

# Submission on Western Australia's Plan for Plastics

## Stage 2 Discussion Paper

October 2022

### Status of this Submission

This Submission has been prepared through the Municipal Waste Advisory Council (MWAC) for the Western Australian Local Government Association (WALGA). MWAC is a standing committee of WALGA, with delegated authority to represent the Association in all matters relating to solid waste management. MWAC's membership includes the major Regional Councils (waste management) as well as a number of Local Government representatives. This makes MWAC a unique forum through which all the major Local Government waste management organisations cooperate.

This Submission therefore represents the consolidated view of Western Australian Local Government. However, individual Local Governments and Regional Councils may have views that differ from the positions taken here.

This Submission was endorsed by MWAC on Wednesday, 26 October 2022.

### Introduction

WALGA appreciates the opportunity to provide feedback on the Department of Water and Environmental Regulation (DWER) Discussion Paper [Stage 2 of Western Australia's Plan for Plastics](#) (Single-use Plastics Ban). Through this Paper, DWER have provided a comprehensive review of the impacts of single-use plastics and a cost benefit analysis of the various interventions that have been considered to address the issue.

This is the second stage of the Single-use Plastics Ban, focused on:

- Expanded polystyrene packaging
- Degradable plastics (plastics designed to break up more rapidly into fragments under certain conditions)
- Barrier/produce bags
- Expanded polystyrene cups
- Coffee cups and lids
- Lids for cups, bowls and takeaway food containers
- Cotton buds with plastic shafts
- Microbeads.

WALGA is represented on the DWER Single-use Plastics Working Group. MWAC made an initial [Submission](#) on the DWER Discussion Paper regarding the bans and engagement with Local Government on single-use plastics has indicated widespread [support](#) from the sector for the restrictions. A workshop with Local Government was held on 18 October 2022, and feedback from that session has been incorporated into this Submission. WALGA has a Consistent Communications Collective, which includes the major Material Recovery Facilities, Local Government, Regional Councils, Department of Water and Environmental Regulation and Containers for Change. The intent of this group is to ensure that all those entities communicating about waste management are able to effectively engage and agree on common messaging. This assists in reducing community confusion.

This Submission provides feedback on some of the key considerations in relation to the various materials which have been identified for Stage 2 of the Single-use Plastics Ban.

## Reuse Focus

The Single-use Plastics Ban presents an opportunity to undertake waste avoidance activities, as well as to remove single-use plastics from waste and litter streams (thereby reducing the economic, social and environmental impacts of these materials).

For waste avoidance gains to be realised, further guidance, investment and incentives for reuse systems are essential. Local Government continuously seeks to reduce waste generation, but feedback from the sector has indicated that reusable options are frequently more expensive than single-use items. There is also limited guidance regarding how to run events that align with a low waste approach. For Local Government to switch to reusables at facilities, additional infrastructure may be required. For example, moving to reusable cups, plates, and cutlery in place of single-use products would require a dishwasher.

WALGA acknowledges that the Department has included a range of reusable options in the Discussion Paper and through the consultation, however further assistance is required for these options to be fully realised.

**Recommendation: That the Department of Water and Environmental Regulation work with WALGA and Local Government to develop guidance, investment and incentive schemes to facilitate the uptake of reusable alternatives to the single-use plastic products to be banned.**

## Interaction of Compostable Packaging with Food Organics and Garden Organics (FOGO) Collection Systems

Through engagement with the Department of Water and Environmental Regulation, Organic Wastes Processors, and Local Government and Regional Councils, compostable plastic packaging is currently excluded from FOGO collection systems. This is because compostable plastic packaging would appear to be contamination in sorting systems where in these environments it would not be possible to determine the difference between conventional fossil-based plastics or compostable plastics. When the range of plastic packaging entering the market has been limited, following the full implementation of the Stage 2 bans, it will provide an opportunity to revisit this issue. There will be a significant communications challenge for Local Government in the interim as many products, an example being coffee cups and lids, will be labelled as compostable but will not be accepted in FOGO kerbside collection systems.

