



OFFICE OF THE COMMISSIONER
FOR SUSTAINABILITY AND
THE ENVIRONMENT

Transport Canberra and City Services
Single-use plastics: Tranche 3
Email: singleuseplastics@act.gov.au

To whom it may concern

Re: Single-use plastics: Tranche 3

The Commissioner for Sustainability and the Environment is an independent statutory position established by the *Commissioner for Sustainability and the Environment Act 1993*. My Office (OCSE) embraces transformative change for an environmentally sustainable future and encourages sound environmental practices and procedures to be adopted by the Territory and territory authorities as a basis for ecologically sustainable development.

OCSE commends the ACT Government for pursuing tranche three of the single-use plastics ban in the ACT. However, it is important that the ACT Government ensures the necessary recycling and composting systems and facilities are established to process the more sustainable alternatives that will replace single-use plastics, particularly for takeaway containers, plates, and bowls. If these systems are not in place to support the ban, there is a risk that more waste will end up in landfill.

This submission discusses limiting and managing the ACT's rapidly growing waste stream associated with food packaging through the implementation of reusable and/or refillable service and foodware systems.

b. Are alternative products appropriate and readily available?

c. Are there alternative products that can perform similarly to the banned products?

Alternative products made from materials such as bioplastics, paper, cardboard, glass, tin, and foil generally break down quicker than regular plastics or can be recycled. However, the environmental footprint associated with manufacturing, transporting, and disposing of alternative products remains significant. Simply replacing disposable plastic with another material does not necessarily reduce the overall burden on the environment. In the Attachment to this submission, I provide a selective comparative analysis of the broad environmental impacts of alternative single-use plastic products across their entire life cycle.

It is important that ACT Government considers pathways to eliminate the generation of waste altogether¹. By far the least environmentally problematic alternative is reusable and refillable packaging and buying unpackaged. The growing reuse movement presents an opportunity to avoid the generation of waste associated with food packaging while stimulating new market opportunities in the ACT. The reuse movement seeks to transition away from the recycling of sustainable

¹ ACT Government, 2022, *Draft Circular Economy Strategy 2022-2025*, https://www.climatechoices.act.gov.au/_data/assets/pdf_file/0005/2095844/Draft-ACT-Circular-Economy-Strategy.pdf

alternatives to single-use plastics as the primary response, by prioritising reusable packaging and foodware systems.

Several businesses have emerged in response to this movement, particularly in the United States. Business models include low-cost reusable takeaway container services, special event-based foodware provision, daily cleaning services with pick-up and drop-off of reusable foodware to restaurants and food outlets. US-based website *Upstream*², provides a comprehensive reuse directory listing businesses and suppliers who specialise in returnable, reusable, and refillable packaging and associated services.

Berkley, California, gives a further example of this waste management model³. In 2020, the local government implemented a new law that required all restaurants and cafes to charge 25 cents for each disposable cup; make all takeaway containers compostable and provide reusable foodware for customers eating on the premises. Furthermore, businesses offering takeaway options must use Biodegradable Products Institute (BPI)-certified (North American certifier of compostable products and packaging) compostable foodware. The Berkley government has provided a list of suppliers of takeaway food containers that are BPI-certified, as well as signage to notify customers of the disposable beverage cup charge.

Establishment of such businesses in the ACT should be encouraged to support the ban on single-use plastic containers, together with support for their integration into the ACT hospitality industry. The success of the Green Caffein swap-and-go reusable coffee cup system in the ACT showcases the feasibility of the reusable approach on a large scale. Domestically, Western Australia engaged the National Retail Association to help businesses to prepare for, transition, and manage plastics bans⁴. They have developed a comprehensive website with advice and resources to assist affected businesses.

Recommendation 1: The ACT Government should conduct an in-depth analysis of the environmental impacts of single-use plastic alternative products across their life cycle. This work should be undertaken, and results considered, prior to the third tranche of single-use items being banned from 1 July 2023.

Recommendation 2: The ACT Government should develop reusable and returnable food container services, in partnership with affected businesses and stakeholders.

Recommendation 3: The ACT Government should provide information and resources for retailers and suppliers impacted by potential bans to assist with their transition.

Waste management infrastructure capacity to process alternative products

Currently, there are no commercial composting facilities in ACT that can process certifiable compostable products. Corkhill Bros at the Mugga Lane Resource Management Centre are responsible for processing material for the *Food Organics, Garden Organics* (FOGO) pilot, this facility does not have the capacity to process certifiable compostable products. Other jurisdictions such as the Hobart City Council's FOGO service processes certifiable compostable cups, plates, bags⁵.

² Upstream, 2022. *Upstream Solutions*, <https://upstreamsolutions.org/reuse-services-and-business-directory>.

³ City of Berkely, 2022. *Single-Use Foodware Rules*, <https://berkeleyca.gov/doing-business/operating-berkeley/food-service/single-use-foodware-rules>.

⁴ National Retail Association, 2022. *Information for Business*, WA Plastics Ban, <https://plasticsbanwa.com.au/>.

⁵ City of Hobart, 2022. *FOGO and compost*, <https://www.hobartcity.com.au/Residents/Recycling-and-rubbish/FOGO-and-compost>.

Recommendation 4: The ACT Government should expand its new FOGO facility at the Hume Resource Recovery Estate to process certifiable compostable products⁶.

Thank you for your consideration and please do not hesitate to contact me if you have any further queries.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Lewis', with a long horizontal flourish extending to the right.

Dr Sophie Lewis
Commissioner for Sustainability
and the Environment

18 November 2022

Attach 1

⁶ ACT Government, Chief Minister, Treasury and Economic Development Directorate, 2022. *FOGO facility given the go-go*, https://www.cmtedd.act.gov.au/open_government/inform/act_government_media_releases/chris-steel-mla-media-releases/2022/fogo-facility-given-the-go-go.