Public Health Association of Australia submission on Cleaning Up Our Act: Redirecting the Future of Plastic in NSW

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Preamble

The Public Health Association of Australia

The Public Health Association of Australia (PHAA) is recognised as the principal non-government organisation for public health in Australia working to promote the health and well-being of all Australians. It is the pre-eminent voice for the public’s health in Australia.

The PHAA works to ensure that the public’s health is improved through sustained and determined efforts of the Board, the National Office, the State and Territory Branches, the Special Interest Groups and members.

The efforts of the PHAA are enhanced by our vision for a healthy Australia and by engaging with like-minded stakeholders in order to build coalitions of interest that influence public opinion, the media, political parties and governments.

Health is a human right, a vital resource for everyday life, and key factor in sustainability. Health equity and inequity do not exist in isolation from the conditions that underpin people’s health. The health status of all people is impacted by the social, cultural, political, environmental and economic determinants of health. Specific focus on these determinants is necessary to reduce the unfair and unjust effects of conditions of living that cause poor health and disease. These determinants underpin the strategic direction of the Association.

All members of the Association are committed to better health outcomes based on these principles.

Vision for a healthy population

A healthy region, a healthy nation, healthy people: living in an equitable society underpinned by a well-functioning ecosystem and a healthy environment, improving and promoting health for all.

The reduction of social and health inequities should be an over-arching goal of national policy and recognised as a key measure of our progress as a society. All public health activities and related government policy should be directed towards reducing social and health inequity nationally and, where possible, internationally.

Mission for the Public Health Association of Australia

As the leading national peak body for public health representation and advocacy, to drive better health outcomes through increased knowledge, better access and equity, evidence informed policy and effective population-based practice in public health.
Introduction

PHAA welcomes the opportunity to provide input to the reduction of plastic in New South Wales.

PHAA supports the NSW Government acting on the June 2018 recommendation of the Senate Environment and Communications Committee to phase out petroleum-based single-use plastics by 2023, and the Australian Packaging Covenant Board’s 2025 Target of phasing out ‘problematic and unnecessary’ single-use plastic packaging, as agreed in September 2018.

While a ban on single-use plastic shopping bags is long overdue in NSW, PHAA commends the NSW Government on the comprehensive approach taken in this consultation paper.

PHAA Response to the consultation paper

Do you support using less plastic in NSW?

Yes, PHAA strongly supports using less plastic in NSW.

Since the mass production of plastics took off in the early 20th Century, the lure of cheap, light weight, water-resistant, disposable products and packaging has been seemingly irresistible. Even as concern about the persistence of plastic waste grew, our reliance upon it has continued to grow. As we approach the moment of there being more plastic in the ocean than fish, the urgency of moving from ‘what shall we do with all this plastic rubbish’ to ‘how much of this plastic do we actually need to produce in the first place?’ is all too clear.

The consultation paper outlines many environmental impacts of plastic products. The PHAA would like to add to that evidence base by providing further detail on the health impacts. The need to focus on reducing the production of plastics in the first place has been highlighted in a new report which demonstrates that there are significant health impacts throughout the (long) lifecycle of plastics. This report, from a consortium of international environmental groups led by the Center for International Environmental Law (CIEL), found that there is an ‘urgent need to adopt a precautionary approach to protect human health from the plastic pollution crisis’. The report details significant and distinct risks to health at every stage of the lifecycle of plastic, with most people exposed at multiple stages:

- Extraction and transport of fossil fuels for plastic – cancer, neurotoxicity, reproductive and developmental toxicity, impairment of the immune system, and documented impacts on skin, eyes, the respiratory, nervous and gastrointestinal systems, liver and brain
- Refining and production of plastic resins and additives – impairment of the nervous system, reproductive and developmental problems, cancer, leukemia and genetic impacts like low birth weight
- Consumer products and packaging – ingestion and inhalation of microplastic particles and toxic substances with carcinogenic, developmental or endocrine disrupting impacts
- Toxic releases from plastic waste management – releases toxic metals such as lead and mercury and acid gases into the air, soil and water
- Cascading exposure as plastic degrades – leaching toxic additives and accumulating in food chains through soils and water.
Micro and nanoplastics end up being consumed by people and animals through pollution of freshwater systems, marine products, other food items including table salt, beer, sugar, honey and bottled water with toxicity to human health including gastrointestinal, liver, neuro and reproductive systems.\(^5\)