WALGA understands that the Australian Standards 4736-2006 and 5810-2010 for industrial and home composting, respectively, have had requirements for fluorine content to be <100ppm for conformance since 2006. Further to this, the Australasian Bioplastics Association – who leverages a third-party verification system to assist manufacturers, distributors and retailers to meet compliance to Australian standards – introduced a specific requirement in May 2021 for applicants to declare that no organic fluorinated chemicals, such as Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS), have been intentionally added to materials or products undergoing verification.

The Australian Packaging Covenant Organisation (APCO) 2021 report on PFAS in fibre-based packaging has raised concern about the presence of PFAS in other types of packaging and the potential impact on the products produced from organic wastes streams. APCO has also released an [Action Plan](#) on the phase out of PFAS in Fibre-Based Food Contact Packaging; with the intent of PFAS being phased out by December 2023.

This matter is being pursued through the DWER FOGO Reference Group, engagement with APCO and other opportunities to raise and resolve this issue. The approach taken by the Consistent Communications Collective to address this matter in the short term is to highlight the main materials for inclusion in FOGO collection systems – food and garden organics, and certified compostable caddy liners.

## **Comments on Materials Identified for Stage 2**

Table 1 provides comments on the various materials which are scheduled to be included/excluded in the bans, suggested alternatives and timeframes. Table 2 identifies the considerations for Local Government and feedback from the sector.

**Table 1:** Materials which are scheduled to be included/excluded in the bans.

Material Type	In scope	Out of Scope	Alternatives	Timeframe
Cotton buds with plastic shafts	<ul style="list-style-type: none"> <li>Plastic-shafted cotton buds for general use.</li> </ul>	<ul style="list-style-type: none"> <li>Cotton buds and swabs for medical, scientific, forensic and law enforcement purposes.</li> </ul>	<ul style="list-style-type: none"> <li>Single-use cotton buds with bamboo, paper or sugarcane shafts.</li> <li>Reuse options available.</li> </ul>	<ul style="list-style-type: none"> <li>6 months after regulations commence.</li> </ul>
Microbeads	<ul style="list-style-type: none"> <li>Sale or supply of microbeads in rinse-off personal care, cosmetic and cleaning products (aligned with national voluntary ban in 2016).</li> <li>Cleaning products include hair care products, oral hygiene products, and skincare products – scrubs and masks.</li> </ul>	<ul style="list-style-type: none"> <li>“Wash off” products – sunscreen</li> <li>“Wipe-off” make-up products</li> <li>Leave-on personal care products – moisturisers, deodorants, lipsticks</li> <li>Printing applications – printer toners, textile printing, craft glitter,</li> <li>Microbead products in industrial and medical applications (with the exception of cleaning products) as per the national voluntary ban in 2016.</li> </ul>	N/A	<ul style="list-style-type: none"> <li>6 months after regulations commence.</li> </ul>

