice guidelines for New Zealand. <sup>6</sup>	d) As per The Packaging Forum constitution and that 3(d) following best practice guidelines for governance is part of the current work plan. Glass Packaging Forum is working actively on collaboration across industry platforms to cooperate on stewardship of packaging to deliver its 2024 diversion goal.	d) 3(d) is part of the GPF's current work plan.
	e) Given the size of New Zealand's population and market, the default expectation will be that either a single accredited scheme per priority product, or a clear platform for cooperation between schemes for efficient materials handling, will be part of the design.	e) The GPF is the product stewardship scheme for glass recycling.	e) The GPF queries how governance would be funded under the proposed Guidelines, and how it applies to priority products that could have multiple schemes
<b>4. Non-profit status</b>	a) Given the prominence of expected net public good outcomes, the default expectation is that all priority product stewardship schemes will be operated by non-profit entities representing key stakeholders.	a) Governed by not for profit member organisation and funded through member levies.	a) Glass Packaging Forum seeks clarity about definition of the role of Scheme Operation as opposed to Governance in this design feature guidelines. It assumes that Scheme Operation means the functions of the Product Stewardship Organisation (PSO) or Producer Responsibility Organisation (PRO) not the commercial entities that might be contracted to deliver the services of the scheme.

<sup>6</sup> For example, the Institute of Directors of New Zealand *Code of Practice for Directors* ([www.iod.org.nz/Portals/0/Publications/Founding%20Docs/Code%20of%20Practice.pdf](http://www.iod.org.nz/Portals/0/Publications/Founding%20Docs/Code%20of%20Practice.pdf)).

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
			The GPF considers the operation of this guideline is unclear alongside the governance and stakeholder guidelines. The GPF is a scheme under the incorporated society, the Packaging Forum, however it is delivered by commercial entities who are in the business of glass recovery and manufacture. Members are businesses operating for profit, derived from helping New Zealand achieve long-term environmental sustainability.
<b>5. Competition</b>	a) The scheme will clearly provide for transparent, non-discriminatory and competitive procurement processes for downstream services, such as collection, sorting, material recovery and disposal.	a) Glass Packaging Forum advises that design features 5(a, b, d and e) are incorporated voluntarily into their existing scheme, excepting that 5(e) applying for collaborative activity clearance from the Commerce Commission has not been sought as not required under a voluntary framework.	a) The GPF considers this guideline could create issues in a mandatory scheme, in particular a Container Return Scheme. Procurement must be a competitive model, and these guidelines restrict the ability for the market to decide how it will procure in the recovery supply chain in a mandatory scheme.
	b) The scheme will ensure that no collectors and recyclers (whether existing, new entrant or social enterprise) are unfairly excluded from participation. This includes making service packages of suitable scale (whether geographically, by material or other measure) to allow both large and small providers to compete fairly.	b) No suitable provider would be excluded. Grant funding allocation is based on results and coverage i.e. tonnage to furnace, coverage/support for seasonal supply issues and not the type of enterprise applying	b) The GPF supports inclusiveness in the supply chain, 5(b) ignores that the glass supply chain is often a commercial arrangement between multiple parties, and that the glass has to be of a particular quality to be used for manufacture of new glass products.
	c) Multiple accredited schemes will be considered if the net community and environmental benefit (including cost-effectiveness and non-monetary impacts) is likely to be improved.	c) The GPF is the product stewardship scheme for glass recycling	c) We suggest that any competing scheme (CDS) would impact on the current scheme – cannibalising beverage containers, lowering the declaration levies collected and minimising the impact the current scheme may have on glass recycling