The World Health Organization confirms that 92\% of the global population live in areas where ambient air pollution levels exceed WHO limits, with children being particularly vulnerable to the effects.\(^6\)

The CIEL report recommends taking a lifecycle approach which puts human rights and human health at the centre of solutions, and concludes that “urgent, global action is needed to reduce the production and consumption of plastic and associated toxic chemicals”.\(^4\) NSW joining other jurisdictions worldwide who are finding ways to reduce production and use of plastic products is an important step in this action.\(^7\),\(^8\)

With the environmental, social, economic and health impacts of plastic products, the need for immediate action is clear. Crucially, many alternatives to single-use plastic products, and uses for recycled plastic are available now, so immediate action is possible.

**Is it hard to use less plastic? If so, why?**

How easy or difficult it is to use less plastic depends on large part on the availability of alternatives. In some cases there are ready alternatives, in other instances not so. The health sector, for example, is a significant user of single-use plastic items in hospitals and health care settings. Some of these items are currently difficult to find alternatives for, making the reduction of plastic use challenging. However, in recognition of this, there is a lot of work being done in the sector to meet these challenges. Health Care Without Harm has produced a toolkit which includes information on the life cycle hazards of different polymers, long term vision and short-term recommendations for action, a how-to guide on the conduct of simplified plastics audits, guidance on how to reduce plastics within healthcare, outline of advocacy options within and beyond the healthcare section, and a compilation of available case studies on plastics.\(^9\)

**How can the NSW Government make it easier to use less plastic?**

With the strong evidence-base for health and environmental impacts of plastics, strong changes are required. The rise in reusable coffee cups by consumers, cafes and manufacturers demonstrates the will within the community for action. However, the relatively small dent this has made in the number of disposable coffee cups produced and used demonstrates that community goodwill and voluntary actions are not sufficient. PHAA supports regulatory and legislative approaches as being the only effective way to significantly reduce plastic production. The success of the bans on single-use plastic bags in other Australian jurisdictions highlights the effectiveness of such strong approaches.

**Do you support the phase out of the following plastic items and materials?**

- **Disposable plastic plates/bowls, cutlery, cups, stirrers and some other single-use food service items**
- **Expanded polystyrene food and beverage containers**
- **Plastic straws**
- **Heavier/boutique plastic bags**
- **Oxo-degradable plastics**

As noted in the consultation paper, not all single-use plastic products are the same. Some are currently justifiable and necessary – for example in medical use, but others are not necessary – for example packaging fresh fruit and vegetables, and/or have more sustainable alternatives available – for example
plastic straws and cutlery.\(^\text{10}\) As a society, we are still in the relatively early stages of effectively tackling the problem of plastics in our environments. This has the advantage that there are still ‘low-hanging fruit’ available. PHAA recommends that need and the availability of sustainable alternatives be the principles underpinning decisions on which products to focus on at this stage. Successes in these categories will, over time, ease the path for reducing products for which there is a genuine need identified, but no sustainable alternative currently available.

The consultation paper also acknowledges that the consequences of banning particular single-use items, including unintended consequences, need to be considered. For example, increases in the production of thicker, heavy plastic bags as a consequence of policies to de-incentivise single-use plastic bags. Policies must be designed to specifically encourage sustainable, non-plastic alternatives.

In some instances, particular products may increase the use of certain single-use plastics. For example, the rise in popularity of Taiwanese bubble tea which includes plastic straws for novelty value. However, alternatives were embraced in Taiwan in preparation for the banning of plastic straws.\(^\text{11}\)

The experience of other jurisdictions may provide a helpful guide. The United Nations Environment Programme produced a report in 2018 on single use plastics which includes a number of case studies from around the world.\(^\text{7}\)

PHAA recommends that NSW legislation includes a starting list of banned items, and similar to the South Australian Single-use and Other Plastic Products (Waste Avoidance) Bill 2020, establishes a framework to enable the addition of products into the future, subject to public consultation requirements.

