



**CONSERVATION
COUNCIL** ACT REGION

Submission to Waste Policy, Transport and City Services: Single-use plastics – Tranche 2

January 2022

The Conservation Council ACT Region is the peak non-government environment organisation for the Canberra region. Since 1981, we have spoken up for a healthy environment and a sustainable future for our region. We harness the collective energy, expertise and experience of our more than 40 member groups to promote sound policy and action on the environment.

We campaign for a safe climate, to protect biodiversity in our urban and natural areas, to protect and enhance our waterways, reduce waste, and promote sustainable transport and planning for our city. Working in the ACT and region to influence governments and build widespread support within the community and business, we put forward evidence-based solutions and innovative ideas for how we can live sustainably.

At a time when we need to reimagine a better future, we understand that the changes we need will only happen with the collective support of our community.

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Introduction

The Conservation Council ACT Region welcomes the opportunity to comment on the Phasing out single-use plastics: Next Steps Policy (November 2021).¹

While acknowledging that plastic can play an important role in our society as a uniquely malleable, cheap, adaptive and variable product, problematic plastic use contribute to pollution in our oceans, waterways and landscapes, posing threats to wildlife, though both littering and residual micro-plastic particles, which are readily absorbed by plants and animals and disseminated through the food chain. Plastic pollution in the ACT can have detrimental downstream impacts on other ecosystems and ultimately contributes to the global plastic pollution problem.

The use of plastic also contributes to the ACT's extensive ecological footprint. The manufacture of plastic requires the burning of fossil fuels and use of rapidly diminishing resources, contributing to the climate crisis and overuse of our natural resources at a rate that is unsustainable.

The best way to significantly reduce the impact of single-use plastic on the environment is to avoid using it. Recycling solutions will still be required to be put in place, however avoidance through behaviour change to reusable items and replacement with alternative products where suitable is by far the more sustainable approach.

The Conservation Council welcomes the action taken so far via the ACT's *Plastic Reduction Act 2021*, however, the pace of phase-out proposed in the next steps policy paper appears unnecessarily slow. With the legislative framework in place, there is an opportunity to speed up the response to problematic single-use plastics and lay out a more ambitious agenda with regards to their phase out. This would bring the ACT into line with action proposed by other states in Australia.

As such, the Conservation Council supports an extension to the list of items to be phased out in tranches 2 and 3 for phase out in 2022 and 2023. In addition, the Council recommends a significant public engagement program that builds a culture of community behaviours that support the avoidance of single-use plastics.

¹ ACT Government, 2021, [Phasing out single-use plastics: Next Steps Policy November 2021](#)

Part 1: General comments

A more ambitious phase-out schedule for single-use plastics

In general terms, the Council is concerned that the ACT's progress on phasing out single-use plastics, product by product, is unnecessarily slow, and that a more ambitious schedule for implementation could be followed now that the legislative framework has been established. As identified in the policy paper, the ACT is now falling behind the timelines set in other jurisdictions. The ACT should aim to be an environmental leader in dealing with problematic plastic use. In addition, the ACT could benefit from the work being undertaken in other jurisdictions to phase out an extended range of products, and potentially reduce some of the administrative load required for implementation.

The breadth of products that can be identified as single-use is extensive. The current response by governments across Australia addresses "the low hanging fruit" in terms of plastic reduction, and highlights that structurally there is far more to be done to ensure that the community consumes and disposes of less plastic. States and territories have identified the scope of their remit for tackling single-use products generally as those that are replaceable at the retail level rather than production level, however even then, the ACT Government can influence many more products than are currently identified, and could progress implementation on products more quickly. Details on plastic products for consideration are outlined in Part 2 of this submission.

A comprehensive plastic reduction strategy for the ACT

Further work is needed by the ACT Government to develop an integrated plastic reduction strategy that pulls together the phase-out of single-use plastics in retail settings as well as reaching into other sectors that have high consumption of plastic across Government, business and the community. The strategy must take into account recycling and waste processing options that are available to the community and business, and ensure that any replacement products are able to be managed in the waste stream. This is especially important given the ACT Government's commitment to a food and garden organic waste facility by 2023.

Replacement products

Before alternate products such as paper, bagasse, cornstarch and sugarcane are promoted, there must be viable ways to manage any waste generated, and an assessment of environmental viability in the production stage. Community and business will be undermined if there is a perception that alternative products are creating additional problems in the waste stream or are being sent to landfill irrespective of their capacity to be composted. In the same way, credibility of alternative products will be undermined by poor environmental performance in other domains, such as carbon emissions or deforestation.