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
	d) Provision will be made for regular independent audit of agreements among competitors.	d) The GPF supports continued improvement.	
	e) The design process for the scheme will have adhered to guidelines on collaborative activities between competitors as issued by the Commerce Commission, including, but not limited to, applying for collaborative activity clearance from that commission (eg, Commerce Commission, 2018a, 2018b, 2018c and 2019).	e)	e) The GPF suggests that had co-mingled recycling had to adhere to the proposed guidelines that the current loss of quality recycling from both Auckland and Christchurch would not be occurring. The co-mingled collection of recycled materials reduces quality of glass (and other recyclable products) to a standard that cannot be reused.
<b>6. Stakeholder engagement and collaboration</b>	a) The scheme will specify how wider stakeholders will be involved in decision-making by governance group (eg, use of stakeholder advisory groups).	a) Glass Packaging Forum advises that 6(a, b and c) design features are incorporated voluntarily into their existing scheme. The Glass Stewardship Scheme works across a wide range of partnerships and actively engages with members, Councils and contractors in the interest of raising the profile and diversion rate of glass.	a) The GPF supports the proposed stakeholder engagement and collaboration guidelines in principle, however queries how these guidelines will work with the governance guidelines.
	b) The scheme will have been designed with the active engagement of stakeholders currently involved in the product end of life (eg, collectors and recyclers).	b) Alongside brand producers, both collectors and recyclers are involved in scheme governance and funding decision making	b) The GPF is collaboratively established and managed with the involvement of all supply chain stakeholders, allowing for glass to be effectively recovered and reused.
	c) The scheme will specify how use of existing collection and processing infrastructure and networks will be maximised and new infrastructure and networks co-designed and integrated between product groups.	c) The GPF is focused on using levies to enhance existing collection and processing infrastructure and networks the best way it can and with its established expertise and networks	c) Depending on the outcome of the consultation process and Container Return Scheme project there is likely to be significant investment requirements that are likely to be beyond the costs recovered through compulsory levies.
<b>7. Compliance</b>	a) The scheme will have a clear means of enforcing compliance of all participants	a) The GPF is continually monitoring improvements to glass recovery network.	a) Glass Packaging Forum supports the proposed compliance guidelines and note

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	and reporting liable non-participants to the government enforcement agency.	This includes: glass mass balance, return on investment, connecting infrastructure such as the Christchurch glass hub, funding by area and increasing glass recovery by area. Further action is required to meet the guidelines and address the issue of 'free riders'.	<p>that these are not able to be enforced in their voluntary scheme. Essentially under the function of the GPF, glass is glass and there is no opportunity to profit from removing any component from the supply chain.</p> <p>The compliance guidelines will be an issue if beverage glass is declared a priority product, as they will create dual streams for recovery of beverage glass and other container glass. The guidelines also fail to recognise that businesses need to have a choice in what materials are used and recovered, as there are limits to what can be used in the remanufacture of container glass due to practical and customer specifications.</p>
	b) The scheme will have strategies to reduce 'leakage' of higher value end-of-life products (eg, 'cherry picking' of e-waste components by informal collectors).	b) There is limited risk to the GPF as we do not own the glass and there is currently no pricing differential between colour of glass.	<p>b) Essentially under the function of the GPF, glass is glass and there is no opportunity to profit from removing any component from the supply chain.</p> <p>c) The GPF notes there will be a likely impact of cherry picking on kerbside recycling and some drop off facilities.</p>
<b>8. Targets</b>	<p>a) All schemes will be expected to set and report on targets that have the following characteristics:</p> <ul style="list-style-type: none"> <li>• significant, timely and continuous improvement</li> <li>• benchmarked against and aspiring to attain best practice recovery and recycling or treatment rates for the</li> </ul>	<p>a) The GPF has a target of 82% diversion by 2024 and is responsible for monitoring progress towards this target.</p> <p>Glass Packaging Forum advises that 8 (a, b, c, d, e and f) are incorporated voluntarily into their existing schemes.</p>	<p>a) Glass Packaging Forum welcomes transparent baseline reporting across all accredited schemes nationwide. All the targets for Glass Packaging Forum schemes are reviewed and reported publicly on an annual basis including the method of calculating mass balance data for materials flows. Consideration must be given to the</p>

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	<p>same product type in high-performing jurisdictions</p> <ul style="list-style-type: none"> <li>• a clear time bound and measurable path to move toward attaining best practice</li> <li>• targets for new product and market development to accommodate collected materials.</li> </ul>		<p>impact of natural disasters, primarily earthquakes on a scale of Christchurch and Kaikoura which have had a significant storage and logistical impact on the flow of materials when local resources were diverted to priority areas. The impact of that has been felt for many years post the events. It recommends that adjustment for these factors needs to be addressed immediately between the PSO/PRO and the Ministry for the Environment regulator.</p> <p>The GPF is concerned that beverage glass packaging would be subject to packaging targets, whereas all other container glass would not be, for example, jars. Furthermore, targets are not currently shown to apply to imported products, therefore creating an uneven playing field for O-I as New Zealand's only on-shore glass container manufacturer.</p>
	b) Results against targets will be publicly reported at least annually.	b) The GPF reports to MfE as part of its GPF Product Stewardship Accreditation Report	b) The GPF would ensure any future report meets the guideline requirements
	<p>c) Material collection, recovery and disposal rates will be measured against one of the following:</p> <ul style="list-style-type: none"> <li>• actual trend data, if the scheme has pre-existed as a voluntary scheme</li> <li>• the average aggregate weight or count of products sold into the market in the previous three reported years</li> </ul>	<p>c) The GPF has worked diligently to ensure the quality and integrity of its data.</p> <ul style="list-style-type: none"> <li>• This data is collated as part of the annual mass balance process</li> <li>• This is the second year in existing format</li> <li>• Process of continual improvement</li> </ul>	c) The GPF is working toward ensuring that the best data capture system exists and that all data sources are known and captured.

