



ACT

Government

Transport Canberra
and City Services

Ms Cate Faehrmann MLC
Chair of Portfolio Committee No. 7
Parliament House, Macquarie Street
Sydney NSW 2000
Via email: PortfolioCommittee7@parliament.nsw.gov.au

Dear Ms Faehrmann

Thank you for your letter on 13 May 2021 regarding the inquiry into the *Waste Avoidance Resource Recovery Amendment (Plastic Reduction) Bill 2021* and the experience of ACT Government in developing the [Plastic Reduction Act 2021](#) (the Act), which will commence on 1 July 2021.

The Act regulates the supply of select single-use plastic items in the ACT. The first tranche of prohibited plastic products identified in the Act for immediate phase out are stirrers, cutlery, and expanded polystyrene takeaway food and beverage containers (e.g. cups, plates and 'clam shell' containers).

The second phase of banned single-use plastic will commence on 1 July 2022. The second phase will likely include single-use plastic fruit and vegetable 'barrier bags'; oxo-degradable plastic products and single-use plastic straws (with potential exemptions for people who need them).

Single-use plastic items that will be considered for banning in future include plastic-lined single-use coffee cups and lids; single-use plastic dinnerware (e.g. plates, cups and bowls); other single-use plastic products including boutique/ heavyweight plastic bags greater than 35 microns thick; and cotton ear buds (with plastic sticks).

The Act:

- establishes a framework for adding other single-use plastic products in the future via regulation, including a requirement that the Minister must give public notice of a proposed regulation;
- repeals and absorbs the *Plastic Shopping Bags Ban Act 2010* to ensure that plastic bags remain banned in the ACT, and to streamline plastic-related regulation;
- creates offences and enforcement provisions to ensure compliance with the Act;
- phases out single-use plastic through provision to declare public events (both government and non-government) as single-use plastic free; and
- establishes a framework for appropriate exemptions to the Act as may be required from time to time.

Development of the Plastic Reduction Act 2021

The ACT Government undertook extensive public consultation and analysis to develop the Act. The [Phasing out single-use plastics discussion paper](#) was published in April 2019 commencing a consultation period that ran until July 2019. At the end of the consultation period, more than 3,300 interactions were registered, including survey responses, submissions, [comments on the ACT Government YourSay website](#), and attendance at several community and business information sessions. Further detail of the consultation is available at the [Phasing out single-use plastics engagement report](#), which was released in September 2019.

Feedback from the consultation informed the development of the [exposure draft of the Plastic Reduction Bill 2020](#) and associated Explanatory Statement, which were released in August 2020. Submissions that were received through the exposure draft process and the ACT Government's response can be viewed in the [single-use plastic document library](#). The [Updated next steps policy document](#) was also released in August 2020.

In December 2020 the ACT Government presented the Plastic Reduction Bill 2020 with its Explanatory Statement, and [Regulatory Impact Statement for the Plastic Reduction Bill 2020](#) to the Legislative Assembly. A [revised explanatory statement](#) was notified in March 2021 to address questions raised by the Scrutiny Committee.

Plastic Reduction Taskforce

The ACT established the Plastic Reduction Taskforce to support the development of the Plastic Reduction Bill. The Taskforce has been very beneficial in informing the development of the Act, and comprises of representatives from key local and national industry, business, environment and disability advocacy bodies as well as key government representatives such as the Access Canberra compliance team and Health Protection Service.

The Taskforce meets monthly and discusses issues related to the legislation and items to be phased out, both in 2021 and in future tranches. This has included discussions on a suitable model for providing access to straws for people who need them.

The ACT has also engaged closely with other jurisdictions, including NSW through the regular bi-monthly meetings of the Single Use Plastic Inter-Jurisdictional Network, chaired by ACT NoWaste.

Engagement of the National Retail Association (NRA)

The ACT Government is supporting business and the community to transition away from identified single-use plastic products ahead of the ban and has engaged the National Retail Association (NRA) to run a face-to-face engagement and an information hotline to assist businesses understand and comply with the new legislation.

National context

The ACT Government supports the Environment Ministers Meeting agreement from the 15 April 2021 meeting, that the eight identified 'problematic and unnecessary' plastic product types will be phased out nationally by 2025. These are lightweight plastic bags; plastic products misleadingly termed as 'degradable'; plastic straws; plastic utensils and stirrers; expanded polystyrene (EPS) consumer food containers (e.g. cups and clamshells); EPS

consumer goods packaging (loose fill and moulded); and microbeads in personal health care products.

Thank you for the opportunity to provide information from the development of our legislation to the Committee. Please contact David Alexander a/g Director Waste Policy, ACT NoWaste, Transport Canberra and City Services, at David.Alexander@act.gov.au if you would like more information about the Act.

I have attached to this letter for your information the following documents relating to the development and implementation of the Act.

Attachment number	Document title
1	Plastic Reduction Act 2021
2	Phasing out single-use plastics discussion paper
3	YourSay Community Submissions update November 2019
4	Engagement Report – Phasing out single-use plastic
5	Regulatory Impact Statement – Plastic reduction Bill 2020
6	Updated next steps policy – Single-use plastic
7	Revised Explanatory Statement Plastic Reduction Bill 2020

I trust this information is of assistance. If you require any further information or clarification, please contact Michael Trushell, Executive Branch Manager, ACT NoWaste on 6207 2840.

Yours sincerely

Alison Playford
Director-General, Transport Canberra and City Services