

Cooks River Alliance Submission on NSW Plastics: The Way Forward, Draft for Consultation, September 2024, NSW Environment Protection Authority

Date: 4 November 2024

The document, NSW Plastics: The Way Forward, covers the strategies of reduce, reuse and recycle towards the goal of improved plastics management. In this submission we will apply a litter reduction lens to our responses to the proposals.

We know from the Key Litter Item study data (DCCEEW) that litter reductions in urban estuaries since 2018 correlated with:

- Introduction of bans on plastic items that were used when on the go
- Financial incentive to collect items used on the go (i.e. Return and Earn)
- Successful anti-littering campaigns
- Pandemic lockdowns

While ongoing anti-littering campaigns will be needed for incremental improvements in public education about littering, the highest positive impact of future actions will most likely be gained from broader plastic items bans and broader financial incentives applied to items used on the go and other unnecessary single-use plastic items.

The proposed actions in the paper (NSW Plastics: The Way Forward) represent an improvement compared to current practice. The actions also diverge from those proposed in other states. Specifically, the NSW proposals would prepare NSW for long term plastics use given that the proposals include having less toxic and more recyclable plastics, with clear directions for recycling. However, to reduce litter, we also need to continue to change human behaviour. Return and Earn has been very successful at this by providing a financial incentive to reduce littering. Less litter is an important part of whole story. If the state decides to retain plastic single use take away items, that are common littered items, then the proposals must go hand-in-hand with a firm plan to reduce littering.

We put forward that either a physical change to plastic items and/or a financial incentive are required to reduce littering in our response below. When considering 'who should pay' for our recommendations, we have adopted NSW Independent Pricing and Regulatory Tribunal's (IPART's) cost allocation hierarchy as illustrated by Figure 1. NSW IPART use this hierarchy to ensure costs are borne equitably by minimising the practice of 'socialising costs'. At the top of this hierarchy is the identification of the party(s) that are responsible for creating the risk. If this party can be readily identified, then it is this party(s) that should bear the cost. When applying this hierarchy to commonly littered items, manufacturers and suppliers are readily identifiable and, therefore, should pay for the full disposal of the items, including collection and disposal of items that are littered.

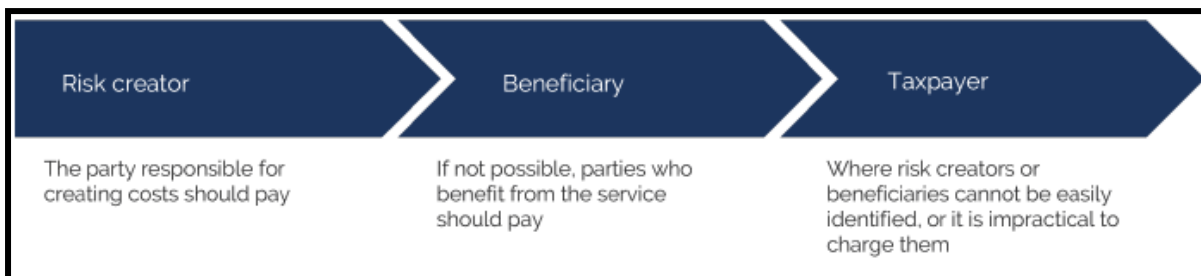


Figure 1: Cost allocation hierarchy (Mamre Road Stormwater Scheme, Draft Report, September 2024, Independent Pricing and Regulatory Tribunal (IPART) NSW)

The table below provides concise feedback on specific proposed actions for plastic litter items.

Litter item	Proposed incentive			Leads to less litter?
	Physical change (e.g. ban or product redesign)	Financial (e.g. Return and Earn or producer/distributor levy)	Information, education and behaviour (e.g. brand transparency, recycling instructions on product, reduced access to plastic items)	
Single-use plastic cups and lids for cold beverages	Redesign using recyclable materials	Explore Return and Earn	Recycling instructions for single use cups. Encourage use of reusable cups	Clear littering reduction will be dependent on items becoming eligible for Return and Earn. Recommend firming up the language from “explore” to “require” Return and Earn eligibility. Referring to Figure 1, costs associated with this program should be funded by a levy on the manufacturers and suppliers of these items, that would cover the full cost of disposal, including litter clean up.
Single-use hot beverage cups and lids			Disposal instructions for single use cups. Encourage use of reusable cups	Lack of clear physical or financial incentives, therefore this action would be unlikely to reduce litter. Recommend adding that single use cups are made from 100 % compostable materials with green list chemical additives only so that littered packages would not persist in the environment. Also apply a manufacturer or supplier levy to those supplying single-use cups that would cover the full cost of disposal, including litter clean up (Figure 1).
Single-use plastic	Redesign with a tether			Very likely to reduce littering. No additional recommendations from us.

