

Single Use Plastics Policy
Department of Environment, Land, Water and Planning,
Melbourne
VICTORIA 3000

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13 May 2022

Re: Submission on Single Use Plastic Ban Draft Regulations

The Boomerang Alliance and our 54 allied organisations thank you for the opportunity to provide our views and feedback on the Victorian Governments draft regulations on single use plastics.

Victoria is lagging behind many other jurisdictions, and it has been a concern of Boomerang Alliance, our allied organisations and many Victorians concerned about the litter and waste from single use plastics that the Government has not acted sooner.

These bans go some way towards Victoria catching up with South Australia, Queensland, the Australian Capital Territory, Western Australia, and New South Wales who have either already introduced or plan to introduce bans before the end of 2022.

About the Bans

Drinking straws | cutlery | plates | drink stirrers | EPS food & drink containers | cotton bud sticks



These proposed bans for February 2023 are welcomed by our organisation. All of these products can be avoided or have reusable or non-plastic alternatives currently available.

However, more must be done, and we urge the Government to introduce a comprehensive plastic pollution strategy to systematically address other problem and unnecessary single use plastics in the home, away from home, in retail, business, agriculture, and, where used on or near the marine environment.

These bans, on largely away from home (takeaway) plastics, are a good first step but only a first step.

From 2023, the next step should be further bans on other problem single use plastics such as coffee cups/lids, drink and food containers, heavyweight plastic bags, and unnecessary plastic packing on retail products. A State ban (not simply a recognition as an act of littering) on the release of helium balloons should be included.

A joint briefing paper outlining this approach has been circulated by the Boomerang Alliance, WWF, AMCS, Take 3, Plastic Free Foundation and Clean Up Australia.

Purpose of the Plastic Bans

In our view the purpose should be to promote a circular economy approach to the problem, not be limited to simply reducing litter, and must meet resource use and waste reductions objectives. This is reasonably articulated in your consultation paper. It is important that all these aspects are considered.

We do note that in explaining why EPS packaging in transport is not included, you make the point that this is not a litter problem. However, it is a waste and resource problem and contradicts a circular economy approach if this packaging is single use. We make the point (below) that where EPS packaging is allowed that it should be managed as a reusable/returnable product in transportation.

In answer to your posed questions in the consultation paper:

What types of plastic should be included?

We support the Government position that all types of plastic, including conventional, recyclable, degradable, oxo-degradable, and compostable plastics should be banned-for this range of items.

What expanded polystyrene (EPS) items are banned?

All EPS food ware should be banned. The Government has not included EPS packaging used for food transportation. Whilst we recognise that some foods require the insulation properties that EPS provides, not all foods do. The Government should identify, through temporary exemption, which food items will be allowed to have EPS packaging, and which will not. We also make the point that the purpose of these bans should be to avoid plastic waste, not simply litter. Where EPS food packaging is allowed, systems must be in place to ensure that EPS packaging is returned and reused.

We note that the Commonwealth Government has announced the phase out of EPS loose packaging fill and moulded packaging in consumer packaging (July 2022) and EPS consumer food and beverage containers (December 2022). The Victorian regulations should reflect and reinforce this phase out.

EPS consumer food trays could be added to the ban now.

Does the ban apply to items made only partially from plastic?

We support the Government position that it does. However, we caution the Government to be mindful of false claims by manufacturers about their products. There are 'non plastic' products currently on the market that claim to be 'non plastic' that contain plastic.

It is also the case that even non-plastic or paper products are not necessarily fully compostable or more benign. Paper straws, for example, can include glues and dyes that render them non-compostable.

Our strong recommendation is that any product in the market that claims to be non-plastic should be required to obtain an AS compost certification. This will

ensure that all products in the market comply with the government's policies and intentions; and can be utilised by composters.

How is Reusable defined?

We commend the government for defining what a reusable item is. However, your definition does not provide sufficient clarity and will be prone to greenwashing. A better standard should be developed and applied. We have urged immediate action by Australia's environment ministers on this matter.

