



NSW Environment Protection Authority

NSW Plastics: The Way Forward

DRAFT FOR CONSULTATION

September 2024





Acknowledgement of Country

The NSW Environment Protection Authority acknowledges the Traditional Custodians of the land on which we live and work, honours the ancestors and the Elders both past and present and extends that respect to all Aboriginal people.

We recognise Aboriginal peoples' spiritual and cultural connection and inherent right to protect the land, waters, skies and natural resources of NSW. This connection goes deep and has since the Dreaming.

We also acknowledge our Aboriginal and Torres Strait Islander employees who are an integral part of our diverse workforce and recognise the knowledge embedded forever in Aboriginal and Torres Strait Islander custodianship of Country and culture.

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Minister's message



The Honourable Penny Sharpe MLC
Minister for Environment

Every day we use plastic items. While their use is often beneficial, and in some cases unavoidable, many plastic items are designed to be used only once and then thrown away.

While some plastic is recycled, most ends up in landfills or polluting the environment as litter. Plastic items can persist in these settings for centuries, breaking into smaller and smaller pieces and releasing potentially harmful chemicals that are increasingly being found in our environment, and in the food we eat, the water we drink, the air we breathe, and our own bodies.

The plastic pollution crisis is global, but we know NSW needs to play a bigger role to protect our environment and communities from its impacts. This doesn't mean acting alone. We are collaborating with governments across Australia to harmonise our approaches where possible and ensure our next steps to combat plastic pollution are as effective as they can be.

Acting on plastic waste is also an important part of our work to transition NSW to a circular economy, where –instead of making things just to discard them–we avoid waste and reuse, repair and recycle our resources where we can.

Last year, we asked for your feedback on how the NSW Government should address plastic items that are highly littered, release microplastics, contain harmful chemicals, or are regulated in other Australian states and territories.

Over 14 weeks, we received over 4,500 survey responses and more than 450 written submissions from individuals, community groups, environmental organisations, businesses and industry bodies. Overwhelmingly there was a shared vision for more action on problematic and unnecessary plastics.

Thank you for your insights, passion and engagement on this issue.

Drawing from your input we have developed the actions proposed in this paper.

We are now seeking your feedback on these actions to ensure the steps we take to tackle problematic and unnecessary plastic support a circular economy and in turn create a cleaner, safer and more sustainable NSW for current and future generations.



Plastic items can take between **20 to 500** years to break down.¹ Nearly every piece of plastic ever made still exists in some form today.



Globally, at least **8 million** tonnes of plastic leak into the ocean each year. At this rate, it is estimated that by 2050 plastic could outweigh fish in the Earth's oceans.²



NSW alone generated **891,000 tonnes** of plastic waste in 2022–23

but only **14%** of this material was recycled.³

Proposed actions

Reduce plastic litter

Reduce littering of takeaway food and beverage packaging

By end 2025

- Phase out the supply of single-use plastic lollipop sticks

By end 2027

- Require food service venues such as fast-food restaurants and cafes to accept reusable cups. We will also trial reusable cups in government premises and develop reuse toolkits for reuse-only precincts
- Require single-use plastic cups for cold beverages, single-use plastic food containers, and their lids to be recyclable
- Require takeaway food service venues to display anti-litter messaging in their shopfronts
- Require anti-littering labels and the Australasian Recycling Label on single-use plastic cups, single-use plastic food containers and single-serve condiment packages

By end of 2030

- Require single-serve condiment packages to be recyclable, supported by a co-designed roadmap that will take them towards circularity
- Explore expanding *Return and Earn* to accept single-use plastic cups for cold beverages and takeaway plastic food containers
- Require plastic lids to be tethered to *Return and Earn*-eligible plastic bottles <600 ml, and work with other states and territories to ensure container deposit schemes across Australia accept plastic bottle lids

Reduce littering of cigarette butts

By end 2027

- Work with other Australian jurisdictions on a national approach to reduce the harmful impact of cigarette butts in the environment

Using our litter data

By end 2025

- Explore options to make litter data reporting more transparent, including publishing the brand data of littered items
- Consider requiring brand owners of highly littered plastic items to set litter reduction targets

Reduce harmful chemicals in plastics and microplastics

Eliminate harmful chemicals in food packaging

By end 2027

- Publish a 'green list' of chemicals that can be used in food packaging below certain tolerable risk thresholds
- Publish a 'red list' of chemicals that are proposed to be phased out of food packaging within specified timeframes
- Support increased chemical testing capacity for packaging in NSW
- Introduce a voluntary chemical certification and labelling scheme for food packaging, to be made mandatory in five years

Reduce microplastics in the environment

By end 2025

- Phase out the supply of plastics containing pro-degradant additives (oxo-, photo-, and landfill-degradable plastics)
- Phase out plastic microbeads from all cleaning products

By end 2027

- Require new washing machines to be rated on their ability to capture and reduce microfibrils

Keep pace on plastic action

Plastic shopping and barrier bags

By end 2025

- Adopt Queensland's reuse and recycled content standards for heavyweight plastic film shopping bags
- Require plastic shopping bags to be stored out of sight at the point of purchase and only provided on request, unless they are clearly designed for reuse or are part of an extended producer responsibility scheme for plastic recycling.