In general terms, the best possible practice is for single-use plastic products to be avoided by using reusable alternatives. 'Biodegradable and compostable' products, such as plastic bags,

still occur in the environment as litter, and biodegradable bags often don't break down effectively or quickly in landfill as the conditions are not suitable. Where reusable alternatives are not available, products should preferably meet the Australian home composting standard (AS5810), as products will degrade much more quickly, and will reduce the impact of littering.

Substituting biodegradable/commercially compostable materials for plastics may be an option once those items can be directed into a commercial organics processing facility rather than landfill, however there is a significant risk that products will end up in landfill due to a lack of consumer knowledge about substituted bioplastic products, which can look very similar to petroleum-based plastic products.

The ACT commenced a trial of food organics and garden organics (FOGO) collection in late 2021, however, the collection excludes compostable items other than compostable (but not biodegradable – most people won't understand the difference!) bin liners.² The Conservation Council urges the Government to consider in the design of the FOGO processing facility the collection of different types of compostable items, and clarify which recycling/waste stream items such as bamboo cutlery, sugarcane plates and compostable postage bags etc should be placed into.

The already identified risk associated with increased bioplastic products ending up in landfill and in the environment as litter provides strong justification for using this regulatory opportunity as a chance to strongly promote a cultural change about single-use plastics, and push for reusable alternatives wherever possible.

Single-use plastic bags

Currently the ACT still has an exemption for the use of compostable lightweight plastic bags. The Council reiterates its view that this exemption should be removed. Even bags that meet the Australian standard for compostable pose a significant risk when released into the environment, and plastic bags, whether compostable or not, are at high risk of being released into the environment. The conditions required to break many compostable bags down, while present at municipal and industrial aerobic composting facilities, still do not occur in terrestrial or aquatic nor home composting environments, and bioplastic bags still cause environmental damage. Until the ACT has such a facility, it is difficult to argue that there is any role for compostable single-use plastic bags. Yet even when such a facility is up and running, further discussion will be required with stakeholders to determine the best way forward with regards to appropriate uses of compostable bags in the future (eg. compostable bags may play an important role in city-wide food and organic waste collection).

National avoidance target

The National Waste Policy Action Plan 2019 includes the target to “reduce total waste generated in Australia by 10% per person by 2030”.³ As noted in TCCS's Next steps policy, the introduction of the plastic shopping bag ban in the ACT in 2011 avoided the use of some 55

² ACT Government City Services, n.d., [How to FOGO](#)

³ Australian Government Department of the Environment and Energy, 2019, [National Waste Policy Action Plan 2019](#)

million bags in 2017–18, largely by encouraging Canberrans to bring their own reusable bags to the supermarket.

New action directed towards achieving this target should be strengthened. To date, plastics bans appear to have been targeted largely at substitution of materials (paper straws and compostable bags replacing plastic straws and plastic bags, for example) rather than avoidance of single-use items and behaviour change, or requiring manufacturers to design out unnecessary packaging. Although plastic pollution in the environment may be slightly reduced, compostable alternatives are still largely destined to be dumped in landfills so the emphasis must be placed on avoidance and behaviour change rather than substitution of materials.

Demand for disposable items of any composition contribute to the ACT's scope 3 greenhouse gas emissions⁴ and ecological footprint⁵. Australian states are beginning to explore the potential for a circular economy (for example, Circular_CBR⁶) to reduce the range of impacts from material consumption. For instance, plastic is less emission-intensive than most materials to produce and transport and has value in many applications such as keeping food fresh, as long as it can be endlessly cycled through the economy (not dumped in the environment) and the amount of virgin plastic significantly reduced.

Importantly, to accompany this, the Government should invest in community engagement that promotes avoidance over use. Strong community engagement will also support and facilitate legislative changes aimed at phase-out or banning of products.

Community education to drive cultural change

It is important to acknowledge the many benefits and conveniences that plastic brought to society since it was first manufactured in the 20th century. Light, strong, cheap and highly adaptable to suit the purpose required - from electrical components to car parts, wrapping and packaging, plastic has delivered more sophisticated products into our lives, and has been used to improve hygiene across the food and medical sectors.