As was the case with BIG W 'reusable' plates in QLD, companies can still make unsubstantiated claims on 'reusability'. A standard should specify material use content, thickness and durability, options for collection at end of life and be tested against a multiple use standard. It should not be left to manufacturers to determine reusability but provide a warranty that meets the clear requirements of a defined reusable standard.

A standard should designate what is multiple use, a product should be designed accordingly and be independently tested against this, with established requirements on material content and durability and collection at end of life-as part of that standard. The international reusable standard ISO 18601:2013 is not sufficient but goes some way towards framing these requirements.

A standard with credible terms and enforceability should set the rules and not be left to an industry to interpret, with a track record of seeking loopholes.

On Outlined Exemptions

Drinking straws for people with need

We support those with a need having access to straws should they require them. However, as advice from disability groups in other states has outlined, most food outlets do not supply straws that meet the needs of those with a disability. They need customised straws. A better approach may be to allow customised plastic straws to be provided through chemists and health care outlets.

Exemptions for Plastic cotton bud sticks (scientific, forensic, and medical needs)

Yes, If there is a technical reason for this, these should be exempted

Exemption for cutlery in mental health or justice institutions

Yes, If there is an identified safety reason.

Exemption for banned items in integrated packaging

We do not support this. Victoria is the sixth jurisdiction to act so suppliers have had plenty of time to change their pre-packaged products due to requirements in other jurisdictions. It needs to be recognised that the switch away from these single use plastic items is a global transition and something the whole supply chain is well aware of, across multiple jurisdictions. This exemption could have the effect of delaying that transition away from plastic.

Setting a 2025 schedule will, in all likelihood, lead to Victoria, particularly if it is the last jurisdiction, becoming a dumping ground for this type of packaging, as NSW is a dumping ground for lightweight plastic bags now.

Exemption for coloured party plates

There are plain paper plates that can be used now. There are other non-plastic plates available in the market now. This exemption seems to be in place to allow branded disposable plates. In this instance, reusable plates can be provided that will reduce litter and waste. This exemption makes a mockery of the whole commitment to banning plastic plates. Manufacturers and suppliers will simply colour their picnic plates to avoid the ban if this exemption remains.

What is the difference between a coloured paper straw and a coloured paper plate?

Other comments

The Victorian Government has sent a strong message favouring the uptake of reusable and returnable food ware. The Boomerang Alliance strongly supports this approach as a resource, waste, and litter reduction measure. It needs to become a common practice by all citizens.

However, what is needed is for Government actions that go further than rhetoric. The Government should support, through options such as, appropriate bans on single use food ware or price and cost incentives for

business and consumers that discourage single use and encourage greater adoption and use of reusables.

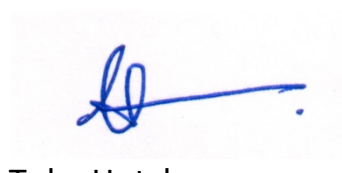
Introducing government practices on reusables, promoting reusables at major and sporting events and encouraging supermarkets, cafes, and takeaway outlets to switch to reusables should become an integral part of the Governments single use plastics agenda.

Should you have further questions or need clarification of any of the points raised please contact us. Jeff Angel 0418 273 773 or Toby Hutcheon 0422 990 372.

Signed



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Additional Comments

Our on-ground engagement in all States and Territories provides us a unique perspective on the plastic-free agenda.

Boomerang Alliance runs the national Plastic Free Places program which has assisted the hospitality sector to eliminate over 11 million items of single use plastic takeaway items. (www.plasticfreeplaces.org)

We work directly with food retailers on the ground, providing them with advice required to successfully transition to alternative packaging including reusables. We are currently delivering this program in a number of locations in Victoria, including a large scale roll out on the Mornington Peninsula, funded by Council and Commonwealth.