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
	<ul style="list-style-type: none"> <li>another specified method where market entry information does not yet exist.</li> </ul>		
	d) Plans will be specified for review, adjustment and reporting on performance targets preferably annually and no less than every three years, taking account of changes in the market, natural events and technology.	d) GPF will be responsible for review and adjustment of targets based on performance.	d) Ensure the performance of the GPF meets the guideline requirements.
	e) A clear distinction will be made between funding arrangements and market capacity to manage both potential high volume legacy and orphaned product collections in earlier years and ongoing continuous improvement of collection rates.	e) The GPF addresses all glass packaging.	e) The GPF will continue to address all glass packaging as the GPF focuses on the recovery of all glass regardless of point of manufacture or scheme involvement.
	f) Performance targets will include measures for public awareness of scheme participant satisfaction and a record of response by the scheme to concerns raised. This will be made available to scheme auditors.	f) The GPF has a continual media presence around raising the profile of glass recycling. a. Stats around each message are already compiled to determine scope and reach.	f) The GPF will continue to promote glass recycling as the perfect working example of the circular economy, right here, in NZ.
<b>9. Timeframes</b>	a) The timeframe within which an application for accreditation or reaccreditation of the priority product scheme is expected to be made after declaration of priority product is as follows: <ul style="list-style-type: none"> <li>priority product categories with existing accredited voluntary schemes (eg, refrigerants, agrichemicals, farm plastics, packaging): within one year</li> </ul>	a) Application to be prepared extending and outlining scheme requirements/changes as a result of the PP announcement	a) Glass Packaging Forum in principle agrees with the timeframes however seeks further clarity about the timeframe for existing accredited schemes and their re-accreditation.  Specifically, Glass Packaging Forum assumes that the existing accredited schemes: Glass Packaging Stewardship (GPF) will be seeking re-accreditation against the "Guidelines for

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	<p>from the date of priority product declaration</p> <ul style="list-style-type: none"> <li>priority product categories with accreditation proposals that have been developed through a multi-stakeholder consultation process including, as a minimum, producers, local authorities, major users, existing collectors and recyclers (eg, tyres): within one year from the date of priority product declaration or the date of proposal completion, whichever comes later</li> <li>other priority product categories: within three years from the date of priority product declaration.</li> </ul>		<p>Priority Product Scheme Accreditation” proposed to be announced circa December 2019 – i.e. those relating to this whole section 7 within 12 months should beverage/packaging glass be gazetted as a priority product.</p> <p>The Act requires the Minister to be satisfied that the product can be effectively managed in a Product Stewardship scheme. It is not clear whether section 9(2)(b) refers to a voluntary or a mandatory product stewardship scheme. The approach taken in the Discussion Document indicates that a mandatory scheme is what should be considered under section 9(2)(b). However we suggest there should be scope for the Minister to assess that any existing voluntary scheme is delivering the same or better outcomes than could be achieved by regulating the product or scheme.</p>
	<p>b) Within the accredited seven-year period, at least one full review will be undertaken of scheme costs and effectiveness. The results of reviews and proposed scheme amendments to improve cost effectiveness will be reported via the annual reporting process.</p>	<p>b) Met by current scheme accreditation report and TPF reporting requirements</p>	<p>b) Glass Packaging Forum understands that their schemes accreditation may be varied (WMA Section 16) or revoked (WMA Section 18 (c) if an alternative stewardship scheme for the same priority product is accredited and it is proven to achieve outcomes that the incumbent scheme cannot reasonably be expected to meet and, in both cases, due process needs to be followed.</p>
<p><b>10. Market development</b></p>	<p>a) The scheme will have a research and development budget to develop new</p>	<p>a) The Glass Packaging Scheme voluntarily incorporates market development into its</p>	<p>a) The GPF is concerned that this Guideline is dependent on the levies recovered in a</p>