It is for some of these reasons that we will need a cultural change to affect a significant reduction in plastic consumption. While there are many alternatives to using plastic, in particular with regards to food consumption, a loss of convenience and the perception of a loss of hygiene, will make it hard for some to change their behaviours. Government can play an important role in leading the community towards a better understanding of the impact and costs associated with plastic that are invisible to many, and work with stakeholders to deliver community education about alternate products and systems that can be implemented which will deliver the same or similar benefits without using plastic.

⁴ ACT Commissioner for Sustainability and the Environment, 2021, [Scope 3 greenhouse gas emissions in the ACT: an investigation of current scope 3 emissions and potential future reductions](#)

⁵ Dey, C & Vale, M, 2020, [The carbon & ecological footprints of the population of the ACT: Final results](#), presentation by Areté Sustainability to the ACT Commissioner for Sustainability and the Environment

⁶ ACT Commissioner for Sustainability and the Environment, 2019, [Circular_CBR – unlocking the potential of a circular economy in the ACT](#), Issues paper 2019/3

Canberrans could be encouraged to think ahead about their need for bags or containers. For instance, when workers leave their office to get coffee or lunch, they do so with a clear intention, yet purchase their takeaway coffee or food in single-use disposable containers. The coffee/lunch run intention needs to include the preparatory step of taking a reusable cup or container to the cafe. Likewise, most shopping outings, whether it be a browse for clothing, picking up groceries or a run to the hardware store, are preceded by the intention to shop. It needs to become second nature that the intention is accompanied by the action of taking a bag or three with you to the shops. Retailers can shift the onus to shoppers by flipping the language at the point of sale: rather than providing or offering a bag, the sales assistant could prompt the desirable behaviour with “do you have your own bag these items can go into?”.

Creating a market through procurement

ACT Government operations are likely to have a significant component of single-use plastic consumption across a number of sectors. By shifting procurement towards plastic-free products in its own operations, the ACT Government could significantly influence the market for plastic alternatives and drive supply chain improvements. This would include products for the operation of government, but should also extend to ACT Government funded events and programs. Procurement guidelines for Government should rule out the items identified in this submission as needing to be phased out.

The ACT Government could play a significant role in reducing single-use plastics in its own facilities across the Territory, putting in place policies to guide usage and procurement, but also undertake systematic reviews within specific sectors, such as education or health. For example, hospitals⁷ are responsible for large quantities of single-use plastics and that much of the waste generated is going to landfill, and there is now the additional challenge of managing PPE including face masks. The Canberra Hospitals Waste Management Plan 2017 could be updated and practices could be reviewed with a view to reducing single-use plastic consumption in such a way as not to impact on patient care. Schools, the prison, government departments and other healthcare facilities could also start to challenge the use of plastics in everyday contexts. Taking action within the Government could also drive non-government and industry sectors to review their practices.

In the same way that China banning the import of plastics and other wastes forced Australian governments to step up waste management policies and action plans, legislated bans with community engagement programs implemented by governments around the country have been effective in raising awareness of specific problems and changing industry and consumer behaviours, as well as driving innovation by manufacturers and markets for recycled materials. More and more product designers and manufacturers are seeking to be part of the solution rather than exacerbating the problems, but regulation with implementation dates is a key factor in signalling the need for investment.

⁷ <https://www.abc.net.au/news/2019-07-13/war-on-waste-hospital-waste-australia-recycling/11306376>

Part 2: Single-use plastic products

In summary, the Council is concerned that the implementation rate of the phase-out of single-use plastics is too slow. With a legislative framework established, there is an opportunity to speed up implementation. Currently the Government is proposing to deal with only 3 items each year, indicating a significant lack of urgency. While some items may require significant consultation and consideration with regards to implementation, others are likely to have a lower regulatory impact.

The phase out of all of the items identified by the Government so far is supported by the Council, but we would urge consideration of a wider range of items for both upcoming tranches. Consideration could be given to prioritising all the items below, in consultation with the community and industry, with a view to identifying low hanging fruit in terms of regulatory burden. An overall aim to achieve the phase-out of all products by mid-2023 should be set.

Products already being considered by Government:

Plastic straws

Many cafes and restaurants have already replaced plastic straws with paper or other alternatives. While the Conservation Council prefers avoidance rather than replacement, we acknowledge that single-use straws (plastic or otherwise) play an important role for some members of the community, and supports the Government consultation with the disability community with regards to ensuring appropriate access.

