



Hobsons Bay City Council Submission: Environment Protection Amendment (Banning Plastic Bags, Packaging and Microbeads) Bill 2016 inquiry (October 2016)

Hobsons Bay is approximately seven to 20 kilometres south west of Melbourne's Central Business District (CBD). It is situated on Port Phillip Bay, with over 20 kilometres of foreshore. The municipality is home to significant coastal wetlands, five creek systems, remnant native grasslands, and important flora and fauna habitats. In addition, Hobsons Bay is home for many industrial operations, including eight major hazard facilities.

The community has told Council that they love Hobsons Bay for its proximity to the beach, its parks and green spaces. In response to this, one of Council's key priorities is to deliver a well planned, vibrant and sustainable municipality.

The topic of eliminating single use plastic has been of particular community interest broadly across Australia advocating and petitioning to reduce or eliminate single use plastic use. Council has been petitioned by community groups including Plastic Free Inner West to support the ban on plastic bags. Council's response to date has been limited to its area of control and the availability of information relative to the economic, social and environmental effects that restrictions on single use plastic may pose to the broader community.

Plastic packaging and microbeads pose a risk to marine life and human health and are detrimental to local amenity. However the level of the risk is unable to be quantified. Activities including research undertaken or proposed to be undertaken and past experiences of other jurisdictions, should be considered when contemplating the draft Bill. These include the Senate inquiry into the threat of marine plastic pollution in Australia and Australian waters (the Senate inquiry), the national ministerial roundtable discussion on a plastic bag ban and experiences in South Australia, Tasmania, the Australian Capital Territory and regional towns.

Usage in Hobsons Bay

In Hobsons Bay, the last land based litter audit conducted by Council in 2008 showed that plastic (excluding beverage related items) accounted for three per cent of litter by number of items across the municipality. Plastic bags made up 29 per cent of all plastic items by



number while wrappers and plastic film accounted for 41 and 30 per cent respectively. Extrapolating these figures further, plastic bags make up approximately 0.9 per cent by number of all littered items across Hobson Bay. By comparison, cigarette butts accounted for 59 per cent by number of litter while paper and beverage containers made up 16 and 11 per cent respectively. Beverage container litter includes glass and plastic bottles, plastic caps, straws, aluminium cans and ring pulls. In 2008 on beaches cigarette butt litter accounted for 52 per cent of litter, beverage litter 14 per cent and plastics 16 per cent (Hobsons Bay City Council, Waste and Litter Management Plan 2012-17). Data relating to cigarette butt litter on beaches is likely to have changed with the introduction of no smoking policies or by laws in these areas.

Hobsons Bay City Council has focused its attention on providing public place litter management services, supporting Clean Up Australia Day activities, raising awareness within the community and within Council to reduce and if possible eliminate single use plastic use, and supporting local community groups in the litter reduction and clean up activities throughout the year. Council however has limited resources therefore if this Bill was to be passed, addition resources to support behaviour change and education for the community and local businesses will be required.

Community readiness

There is community interest broadly across Australia advocating and petitioning to reduce or eliminate single use plastic use, and undertake clean up and data collection activities. Locally this interest is from sustainability groups including Friends Groups, Williamstown and Altona Beach Patrols, Port Phillip EcoCentre, Scab Duty, Tangaroa Blue Foundation, Sea Shepherd, Plastic Bag Free Victoria and Inner West, individuals and Council's Sustainable Environment Advisory Group.

Around Melbourne the plastics industry, is an important employer. This includes the developing bioplastics industry which derive plastics from renewable sources including cornstarch. Locally retail outlets rely on plastic in their business including selling products in single use plastic. Restrictions on single use plastic use are likely to have broader and local economic implications that are unquantifiable by Council at this time. It is expected that consideration of social, environmental and economic implications and opportunities with respect to single use plastic reduction and elimination will be undertaken at a national



or state level, including in response to the draft Bill. It is also expected that if the Bill is introduced and becomes legislation that the Victorian Government allow time for the industry and community to transition. Council is pleased that the Victorian Government is consulting on the draft Bill and has mechanisms in the draft Bill to reviews its impact during 2018-19.

Other recommendations to be taken into consideration

The Senate, submitted to the Parliament of Australia in April 2016, provided 23 recommendations for Australian Government consideration. The inquiry addressed fishing practices, single use plastics including plastic bags, microplastics which are less than five millimetre plastic pieces from the physical breakdown of larger plastics, plastic production pellets used in manufacturing, microbeads from cosmetics and microfibres from clothing.

Recommendations of the Senate inquiry to the Australian Government of particular relevance to local government activities and single use plastics include the following:

- continued research into the extent, source, threats and effects of marine plastic pollution on the environment and human health, particularly microplastics
- industry contribution to funding this research
- that Australian Government's policies are underpinned by sound, peer reviewed research, establishment of a working group of environment ministers to address marine plastic pollution
- pursuit of mechanisms to improve support and coordination of clean up activities
- support to states and territories in banning single use plastic bags
- bans on the importation and productions of personal care products containing microbeads
- that the Australian Government encourage states and territories to support container deposit schemes and if they have not by 2020 that the Australian Government revisit the issue
- support for innovative packaging solutions that offer alternatives to plastic
- support for state and territories to implement targeted consumer behaviour change education campaigns



Recommendations of the Senate inquiry to be considered by the Australian Government include bans of single use plastic bags, packaging and microbeads. The Australian Government's response is unknown at this time. The outcome of the national ministerial roundtable discussion on a plastic bag ban is also expected later in 2016.

