

Submission for
The Plastic Bag Ban discussion paper
Due 9 March 2018

The Department of Water and Environmental Regulation's discussion paper on the plastic bag ban is a welcome first step to legislating to address our plastic problem.

I am writing as a community member and from my experience in a regional environmental group/association, the Albany Community Environment Centre Inc. that puts a lot of its effort into collaborating with other no-for-profit groups such as Greenskills, local government and local businesses and we educate and bring awareness to our community around waste, including reducing plastic waste.

The recent information evening held in Albany by the Department and Boomerang Alliance in relation to explaining details for the imminent introduction of the plastic bag ban (come 1 July 2018) was a great initiative. On behalf of the community, thank you for involving us, providing light supper, greeting us personally and taking on board our comments and facilitating discussion.

This submission will address the following matters:

1. Provide feedback on how the government can reduce the impact of lightweight 'single use' plastic bags;
2. Provide an opinion on the impact of the government's preferred approach being the state-wide ban;
3. Discuss what other plastic pollution the government, business and communities should work together on; and
4. Discuss other strategies to address other plastic pollution that would be most effective.

1. Provide feedback on how the government can reduce the impact of lightweight "single use" plastic bags

The strategy chosen by the government to BAN 'single use' plastic bags is a welcome first step in addressing our plastic problem.

The use of the language 'single use' plastic bags is a misnomer. In fact, your discussion paper highlighted that over 72% of plastic bags are re-used for waste disposal/ bin liners. Therefore, the argument that heavier bags may be better re-used may not in fact be a cogent argument.

The potential unintended consequence of the BAN could be that retailers supply heavier weight plastic bags for free, or that the community get used to the price of the heavier bags and the aim of reducing our reliance of plastic in our community is not achieved.

A second step in the government's approach therefore should be to analyse how many heavier bags are used and compare that to the statistics on the light-weight plastic bag usage.

With these unintended consequences in mind, and understanding the limited research on the effectiveness of bans in other jurisdictions, this submission highlights the potential further steps the government could take to tackle our plastic problem.

For example:

- a) The government could specific in the legislation that heavier plastic bags (greater than 35 micron) must be provided to customers at a price (minimum \$1.00). This would actively discourage consumers from "blindly" accepting heavier plastic bags and hit them in the back pocket for costs;
- b) The government could simultaneously require producers and suppliers making the heavier plastic bags to produce bags that are made from 50% recycled plastic (i.e. product specification). This would reduce our virgin plastic use. Legislating on product specifications in legislation and regulations is one example of changing these design models from the outset, so there is no question on what level of recyclability a product has to have, and industry will follow suit, with good regulation, reporting, audits and enforcement;
- c) Balloons, straws and plastic cutlery and degradable plastic bags could be included in the ban;
- d) Bio-degradeable and compostable be included in the ban as this is confusing labelling for consumers and we do not have control over municipal conditions for the proper break-down of these materials even if they are corn starch etc. due to the need for heat to break them down. The exception could be that Shire approved compostable bags if a green waste recycling program is in place where food scraps are collected and will be composted at those higher heat temperatures.

The range of alternatives to plastic bags could also be beefed up and not simply voluntary as to which method any retailer choses to comply with the legislation. It should not be up to retailers whether they offer an alternative to plastic or not. For example:

- a) A retailer could be approached by local business supporting disabled people such as ACTIV who could design and produce a supply newspaper origami bin liners (for example, 10 for \$2.00) or suppliers could look to developing countries to produce a new line of stock being newspaper bin liners of various sizes and shapes, carefully wrapped in string, for a very economical price;
- b) A retailer could be required by government to stock the larger calico shopping bags, or a steady supply of their own in-house bags;

- c) It should not be solely discretionary as to whether a retailer replaces single use plastic bags with heavier plastic bags;
- d) Cardboard usage should be audited in shopping complexes and agreements put in place across the various retailers to “share” the cardboard boxes and ensure they get re-used by customers. We have noticed a bottle-shop in Albany has been completely inactive around the re-use of a majority of their cardboard boxes for customers in conjunction with other shops in the centre, including another large grocery store, a majority of boxes going to landfill. This may require a representative from Education/Community/Department/Enviro NGO approaching each shopping complex and facilitating this liaison.