Barrier Bags

The inclusion of barrier bags for fruit and vegetables in tranche 2 is strongly supported. The Council has previously expressed concerns about the definition of barrier bag in the legislation not being tight enough to ensure it was inclusive of “barrier wraps” however, it is clear now that the intention of the Government is to only include fruit and vegetable barrier bags.

One risk of introducing a ban on barrier bags is that retailers may increase the amount of in-store plastic packaging of fruit and vegetables for increased “convenience” of shoppers. Already fruit and vegetables are being packaged in soft plastic bags, sometimes also on hard plastic trays, and in addition, in plastic “string” bags that decompose easily even prior to sale. While much of this is currently occurring in packaging processes prior to arrival at the store, the Government should seek to ensure that on-site packaging of fruit and vegetables is kept to a necessary minimum.

For all fruit and vegetable products, reusable products could be used to replace plastic bags, and be offered for sale in the fresh produce sections of the store. The Government should also

conduct a campaign to encourage shoppers to bring their own reusable bags – there are many fabric fruit bags now readily available.

Cotton buds with plastic sticks

Paper sticks are a viable alternative to plastic sticks. Other items with plastic sticks should also be considered for inclusion, for example, lollipops. The inclusion of this in tranche 2 is supported.

Oxo-degradable plastics

Oxo-degradable plastics that fragment into microplastics in the environment should be banned. The paper flags all oxo-degradable products such as dog bags. Products such as dog bags should meet a compostable standard, preferably home compostable. The inclusion of oxo-degradable products in tranche 2 is strongly supported.

Microbeads

Any action that the ACT Government is able to take to prevent the sale and use of products containing microbeads is supported. Plastic microbeads are present in some personal care products such as exfoliants, cosmetics and subscreens. While there is voluntary national industry action to reduce products containing microbeads, a regulatory approach is likely to accelerate action.

Expanded polystyrene products and packaging (with potential exemptions for white and brown goods)

Any action that the ACT Government is able to take to prevent the sale and use of expanded polystyrene products is supported. Action on the use of EPS is being driven through the National Plastics Plan and in addition to EPS food and drink containers, (already phased out in the ACT) considers moulded and loose-fill consumer packaging. Again, any regulation that the ACT can put into place for products originating from the ACT, or products sold in the ACT, is supported.

Plastic takeaway food and drink containers

With increasing numbers of meals being consumed from take-away outlets and restaurants every day, the consumption of plastic takeaway containers is considerable. While some consumers may re-use these containers, they generally have a limited life and are thrown away after the meal is finished. Alternative products are available, though are likely to be commercially compostable and require a suitable waste stream.

An alternative option is that consumers are able to bring their own food containers to purchase takeaway food. Restricting the use of plastic takeaway food containers should be a short-medium term objective for the ACT Government, with an emphasis placed on preparing the waste stream for alternative products. In addition, the ACT Government could give consideration to the adoption of a swap and go takeaway food container system based on the Green Caffeine scheme that already operates in the ACT. Takeaway food containers are generally of a standard size, and users could “subscribe” to the scheme, borrowing and returning containers as required.

Heavy weight plastic bags

Heavy weight plastic bags are easily replaced by an alternative reusable product and should be phased out in tranche 2. Carry bags can be made of fabric such as cotton or nylon, last for many years, pack up small in people's bags, and carry considerable weight. Many retail outlets such as clothing shops are already using paper bags instead of plastic boutique bags. All reusable plastic bags above 35 microns - including boutique bags (ie. heavy grade 'reusable' plastic bags used for clothes, books, appliances etc) 'green bags', 'biodegradable' bags.

Coffee cups and lids

The consumption of single-use coffee cups in Australia is excessive, but unlike others around the country, Canberrans may be firmly of the belief that their coffee cups are being recycled, as they are currently collected in the yellow recycling bin. However, it is questionable as to whether coffee cups are being processed at the recycling facility - certainly this is not what is occurring across most of Australia due to the plastic lining in the cups. Despite recently introduced recycling technology now processing coffee cups and lids, only around 4 million of the one billion cups per year are recycled.

More than any other item, single-use coffee cups are ready to be challenged. Reusable coffee cups have been available for a long period of time, there are many who already support a culture of reusable cups, and in the ACT there is a swap and go cup scheme already in place. The Council would encourage the ACT Government to consider a strong community education campaign on avoidance to support a phase out of reusable coffee cups, which could be initially supported by a requirement for retailers to charge for cups and/or offer reusable cups at the point of sale.