While the ban on lightweight single-use plastic bags proved to be highly effective at reducing the supply of plastic bags and changing behaviour across South Australia, studies suggest bans have only transferred and not eliminated the waste problem. Waste generated from plastic bag bin liners dramatically increased following the introduction of the plastic bag bans. South Australia also records significantly more thick and heavy bags in the litter stream compared to any other Australian state (Source: Plastic bags: an update, NSW Parliamentary Research Service, 2013). A ban on the sale of plastic bags as the draft Bill proposes to address, may reduce this issue.

Activities and past experiences of other jurisdictions, should be considered when contemplating the draft Bill.

Issues to be clarified

The draft Bill proposes to cover packaging that is made of whole or part of polyethylene or polystyrene and microbeads of less than five millimetres that are contained or added to cosmetics, personal hygiene products, including toothpaste and household detergents. Plastic used for medical, health-related, policing or security purposes are proposed to be exempt.

It is anticipated that Council's home delivered meals provided through the Community Chef initiative, which use plastic packaging, would be exempt under the health or medical related category. These home delivered meals provide nutritious meals to older people and people with a disability and their carers, who have been assessed as nutritionally at risk and are unable to prepare regular meals. Also clarification on the whether biodegradable or other degradable packaging is to be exempt would be beneficial. Council's use biodegradable packaging for other purposes such as in parks for dog waste to prevent littering. Many councils across Australia have implemented or are investigating the collection of organic waste in biodegradable bags for reprocessing. It would be important that these biodegradable packaging be exempt from the legislation.



Monitoring of the social, environmental and financial impact of the proposed Bill is also important. The draft bill proposes “the Authority must investigate and prepare a report on the number of exempt plastic bags, the amount of restricted packaging consumed, and the amount of plastic in waters and impact on aquatic life and any other information the Minister requires”.

With respect to enforcement, the Bill proposes that authorised officers under the Environmental Protection Act (the Act) will have the power to enforce the legislation. Council’s Local Laws, Environmental Health and some City Service personnel are authorised by the Chief Executive Officer to enforce the Act. These officers already have significant roles and responsibilities under the Act, in Council’s Community Local Laws and in their other day to day duties. In a rate capped environment it would be unreasonable to expect Council to take on authorised officer duties under this draft Bill. It is expected that the Victorian Government, specifically the Victorian Environment Protection Authority be responsible for enforcing the legislation if it was approved.

The role of councils in single use plastic reduction or elimination

Bans or limits on single use plastic is legally outside the scope of councils to implement. Given this, the role of local government in the single use plastic reduction and elimination includes raising community awareness of the issues relating to single use plastic, ways to avoid their use and alternatives, supporting local groups particularly in their reduction and clean up activities.



Examples of what Hobsons Bay City Council has done to date to support a reduction in plastic bag usage is outlined below:

In February 2016 Council implemented the 'Say No to Plastic Bags' campaign to increase awareness of the impacts of plastic bags on the environment, to encourage shoppers and retailers to reduce use of plastic bags, use alternatives and recycle them.

On 24 May 2016 Council resolved to investigate options to trial a plastic bag reduction initiative, similar to that of Plastic Bag Free Torquay, in key shopping precincts led by community organisations or businesses with Council support. From this Council has supported local community groups to establish a Hobsons Bay Boomerang Bags community. Boomerang Bags is a community driven initiative tackling plastic pollution at the grassroots level. At this time community groups and the Altona Village Traders Association are establishing Boomerang Bag sharing boxes throughout Pier Street, Altona. These boxes are made by the Hobsons Bay Men's Shed. Each box is stocked with re-useable Boomerang Bags made by community volunteers for customers to borrow if they have forgotten their own and to return on subsequent visits. The availability of free, re-useable bags reduces the need for single-use plastic bags.

On 26 July 2016 Council also resolved to review its internal processes and purchasing of single use plastics with a view to leading by example by reducing or eliminating single use plastic within the organisation. Also to review its event guide, conditions of use for markets, and recreation facility short term hire and long term lease agreements to encourage, and where possible prescribe, the reduction or elimination of single use plastics. Council will also consider single use plastics in a review of Council's Waste and Litter Management Plan during 2016-17.

Council's internal staff team the Hobsons Bay Environment Action Group (HEAT) also raises awareness amongst staff of single use plastics, encouraging change in their home and work life and to influence others to reduce or eliminate the use of single use plastic.

In November 2016 Council along with three other metropolitan Melbourne councils will introduce flexible plastic recycling into its fortnightly household recycling service. This is a



significant advancement in local government recycling services and has been made possible through the Metropolitan Fund provided by the Victorian Government from the Sustainability Fund in partnership with the three other councils. While reducing the community's reliance on plastic bag use is an ideal behaviour change measure, the new recycling service will provide residents with a complementary environmental option for accumulated plastics and plastic bags. Once the inclusion of flexible plastics recycling has been introduced, the Say No to Plastic Bags campaign would run in conjunction with the new service complementing and promoting the refuse, reduce, reuse and recycle waste lifecycle hierarchy. Flexible plastics are recycled into other products including bags and packaging material, trays and general purposes containers, playground equipment, and textiles for clothing, toys and furniture.