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	<p>recycled products, encourage transition to circular product and recycled product materials design, and cooperate with other stakeholders to enhance onshore infrastructure.</p>	<p>scheme design by way of a contestable fund commensurate with ~50% of its levy take to enhance onshore infrastructure and to support applications for research and development into alternative uses of glass fines unable to be utilised in the remanufacture of bottles.</p>	<p>scheme being able to fund all of the 'market development'. The costs of research and development, enhanced collection and enhanced infrastructure are likely to be beyond the recovered levies, and therefore, funding will need to come from other sources, for example, separate funding grants from the Waste Minimisation Fund of Provincial Growth Fund.</p>

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
<b>11. Performance standards, training and certification</b>	a) The scheme will have clear means for ensuring adequate training and certification of all people recovering and managing a product throughout its life cycle, to ensure best practice in prevention and reduction of harm to people and the environment.	a) Glass Packaging Forum works with providers who can demonstrate their scheme management capability and capacity commensurate with the material being stewarded.	a) As noted above, the costs of schemes are likely to be beyond the levies recovered. The GPF does not provide training or operate facilities requiring staff. Training must be of a standard that supports increased quantity and quality of material and which can be applied across the supply chain. We query how best practice would be monitored and how this would be paid for
	b) Any relevant standards for best practice will be referenced in training, supplier accreditation and monitoring (eg, AS/NZS 5377 for e-waste collection and processing). The scheme will participate in the development and revision of relevant standards.	b) See above	
	c) The scheme will have clear chain of custody arrangements for monitoring processing of materials and reduction of harm, both onshore and offshore, including annual reporting of findings.		
<b>12. Liability and insurance</b>	a) The scheme will have clear chain of custody arrangements for monitoring receipt and processing of materials and reduction of harm, both onshore and offshore, including annual reporting of findings.	a) Glass Packaging Forum contracts are clear about chain of custody of materials and liability for insurance purposes. This design feature will need to be specific to each scheme material flow, markets and end use processors.	a) Glass Packaging Forum agrees with the Liability and Insurance guidelines. Business as usual.
	b) The scheme will ensure that liability of parties is clear for each stage of product and materials handling, and adequate insurance for liability is in place at each stage of the process.		

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
<b>13. Design for environment</b>	a) The scheme will contain financial or other incentives for diversion of collected products to highest and best resource use, weighted for applications higher up the 'waste hierarchy' (in priority order: reduction, reuse, recycling or composting, energy recovery, safe treatment and disposal).	a)	a) Glass Packaging Forum supports the Design for Environment guidelines but suggests that any changes to the existing scheme will likely have significant impacts on the commercial arrangements under which the glass recovery supply chain currently operates. This is particularly relevant to the South Island.
	b) The fees paid by a producer to a collective scheme will, as far as possible, be linked to actual end-of-life treatment costs of their products, such as through variable or modulated fees.	b) Levies are based on tonnage of glass to market	b) Levy rates and structure may be reviewed and realigned to the new requirements under PP however the GPF states that costs vary across council collections and to place the cost of co-mingled collections and the resulting separation costs on the producer or brand owner would be unfair.
	c) The scheme will facilitate good communication, feedback and incentives between designers, manufacturers, sales and marketing teams, distributors, retailers, consumers, collectors, recyclers and end disposal operators, to inform improved design of products and systems.	c) Scheme managers are responsible for providing a communication platform for all parties within the supply chain (and beyond) to identify issues and opportunities	c) Business as usual
	d) The scheme will fund initiatives to improve circular resource use by reducing the 'end-of-life' components of the product(s) and improving design for reusability and recyclability of the priority product(s).	d) Business as usual for the GPF	d)

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
<b>14. Reporting and public accountability</b>	a) The scheme will provide for clear, regular and open reporting and communication with stakeholders.	a) Glass Packaging Forum advises that its voluntary schemes already provide for 14 (a)(b)(c)(e) and (f). 14(d) relates to availability of mass balance data and Glass Packaging Forum agree this is significantly important as it relates to transparent performance of delivery against targets.	a) Glass Packaging Forum supports the Reporting and Public Accountability Guidelines.  The GPF also notes that declaring beverage packaging as a priority product will create a dual stream for container glass recovery, which could create inefficiencies for glass material recovery.
	b) Annual reports will be made public. These will include measurement of outcomes and achievement of targets, fees collected and disbursed, and net cash reserves held as contingency.	b) TPF annual reports are published post AGM	
	c) Provision will be made for regular independent financial, compliance, enforcement and environmental audits of scheme performance.		c) TBA
	d) Scheme plans will address the following: data availability, especially when several PROs are in competition; materials' traceability; precise definition for data collection and reporting (eg, recycling rates and operational costs).		
	e) The scheme will have mechanisms in place to protect competitive information relating to detailed operational costs (eg, 'black box' data collection by third party with aggregate reporting).	e) Currently in place for mass balance process	
	f) Scheme performance measures will be harmonised between schemes as far as possible.		