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beverage bottle lids				
Single-use plastic food containers	Redesign using recyclable materials	Explore Return and Earn	Recycling instructions	Clear littering reduction will be dependent on items becoming eligible for Return and Earn. Recommend firming up the language from “explore” to “require” Return and Earn eligibility, where costs to fund such a program would be funded by manufacturers and suppliers (Figure 1). If a Return and Earn program is not viable for some single-use containers, or all, then apply a manufacturer or supplier levy to those manufacturing and supplying single-use food containers that would cover the full cost of disposal, including litter clean up (Figure 1).
Single-serve condiment packages	“Work towards” redesign to be recyclable		Label with anti-littering label	Low chance of a reduction in littering because redesign is not assured and this proposal doesn’t include a strong incentive to reduce littering behaviour. Recommend adding that packages are made from 100 % compostable materials with green list chemical additives only so that littered packages would not persist in the environment. Also apply a levy to those manufacturing and supplying single-use packages that would cover the full cost of disposal, including litter clean up (Figure 1).
Plastic lollipop sticks	Ban			Will reduce littering. No additional recommendations from us.
Cigarette butts			National discussion on regulation is proposed	Physical change in the product or a financial incentive would be required for effective littering reduction.

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Publish brands of littered items			Clarity on the brand origin of some litter	Would only lead to less litter if this action motivates producers towards redesign of plastic items, such as the action in the next row.
Brand owners to set litter reduction targets			“Consider requiring” the brand owners identified to reduce littering of their products	Successful leverage of the litter data will require definite action. Recommend firming up the language from “consider requiring” to “requiring”.
Harmful chemicals in packaging			Voluntary labelling, followed by mandatory labelling	Not directly related to littering, however mandatory labelling should be fast tracked for consumer awareness. Those chemicals that have limited toxicology testing should be removed to protect public safety.
Plastics containing pro-degradant additives	Ban			Will reduce the release of microplastics. No additional recommendations from us.
Synthetic textile microfibres	Redesign of washing machines to capture most microfibres			Very likely to reduce the release of microfibres. No additional recommendations from us.
Microplastic beads in cleaning products	Ban			Will reduce the release of microplastics. No additional recommendations from us.
Heavyweight plastic film shopping bags	Heavy weight plastic shopping bags are made from a higher proportion of		Recycling instructions, anti-littering labels, bags on request only	Does not meet the goal of less plastic litter. The case has not been convincingly made that heavy weight plastic shopping bags are reused many times over. Recommend adding that plastic shopping bags must be made from 100 % compostable materials with green list chemical additives only

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	recycled materials			so that littered bags would not persist in the environment. Also apply a levy to those manufacturing and supplying plastic shopping bags that would cover the full cost of disposal, including litter clean up (Figure 1).
Plastic barrier bags	Ban “unnecessary” barrier bags. Redesign remaining bags with green list chemicals		Recycling instructions, anti-littering labels	Lack of clarity on which uses are considered “necessary” and why. For example, using a plastic barrier bag for gathering five oranges is motivated by convenience and is not required for food safety. The alternative convenience product, five oranges pre-packaged in plastic, does not need to be offered so would not lead to increased consumption of plastic pre-packaged products. Lack of clear physical or financial incentives to reduce littering of the remaining bags. Recommend expanding the unnecessary uses to include far more categories, e.g. categories adopted by Western Australia, and adding that remaining bags are made from 100 % compostable materials to reduce the persistence of the bags in the environment and reduce harm to wildlife.
Balloon releases	Ban lighter-than-air balloon releases			Very likely to reduce litter. Recommend banning the release of all outdoor balloons in line with Western Australia.
Balloon accessories	Ban			Will reduce litter. No additional recommendations from us.
Expanded plastic packaging	Ban with exemptions			Very likely to reduce litter if the exemptions are relatively rare. No additional recommendations from us.
Fruit stickers	Redesign to be compostable			Very likely to reduce persistent litter

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Plastic pizza savers	Ban			Will reduce litter. No additional recommendations from us.
Plastic food-bag tags	Two step ban			Very likely to reduce litter. It is not clear why there is a delay on tags for produce bags. It would be easier to provide feedback if the reasoning was apparent.



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