<p>Lids for bowls, takeaway food containers &amp; cold beverage cups</p>	<ul style="list-style-type: none"> <li>• Bowls &amp; Food Containers and Hot &amp; cold beverage cups (including coffee cups) – all lids made partly or wholly from plastic, including plastic-lined paperboard.</li> </ul>	<ul style="list-style-type: none"> <li>• Bowls &amp; Food Containers – Polymer-lined paperboard bowl and takeaway food container lids certified to Australian composting standard AS 4736:2006 industrial and/or AS 5810:2010 home.</li> <li>• Lids on takeaway food containers and bowls pre-packaged off the premises.</li> </ul>	<ul style="list-style-type: none"> <li>• Single-use bowl &amp; food container lids – lids made from bagasse and paperboard available for hot and cold food. Polymer-lined paperboard lids certified compostable to Australian Standard AS 4736: 2006-industrial and/or AS 5810:2010-home.</li> <li>• Single-use cup lids – fibre-based lids which do not contain any plastic lining, coating, laminate or dispersion layer. Resistant to temperatures up to 120C.</li> <li>• Reusable options available.</li> </ul>	<ul style="list-style-type: none"> <li>• 12 months after regulations commence.</li> </ul>
<p>Expanded polystyrene cups &amp; food packaging</p>	<ul style="list-style-type: none"> <li>• EPS 'foam' cups for food and beverage packaging, dine-in or takeaway.</li> <li>• All remaining EPS trays not covered in Stage 1 bans –used to sell raw meat, fish, sushi and baked goods on pre-packaged EPS trays.</li> </ul>	<ul style="list-style-type: none"> <li>• Pre-packaged EPS cups and bowls holding non-perishable 'instant' type meals found on supermarket shelves – instant noodle cups.</li> <li>• Business-to-consumer packaging boxes for cold chain home delivery boxes and pre-prepared meals.</li> </ul>	<ul style="list-style-type: none"> <li>• Single-use polymer-lined cups certified compostable to Australian Standards 4736: 2006 and/or AS 5810: 2010.</li> <li>• Non-plastic sugarcane bagasse and cardboard compostable trays for fruit serving trays.</li> <li>• For pre-packaged meat or fish, use trays made from clear PET, HDPE or PP, which are more readily recyclable.</li> <li>• Cardboard boxes for food home delivery.</li> <li>• Reusable options available.</li> </ul>	<ul style="list-style-type: none"> <li>• 6 months after regulations commence.</li> </ul>

Coffee cups and lids	<ul style="list-style-type: none"> <li>Includes all disposable plastic-lined paperboard or plastic hot beverage/soup and coffee cups with or without lids.</li> </ul>	<ul style="list-style-type: none"> <li>Polymer-lined paperboard hot beverage/soup and coffee cups certified to Australian composting standard AS 4736: 2006-industrial and/or AS 5810:2010-home.</li> </ul>	<ul style="list-style-type: none"> <li>Single-use polymer-lined paperboard hot beverage/soup and coffee cups certified to Australian composting standard AS 4736: 2006-industrial and/or AS 5810:2010-home.</li> <li>Reusable options available.</li> </ul>	<ul style="list-style-type: none"> <li>12 months after regulations commence.</li> </ul>
Expanded polystyrene packaging	<ul style="list-style-type: none"> <li>Loose fill packaging</li> <li>Moulded packaging (for light product protection less than 45kg).</li> </ul>	<ul style="list-style-type: none"> <li>Moulded packaging for fragile and precision products, products over 45 kg in weight, business to business applications: including transportation of fresh or frozen produce and specialist packaging, such as medical applications.</li> </ul>	<ul style="list-style-type: none"> <li>Other materials, such as cardboard.</li> </ul>	<ul style="list-style-type: none"> <li>Loose fill packaging – 6 months after regulations commence.</li> <li>Moulded packaging – 18 months after regulations commence.</li> </ul>
Barrier/produce bags	<ul style="list-style-type: none"> <li>Bags that are typically used for loose fruit and vegetables, bread and bakery products, dairy foods, cold cure meats, self-serve bulk produce (cereals, nuts &amp; confectionery).</li> </ul>	<ul style="list-style-type: none"> <li>If required to meet Food Standards requirements – to manage the risk of contamination or leakage from raw, fresh or non-cured meat or fish.</li> <li>Pre-packaged produce packaged off the premises in bags.</li> </ul>	<ul style="list-style-type: none"> <li>Proposed - Paper bags (compostable) for loose fruit and vegetables, waxed paper bags or sheets for deli items – cheese and cured meats.</li> <li>Reusable options available.</li> </ul>	<ul style="list-style-type: none"> <li>12 months after regulations commence.</li> </ul>

Degradable plastics	<ul style="list-style-type: none"> <li>Phase out the sale and wholesale supply of all degradable plastics with an additive designed to cause the plastic to break up into fragments more rapidly under certain conditions (includes oxo- and landfill- degradable plastic materials, includes <i>any</i> degradable plastic item, not just stage 1 and 2 items).</li> <li>Dog-poo bags.</li> </ul>		<ul style="list-style-type: none"> <li>Plastic (compostable or conventional fossil-based) dog-poo bags, and bin liners</li> <li>Paper wrappers.</li> </ul>	<ul style="list-style-type: none"> <li>6 months after regulations commence.</li> </ul>
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**Table 2:** Local Government considerations regarding the banned items.