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
<b>15. Public awareness</b>	a) Branding and clear information on how and why the scheme operates will be easily available at point of distribution (intercompany) and purchase (consumer), point of waste product collection and online, and a link to the online information will be on the product or product packaging.	a) Stakeholder awareness and onsite promotion currently underway. The profile of glass has never been higher as a 100% recyclable material, right here in NZ.	a) The Glass Packaging Forum agrees with this in principle within the constraints of consumer labelling that already exists for beverages non-alcohol and alcohol.
	b) The scheme will provide for transparent product stewardship fees at point of purchase.		b) The GPF suggests that these guidelines appear to have been drafted with a Container Return Scheme in mind, which includes glass. The recovery supply chain determines the cost of recovery of glass. For example, the cost of beneficiation varies depending on the collection method used. It is therefore inappropriate to standardise a rate that is relevant to all forms of container packaging available at point of purchase for consumers.
	c) The scheme will ensure that consumer labelling standards for the product are complied with (eg, under the Hazardous Substances and New Organisms Act 1996 for hazardous substances).		c) The GPF recognises that members already face pressure from evolving mandatory labelling requirements and the guidelines will exacerbate pressure on labelling real estate.
	d) The scheme will regularly measure and report on public awareness and scheme participant satisfaction, and improvements made accordingly	d) Annual surveys completed with stakeholder groups	d) Public satisfaction survey mechanism to be addressed
<b>16. Monitoring, compliance and enforcement</b>	a) The scheme will have a clear means of enforcing compliance of all participants and reporting liable non-participants to the government enforcement agency.	a) The GPF currently has no way of enforcing participation or compliance.	a) Glass Packaging Forum agrees with the monitoring, compliance and enforcement guidelines. It recognises that more information would need to be provided to

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
			<p>Product Stewardship Organisations regarding the role of Government in the enforcement of WMA regulations.</p> <p>The GPF suggests that the guideline must recognise that the cullet market needs to have a choice in what materials are used. There are limits in what can be used in the remanufacture of container glass, due to practical and customer requirements.</p>
	b) The scheme will have strategies to reduce 'leakage' of higher value end-of-life products (eg, 'cherry picking' of e-waste components by informal collectors).	b) There is limited risk as the GPF as there is no pricing differential between colour of glass and we do not own the glass. There is risk to member operations.	b) As noted in relation to the Compliance Guideline (Guideline 7), dual streams of glass recovery would likely create cherry picking of higher quality glass from bottle depots compared rather than comingled kerbside collections.
	c) The Government will enforce WMA regulations.		
	d) Revocation of accreditation is possible under WMA section 18 if reasonable steps are not being taken to implement the scheme, and the scheme's objectives are not being met or are not likely to be met within the timeframes outlined in the scheme.		
<b>17. Accessible collection networks</b>	a) The scheme will provide for an end-of-life product collection system that is reasonably accessible for all communities generating that waste product, whether metropolitan, provincial or rural.	a) The Glass Packaging Forum is actively working with Councils and contractors to extend the reach of glass recycling into rural areas. This has now been achieved across the Hastings and Marlborough Districts and work with Councils, industry and community	a) Glass Packaging Forum supports the intent of the accessible collection and networks guidelines, it notes that this support needs to be provided within the constraints of the Commerce Commission Act.

Design feature	Proposed Waste Minimisation Act 2008 (WMA) section 12 guidelines for priority product scheme accreditation	GPF Scheme - Doing	GPF scheme - Comments
		<p>is being undertaken to ensure access to glass recycling throughout NZ.</p> <p>Funding allocation has focused on improving accessibility of collection including rural, seasonal and metro. Currently 97% of NZ'ers have access to recycling facilities.</p>	
	b) Collection will be free to the public (fully funded by the scheme) for all products covered by the scheme.		b) It appears that this Guideline is framed with Container Return Schemes in mind. As we have noted earlier, the costs of a glass Container Return Scheme and the costs of the requirements under the Guidelines are likely to be beyond the total levies recovered in that scheme.
	c) Collection will be based on the product, not proof of purchase.		
	d) Collections will, as far as possible, share infrastructure and public information with other collection schemes in the area.		