2. **Provide an opinion on the impact of the government’s preferred approach being the state-wide ban**

It is very welcome to see a shift from voluntary codes to amendments to legislation to ban light weight plastic bags.

The question becomes how do we get effective results? Legislation and good regulatory oversight (compliance and enforcement) appears to be an effective strategy given empirical data on the ineffectiveness of voluntary programs.¹

There needs to be greater impact on reducing plastic waste. Like leaded petrol was phased out by changing the size of the nozzle at the pump, so as to be impossible to fill up your car on leaded petrol with a petrol tank hole being of a different size (due to legislation around car manufacturing) the plastic problem our society faces should be tackled much higher up the production chain. This will ensure a whole of industry approach and a wider scope of impact. For example, what about vegetable packaging? What about pasta packaging? What about the regulations around the transport of goods? All of these supply chains and manufacturing chains have an element of plastic being utilised and creating a “new norm” around hygiene and acceptability of a “new” product by consumers. This all needs to come into question and be challenged by new norms and regulation that phases out plastic at all levels of our consumer goods and commercial/industrial products.

For example, the Department and Boomerang Alliance could work with some great rebranding and marketing. There is a wave of “high end” kids toys and packaging which is now seeing sustainable packaging as “attractive” and therefore more attractive to consumers, and perhaps this “image” should be capitalised on. Your emphasis could be...It’s simply not attractive now, to vacuum pack and glad wrap and plastic line every product to the maximum. People will soon not buy it, even if its cheaper. Like, “It’s so 80s!”.

¹ Cary Conglianese and Jennifer Nash, *Motivating Without Mandates: The Role of Voluntary Programs in Environmental Governance*, Institute for Law and Economics, Research Paper No. 16 – 14, 1 – 15
<<http://ssrn.com/abstract=2791066> >

Please refer to comments under the first heading for other ways government could improve on the preferred strategy.

The risk of environmental impacts of plastic on our human health should be broader than simply the DWER's issue. Department of Health should be funding rebranding and marketing around plastic reduction as it impacts on our health. Tourism should be involved in plastic reduction issues and fund the government initiatives too. A whole of government response is required.

3. Other effective plastic pollution reduction strategies to be addressed collaboratively.

Point 3 and 4 combined.

Other initiatives to achieve lesser plastic reliance are the container deposit scheme and this initiative could be strengthened. For example, the container deposit scheme should pay more for each item. It needs to be married with government support and financial assistance for local recycling facilities. Product specification could enhance the way we reduce the need for virgin plastic production, and other raw materials.

Reducing plastic wrapping in the transport and manufacture of products is another overlooked area. We have been discussing soft plastic issues with a local IGA store manager/representative. The change in the way goods are delivered to his back door is astounding. Cardboard boxes are harder to find, especially proper strong ones, reinforced. Now only items such as tomatoes and peaches come in cardboard. All your shelf items, non-perishables, will usually have a flimsy cardboard base, and vacuum wrapped in stretchy plastic. Internal store management of waste is such they back-fill this plastic lining and send it to a company that can sell it for re-use. However, so much soft plastic is not necessary and we should be looking behind the consumer's point of view, to the manufacturing and transport of goods as well. Can you image a whole pallet of cauliflowers in boxes then vacuum wrapped in plastic? This is what we are dealing with on a daily level. All of this soft plastic wrap is unnecessary packaging in my view.

Product specification as discussed above, is a better model for resource recovery than simply allowing for voluntary initiatives by product suppliers and product designers. The National Australian Packaging Covenant and NEPM 2011 are welcome initiatives. Western Australia should support more businesses with lower annual turnovers to join this covenant and improve this area of manufacture and waste.