Barriers to change: one of the biggest barriers to change for food retailers is the issue of 'greenwashing'. As bans are being introduced around the country, packaging descriptions are increasingly vague and misleading - packaging

suppliers claiming items are plastic free, when they are not. In the absence of clear labelling, our on-ground facilitators are the go-to experts for businesses and our team is inundated with requests for help to assist owners and managers to understand the real composition of packaging materials and cut through false 'plastic-free' claims. Please see examples of the feedback we have received from Victorian member businesses over the past weeks (see below)

Solutions: Along with the ban, we strongly recommend the introduction of clear mandatory labelling on all packaging to help businesses identify the right items.

In line with previous comments, we also recommend the introduction of mandatory inclusion of reusables in business operations, similar to European countries where hospitality venues must provide a reusable container / cup option at no additional cost to the customer

Provide business support to ensure those in charge of ordering alternative packaging and / or transition to reusables are equipped with the knowledge to understand reusable networks, identify the right packaging items and transition successfully.

Boomerang Alliance's program options include the Plastic Free Places programs and the [reusable cafes](#) program. The latter works to help retailers understand reusable networks and successfully implement this option in their business. It has been highly successful and will be implemented on the Mornington Peninsula along with the Plastic Free Places program. Both these programs could be extended to greater Melbourne and the rest of Victoria to support retailer transition.

Litter audits: as part of introducing plastic bans, we deem it vital to verify a reduction in plastic litter. Collaboration with Beach Patrol Australia and other local groups will be essential to benchmark and measure litter reduction over time.

Separate waste streams: 99% of hospitality venues we work with in Victoria are not separating their waste. Food waste and recycling largely goes to landfill. Our facilitators are regularly asked how they can viably (i.e., at limited additional cost) incorporate food and recycling streams into their business. They often question why the Government is only banning certain plastic items while the majority of the waste produced by business (e.g., milk cartons,

wholesale food containers such as large drums, food waste) continue to be sent to landfill

Enforcement: our facilitators are regularly being asked who will enforce the bans. In other states, bans have worked when transitions are verified, and regular business check-ins are key to the success of these bans. Many businesses fear that there will be no follow up to verify transitions. In some states the National Retail Association has been engaged to monitor compliance.

Business Feedback re labelling:

"Our business prioritises caring for our planet, our community and doing what we can to do business in a good and sustainable way. We are always seeking more environmentally friendly options and over the past couple of years have decided to reduce plastic entirely from our consumer products. Recently we had a Plastic Free Places facilitator in our business to certify us as a plastic free business and we reviewed each of our products - cups, lids, everything.... we've found that many of our lids were -- unknown to us -- plastic (PP or PET) and plastic lined. It was super disappointing to see the greenwashing by suppliers where the plastic elements were confusing or in small print while being called 'future friendly', 'we're carbon neutral' or plants and green graphics were the focus. This was particularly upsetting when purchasing from brands we trust. We are unable to certify as plastic free as planned and need to take further steps to do so."

"We have staff that are not in the know -- they don't understand plastic vs non plastic packaging, but they are in charge of ordering replacement items for products, and we expect that they are not plastic. As the experts in packaging, we currently require Boomerang Alliance's support to help navigate the language of these products and ensure that we have no fossil-fuel based plastics coming into the business where any alternative exists."

"Packaging labels are super confusing and misleading. Without clear labelling, it's up to us once again to research and source no plastic options. This really is exhausting, especially in the current climate. Post Victoria's lockdowns, hospitality is hard enough. I would not be able to do this without Boomerang Alliance's support."

"Getting professional advice allowed us to feel confident in knowing which products we use are plastic free and those which aren't. This knowledge

allowed us to pick more sustainable products where possible. We could not have done this on our own".

These comments from business (above) reinforce our call for clear and mandated standards for all packaging- reusable, compostable and recyclable to ensure these products are recovered in practice and at scale. Coupled with this is the need for clear labelling so that businesses such as these featured can be assured that they are purchasing what they ordered and that it complies with a nationally consistent standard. We have made the point that non-plastic items should be required to be certified compostable to ensure that these products do not contain plastic.