



NSW FOGO MANDATE FOR BUSINESSES AND INSTITUTIONS

With the NSW Government's new Food Organics and Garden Organics (FOGO) mandate now including businesses and institutions, it's important to understand how these changes may impact your operations.

As Australia's leading waste management provider, we are committed to helping you navigate this transition with confidence.

This project is a NSW Environment Protection Authority Waste and Sustainable Materials Strategy initiative, funded from the waste levy.





What is FOGO?

Food and Garden Organics (FOGO) is a waste collection service that recycles food and garden materials into high-quality compost. This service helps reduce food waste in landfills and lowers greenhouse gas emissions. Additionally, this service supports the circular economy by producing compost, a product that enriches our soils and fosters better plant growth.

What is the FOGO mandate?

NSW's FOGO mandate requires households and businesses to have a FOGO collection service, reducing the volume of food waste going to landfill.

Who does it apply to?

The NSW FOGO mandate applies to supermarkets and institutions that prepare or serve food, including restaurants, cafés, pubs, clubs, hotels, food courts, convenience stores, service stations, correctional centres, childcare facilities, schools, universities, hospitals, and seniors housing.

What is changing?

Previously the mandate required all households to have access to a FOGO service by 1 July 2030. In February 2025, the mandate was extended to include businesses and institutions. A staged approach based on weekly general waste bin volumes will begin from July 2026. This will support organisations in their transitions to FOGO collection services and reduce reliance on landfill for food waste disposal.

Organisations classified as 'large waste generators' will transition across first, such as chain supermarkets and hospitality businesses. A phased transition approach will continue from here on until 2030.

**1 July
2026**

Premises with 3,960L of weekly general waste volume must have a food organics service.

**1 July
2028**

Premises with 1980L of weekly general waste volume must have a food organics service.

**1 July
2030**

Premises with 660L of weekly general waste volume or more must have a food organics service.

As part of the legislation, large supermarkets will be required to track and record food donations across six categories, including meat, dairy, fruits and vegetables, frozen food, baked goods, and others.

Food waste separation requirements

Under the new mandate, businesses will be required to separate food waste from general waste and ensure it is collected via an organics collection service that responsibly handles the waste, sending it to processing sites that turn this valuable resource into compost or other beneficial materials. Once a business is subject to the mandate, food waste can no longer be disposed of in general waste bins.



Penalties for non-compliance

Failure to comply with the NSW FOGO mandate requirements can result in significant fines. These include:

- Maximum penalties of up to \$500,000, with an additional \$50,000 per day for continuing offences.
- On-the-spot fines of up to \$5,000, with higher penalties for repeat offences.
- Lower penalties and on-the-spot fines apply for non-compliance with large supermarket food donation reporting requirements.

Why has the mandate changed?

With the NSW government committed to halving the amount of organic waste sent to landfill by 2030, this mandate marks a significant step forward in creating a sustainable, circular economy in NSW. By recovering and diverting food waste from landfill we will collectively work towards the Australian Government's net-zero commitment to reduce greenhouse gas emissions. We will also free up landfill space for materials that are non-recyclable and support our agricultural industry with high quality compost products.

FOGO Mandate Exemptions

To help businesses adjust to the new FOGO rules, the NSW EPA has introduced temporary FOGO mandate exemptions. Where generic exemptions don't apply, custom exemptions can be requested.

Food courts

Some food court operators may be exempt if they do not have control over bins provided in food courts or the collection of waste.

Applies: 1 July 2026 – 1 July 2030

Regional businesses

In council areas without a FOGO service established and outside of the Greater Sydney region customers are exempt and do not need to apply for a custom exemption through the EPA

Applies: 1 July 2026 – 1 July 2028

Multi-unit dwellings

Occupants in buildings like shop-top housing with commercial waste services are exempt.

Applies: 1 July 2030 – 1 July 2035

How Cleanaway can help

We understand navigating regulatory changes can be challenging, however, preparing for these mandate changes now will ensure a seamless transition and help you avoid the stress of last-minute adjustments. By working with our expert team, we can provide you with:



Bin and collection solutions

With a proven track record of supporting both small and large-scale waste stream rollouts, we offer a range of bin sizes and collection frequencies tailored to suit your needs.



Training and compliance support

We offer staff education packs, including access to our Greenius online learning platform, along with soft copies of waste education signage that can help to reduce contamination and improve confidence at disposal points. This ensures your team is equipped to meet FOGO compliance and implement best practices for waste management.



Improved resource recovery

Cleanaway works closely with you to provide expert guidance and develop tailored strategies that align with your environmental objectives, optimise resource recovery, and ensure long-term sustainability and compliance.

Please note, Cleanaway may not be able to provide a FOGO service in all regional areas. Where a local council service is not commercially available and Cleanaway can't provide a suitable workaround, an exemption will need to be applied for through the NSW EPA [webpage](#). Please contact Cleanaway to confirm your local FOGO service availability.



To learn more about how we can support your business in preparing for FOGO compliance, contact your Account Manager or visit cleanaway.com.au or call **13 13 39**.

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