Until the ACT's FOGO facility is operating, there is currently no waste stream that will cater for compostable coffee cups. Allowing a home composting standard would be preferable, however coffee cups are currently only commercially compostable.

Additional products that should be included in tranches 2 and 3, and phased out by July 2023

Balloons

The ACT should quickly regulate to stop the release of balloons into the air as has been done in Queensland. Currently under ACT regulation, up to 19 balloons are able to be released. While it's understood that some balloon companies don't facilitate the release of balloons in an effort to be environmentally responsible, individual members of the community can facilitate balloon releases. In addition, balloons should not be distributed at public events as they often end up as litter and the sticks and small parts are not easily recyclable.

Plates, bowls, cups, drink containers and lids

Disposable plates, bowls and cups can be replaced with compostable alternatives. However, with some forward planning, most people could simply use reusable crockery for most purposes.

Plastic water bottles

Tap water is readily available and consumers can easily carry water bottles with them. The sale of water could be restricted to larger containers such as 2L or more to reduce the amount of inappropriately disposed drink bottles. Consideration could also be given to regulating other drink containers, although manufacturers are moving back to using glass bottles which are fully recyclable.

Wrapping for fruit and vegetable portions

Supermarkets have increasingly begun pre-preparing fruit and vegetable portions for consumers, such as half a pumpkin or a bag of pre-chopped vegetables. In some circumstances, plastic packaging is being used to designate the purchase size, such as a serve of six apples. While many of these serves are likely to be packaged outside the ACT, the ACT could send a strong signal to the national producers that such packaging is wasteful and generally unnecessary by preventing the sale of such products in ACT supermarkets. Retailers / producers could apply for exemptions where it is considered integral to the quality of the product to use plastic packaging and where no alternative packaging is easily available. (Referenced below in definitions in legislation)

Plastic net bags

Many fruits and vegetables and products such as children's beach bucket sets are packaged in unrecyclable plastic netting that tangles recycling machinery and is an environmental menace for wildlife that becomes trapped in them. The netting is often fastened with small metal clasps.

Newspaper wrapping

Delivered newspapers are often wrapped in cling film to protect from the elements. While the drop in distribution of print media is likely solving this problem more quickly than any plastics legislation, history tells us that newspapers can easily be purchased / delivered without being wrapped in plastic.

Table cloths

Single-use plastic tablecloths should be banned for use at all public events and commercial outlets as alternatives are easily available.

Individual condiment containers

Small containers that contain condiments, such as soy sauce for sushi or mayonnaise for burgers etc should be phased out. Sauces can be provided by the vendors onsite in larger containers. Small containers are especially difficult to recycle even if they do end up in the yellow recycling bin.

Composite products

The Government should recommend the phasing out of composite products, such as cellophane windows in paper bread bags. Few Canberrans would bother to separate the materials and it is often difficult to cleanly do so, meaning that the item will contaminate whichever recycling stream it ends up in. The issue of composite packaging for pre-packaged foods (such as milk bottles with soft plastic wraps) would require action at a federal level via the Packaging Covenant.

Recommendations to Government

1. Develop an integrated plastic reduction strategy which takes into account recycling and waste processing options that are available to the community and business.
2. Invest in ongoing community and business education about the impact of plastics on local and global environments, until widespread behaviour changes are noted.
3. Accelerate the phase-out of single-use plastics by adding to the list of products considered in tranches 2 and 3 to achieve a phase-out of all items identified in Part 2 of this submission by July 2023.
4. Develop a time-line to phase out all of the items identified in Part 2 giving consideration to the environmental impact, any inadvertent consequences of regulation, community understanding, behaviour and expectation, and the availability of alternative products or behavioural changes that render the items unnecessary.
5. Outlines implementation of the National Waste Policy Action Plan 2019 target to reduce total waste generated by 10% per person by 2030.
6. Where reusable alternatives are not available, require products to meet the Australian home composting standard (AS5810) as soon as possible.
7. Remove the exemption for compostable plastic bags given alternative reusable products are available and littering concerns are ongoing.
8. Address the phase-out of composite products that prevent easy recycling.
9. Update ACT Government procurement guidelines to rule out the items identified in this submission as needing to be phased out.