Recovering more materials to do something with them is also a challenge. We have found as a local environmental group that educating ourselves about the different plastics is a minefield. To appreciate how a manufacturer breaks down this product to reuse is also very complicated. The issue with China and refusing foreign waste, including higher specifications of purity in plastic stream resource (waste) has exacerbated the issue of waste management for Australia. For example, soft plastic can no longer be shipped as a co-mingled entity. We understand, the plastic must be separated into HDPE or LDPE or PEP etc, so that it can achieve good market and the price, otherwise it will be rejected. We have been in consultation with Remondis on this issue, as related to IGA and their internal backfilling of trucks for soft plastic recycling.

One idea our engineering and scrap metal colleagues identified is to easily identify different plastics by colour coding. For example, your HDPE plastic could be blue. Your LDPE plastic could be green. And so on. Therefore, most consumers will know which recycling container to put these different plastics in, as separated at source recycling appears to be the most important thing. Alternatively, a machine at the recycling depo, could scan each plastic item and put it into the right container based on its colour. Why should the economic imperatives of markets and packaging liberty reign over the impacts on the environment? Why can't companies agree to better product manufacturing so as to ensure product stewardship? The Government could take a strong stance, and legislate this, and like some countries in Africa, refuse certain products if they contain too much plastic, or the wrong product labelling and so forth.

Without an economy for re-useable material and recycled products we cannot reduce our impact on the environment. Western Australia's geographical position is an important factor in putting this element of the challenge higher up the priorities. We need to incentivise recycling businesses. We need to prop up the up-start costs of such industries in Western Australia. Other government initiatives and programs could dovetail nicely into this area. Such as the NEIS Scheme that Centrelink provides people looking for employment that have a business enterprise idea. Sending our waste overseas or over east for a market for re-selling, turning into pellets, or re-using into a new product should not be the only avenue we consider viable. With the container deposit scheme in WA, this should partner any economic incentive programs the government develops.

To fund economic incentives for recycling businesses, the government could consider a levy or tax on company profits due to their percentage of plastic packaging. For example, like a tax on cigarettes. This reflects a product stewardship attitude and a better appreciation of the externalities of an internalised production process. Ultimately, the environment cannot absorb plastic waste, and we need to pay the consequences at the point of production, and not leave it to governments and the next generation to foot the bill.

Making plastic from fossil fuels such as natural gas and crude oil by-products are a limited resource and create further by-products and waste. The Department should support businesses that look to use alternatives to these fossil fuels to make plastic substances. Algae appears to be a new form of bioplastic to create polyethylene and polypropylene that is greener and cleaner to access. We need to consider the resource, and the water used, and the by-products and the impact on the environment when assessing what resources should be used to make things. For example, just because a paper bag takes more energy to make, this should overwhelm the other considerations of what plastics have on our marine environment.

An across the board State wide government policy should be mandated around public events and internal events supporting plastic free products and good recycling. Some music festivals have got a really good recycling programme, see Pinjarra's Fairbridge Festival model. Another festival has summarised their model quite well:

https://www.actsmart.act.gov.au/_data/assets/pdf_file/0004/697288/ACTSmart_Best_Practice_-_Corinbank_Music_Festival_C6_a.pdf

Perhaps State government and each local government could get a shortlist of certified caterers or event holders that support a low waste model. They would have to put in for tender how and why their services are really well-rounded and support a circular economy. This would be a great role model for the broader public, to see government committing to reducing waste in this way. Conferences, public talks, parades, City of Perth events, there are so many opportunities.

CONCLUSION

Western Australia needs to get serious about reducing its reliance on plastic. Let's do more DWER!

Thanks for your time and efforts, and coming to Albany. We look forward to hearing about the plastic bag ban, its implementation, and hopefully second stage and third stage initiatives.

Yours sincerely,

Lara Norman

[Redacted Signature]