Material Type	WALGA Comment
Cotton buds with plastic shafts	<p><b>Support</b></p> <p>Minimal impact on Local Government.</p>
Microbeads	<p><b>Support</b></p> <p>Minimal impact on Local Government.</p>
Lids for bowls, takeaway food containers & cold beverage cups	<p><b>Support</b></p> <ul style="list-style-type: none"> <li>For Local Governments with facilities and those hosting events, reuse options need to be incentivised and actively facilitated.</li> <li>Sufficient lead time needs to be provided to the sector to use existing stock and transition to alternatives.</li> </ul>
Expanded polystyrene cups & food packaging	<p><b>Support</b></p> <ul style="list-style-type: none"> <li>Positive impact for recycling collections as it will reduce contamination from polystyrene packaging and some types of meat trays.</li> <li>Through the Consistent Communications Collective, it was agreed that ‘meat trays’ are not recyclable through the kerbside recycling system. This is because the types of plastics used are inconsistent, majority are not labelled and those made of black plastic are not separated by optical sorting equipment in material recovery facilities.</li> <li>Further work on effective product stewardship for packaging is essential to ensure that these products are designed to be recyclable through existing systems.</li> </ul>

Coffee cups and lids	<p><b>Support</b></p> <ul style="list-style-type: none"> <li>• For Local Governments with facilities and those hosting events, reuse options need to be incentivised and actively facilitated.</li> <li>• Sufficient lead time needs to be provided to the sector to use existing stock and transition to alternatives.</li> </ul>
Expanded polystyrene packaging	<p><b>Support</b></p> <ul style="list-style-type: none"> <li>• Positive impact as it will reduce contamination in the recycling bin from polystyrene packaging</li> </ul>
Barrier/produce bags	<p><b>Suggest Amendment</b></p> <ul style="list-style-type: none"> <li>• As a way to support the implementation of FOGO collection services, Local Government requests that certified compostable barrier/produce bags be included as an alternative. Research, and the Better Practice Guidelines developed by the Department of Water and Environmental Regulation, highlights that caddy liners are a key factor in recovery rates. Currently Local Governments are providing these caddy liners with FOGO implementation and in most cases on an ongoing basis for residents to pick up from various Local Government facilities. To increase convenience for the community, and therefore adherence to the requirements, compostable barrier/produce would be a good alternative.</li> <li>• Feedback from the Local Government Association of South Australia, where FOGO collections have been implemented and a <a href="#">trial</a> has been undertaken, indicated that there were several advantages of compostable plastic barrier/produce bags including: <ul style="list-style-type: none"> <li>◦ Amplification of messaging relating to the use of compostable caddy liners and the connection between food purchase and its disposal.</li> <li>◦ Alignment of community behaviour where food is purchased and stored in compostable plastic bags, then if the food becomes spoiled it can also be disposed of in that bag, reducing contamination in FOGO collections.</li> <li>◦ Reduced costs to Local Government in the provision of caddy liners while making it easier and more convenient for the community to access caddy liners.</li> </ul> </li> </ul>
Degradable plastics	<p><b>Support</b></p> <ul style="list-style-type: none"> <li>• The impact on Local Government is limited to dog-poo bags, provided by most Local Governments in parks and reserves to encourage residents to pick up their dog's waste. Local Governments implementing FOGO have frequently changed to compostable bags. However, there may be some fit for purpose considerations (longevity and resilience to environmental conditions) which mean that compostable bags are not suitable in all circumstances. Therefore the Association appreciates that non-degradable conventional fossil-based plastic bags would be acceptable.</li> <li>• For Local Governments and suppliers currently using oxo-degradable bags, sufficient lead time needs to be provided to the sector to use existing stock and transition to alternatives.</li> </ul>