**Over what timeframes should these items and materials be phased out?**

For single-use plastic items, products for which there is no demonstrated need and/or for which there are sustainable alternatives available, should be subject to bans within a short timeframe, with reduction targets for other products, in line with the approach taken by the European Union. Ambitious targets will support the innovation required to increase the number of products able to be subject to bans.

**Are there other plastics that should be phased out?**

The NSW Government may also wish to consider the inclusion of wet-wipes in the initial phase.

**What should the NSW Government consider when implementing these phase outs?**

Legislation and regulation must require sustainable alternatives to meet a strict definition of ‘sustainable’, to ensure that products labelled as ‘biodegradable’ or ‘compostable’ actually will break down under likely disposal options, and within timeframes which are actually sustainable. Health and environmental benefits will not be demonstrated if the conditions required for a product to fulfil its potential as biodegradable or compostable are rarely ever met, or it still takes years for the process to occur.

**Do you support the NSW Government introducing extended producer responsibility or product stewardship schemes for certain plastics?**

Extended Producer Responsibility (EPR) requires total lifecycle environmental improvements and places liability, economic and financial, physical and informational responsibilities onto the manufacturers of the waste product. This is distinct from Product Stewardship, which extends responsibility to all parties involved in the life cycle of the product. Both usually involve postconsumer return and final disposal of the product, for example by using a deposit-return scheme.
Legislation for EPR has been applied to toxic and hazardous waste products such as paints, pesticide containers and unused pharmaceuticals.\(^\text{12}\)

**What plastic items or materials could be considered for extended producer responsibility or product stewardship schemes?**

The consultation paper notes that cigarette butts remain the single most common item of rubbish and litter. These butts and other tobacco product wastes, contain all the toxins, nicotine and carcinogens found in tobacco products, along with the plastic nonbiodegradable filter attached to most cigarettes.\(^\text{13}\) The plastic particles and toxicants may never disappear from water or soil and continue leaching chemicals for up to 10 years.

While community education campaigns such as Clean Up Australia have, over many years, reduced the social acceptability of littering, this does not seem have extended to littering cigarette butts. A different approach is clearly needed. Suggested policy approaches include the application of the Extended Producer Responsibility Principle to tobacco.\(^\text{15}\)

PHAA strongly supports this Principle being applied to cigarette butts and other tobacco waste products.

**Do you support extended producer responsibility for plastic items like cigarette butts and fishing gear to improve their collection and management?**

PHAA strongly supports extended producer responsibility (EPR) for cigarette butts to improve their collection and management. EPR focuses on toxic source reduction, post-consumer take-back and final disposal of consumer products. These principles have not previously been a clear focus for tobacco products, and have been found to have the potential to substantially decrease the environmental and public health harms of tobacco waste products.\(^\text{14}\) The tobacco industry has instead responded by shifting responsibility onto their consumers through initiatives such as the largely ineffectual Butt Free Australia.\(^\text{15}\)

EPR involves multiple benefits, including awareness raising – in this instance, of the environmental hazards of cigarette butts,\(^\text{12}\) which many mistakenly believe are completely biodegradable. The source material in these butts never disappears, instead diluting and contaminating water and soil.\(^\text{15}\)

In the EU, a similar scheme was adopted in May 2019, covering the cost to clean up these items of litter.\(^\text{16}\) The rationale notes that producers “have a responsibility to contribute to clean-up and recycling costs, as they are contributing to the problem upstream with their production methods”.\(^\text{17}\) The EU scheme may provide an example for NSW legislation.

PHAA also supports extended producer responsibility for fishing gear.

**Do you want all new plastic items to be made with recycled plastic?**

Increased recycling of plastics into new products is a helpful transition strategy, but must ensure that the energy used and toxins release are safe for health and ecosystems.
Conclusion

PHAA supports the reduction of plastic production and use in New South Wales, and commends the Government on taking an inclusive approach to this issue. We are particularly keen that the following points are highlighted:

- There are significant health issues directly related to each stage of the lifecycle of plastics
- Sustainable alternatives exist for many single-use plastic items
- Extended producer responsibility has the potential to significantly reduce environmental damage associated with cigarette butts

The PHAA appreciates the opportunity to make this submission and the opportunity to contribute to reducing plastic production, waste and resulting health and environmental damage in New South Wales. Please do not hesitate to contact us should you require additional information or have any queries in relation to this submission.

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References