By end 2027

- Phase out the supply of unnecessary plastic barrier bags
- Require anti-littering labels and the Australasian Recycling Label on plastic shopping bags and plastic barrier bags
- Eliminate harmful chemicals from plastic shopping bags and plastic barrier bags

Small food packaging items

- Phase out the supply of plastic pizza savers
- Phase out the supply of plastic food tags for bread, bakery and dry pantry items, with a temporary exemption for plastic tags for produce bags until end 2029

By end 2030

- Require fruit and vegetable stickers and their adhesives to be certified compostable

Balloons

By end 2025

- Phase out the release of lighter-than-air balloons
- Phase out the supply of plastic balloon sticks, clips and ties

Expanded plastic packaging

By end 2025

- Adopt Western Australia's approach to phase out the supply of food trays, loose-fill packaging, and moulded or cut packaging made of expanded and foamed plastic.

The plastic pollution crisis

Plastic is cheap, durable, lightweight and versatile. The convenience it enables has transformed almost every part of our society since it was introduced. It is now a key part of many items we use today and the packaging they come in.

Using plastic has many benefits. For instance, plastic packaging can extend the shelf life of food and reduce food waste. In some cases, the use of plastic is unavoidable.

But we also use plastic in items that aren't needed or when non-plastic products could be used instead. The way we produce, consume and dispose of these

items increasingly pollutes the environment, harms our wildlife, and may pose risks to human health.

Across the world and in Australia, governments are taking action to address this plastic pollution crisis. NSW made significant progress in this space in 2022, by phasing out the supply of unnecessary or problematic plastic items such as lightweight plastic bags; single-use plastic cutlery, bowls, plates, stirrers and straws; and plastic microbeads in some rinse-off personal care products. We are already seeing the benefits of these phase-outs: the number of banned single-use plastic

items found in litter has dropped by 77% since 2019, compared to a 62% decline for unbanned items.⁴

Now we are considering our next steps to further reduce the risks created by unnecessary or problematic plastic items. We also need to keep pace with action being taken to address these items around Australia, to make it easier for businesses and communities to do the right thing and to ensure NSW does not become a dumping ground for unnecessary or problematic plastics.

Plastics can create risks when they are ...



Produced

The production of virgin plastics from fossil fuels is responsible for around 3–4% of global greenhouse gas emissions.



Consumed

When using certain cosmetic, personal care or cleaning products, or when eating packaged food, people can be exposed to harmful chemicals in plastics and microplastics. These can also be washed down the drain to enter our wastewater systems and the environment.



Disposed

Most plastic items used and thrown away in NSW end up in landfill or as litter. Disposal of plastic items in the wrong bin can also contaminate compost produced from household green bin waste, creating an opportunity for microplastics and harmful chemicals to enter our food chain.



In the environment

Plastic litter enters the environment and is washed into waterways, where it can entangle or be swallowed by animals. As littered plastic items are exposed to water, sunlight and rain, they can break down over time into microplastics and leach potentially harmful chemicals into the environment. Plastic litter is having disastrous consequences for the health of our wildlife and coming at significant cost to our communities.

Collaborating to create solutions

In October 2023, we released the *NSW Plastics: Next Steps* paper for public consultation. The paper sought your feedback on what unnecessary or problematic plastic items we should act on next, including items that are:

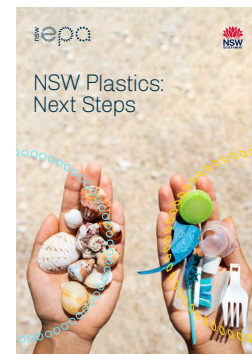
- frequently littered
- release microplastics into the environment or contain harmful chemicals
- are regulated or are proposed to be regulated in other Australian states and territories.

Over the 14-week consultation period, we received 4,787 survey responses and 471 written submissions. We received overwhelming support for action on the plastic items identified in the paper and valuable input on how we could best address them.

We also held workshops and had one-on-one conversations with environmental groups and representatives from across the plastic supply chain, including stakeholders involved in plastic production, supply, disposal and recycling. This deep engagement allowed us to collaboratively identify and explore the risks and benefits of different options to tackle the plastic items identified in the *NSW Plastics: Next Steps* paper.

The insights we gained from submissions on *NSW Plastics: Next Steps* and our discussions with stakeholders have informed the actions set out in this paper.

97% of people who responded to *NSW Plastics: Next Steps* via survey supported NSW taking action to reduce plastic litter, reduce microplastics, eliminate harmful chemicals from plastic items, and harmonise approaches to plastic pollution across Australia.



In-depth engagement with stakeholders across the plastic lifecycle

Through 14 workshops and over 40 conversations, we spoke to:

18

representatives from the manufacturing and supply of plastic products and non-plastic alternatives

25

representatives of food and beverage suppliers, retailers and the food service industry

6

representatives of the waste and resource recovery sector

7

representatives from environmental and not-for-profit organisations

3

representatives of research and education organisations

12

government organisations

Purpose of this paper

This action paper follows on from *NSW Plastics: Next Steps* and sets out ways we could address the unnecessary or problematic plastic items we've identified.

Through these proposed actions, our purpose is to:

- reduce highly littered plastic items in the environment
- remove harmful chemicals from plastics and prevent the release of microplastics into the environment
- align with the approaches of other states and territories in Australia, where doing so will achieve better outcomes for the environment, communities and businesses.

The actions in this paper leverage the tools established under the *Plastic Reduction and Circular Economy Act 2021*, including:

- phasing out the supply of problematic or unnecessary plastic items
- setting design standards for the way an item must be designed, made, tested, packaged or labelled
- making brand owners responsible for regulated products across their life cycle, from product design to recycling or disposal.

We are also considering other actions to ensure the proper disposal of plastic wastes and help businesses and the community in their transition to any new requirements.

Some of the actions in this paper may require amendments to the *Plastic Reduction and Circular Economy Act 2021* or other legislation. We will consider this as we continue to develop these

actions based on your feedback to this paper and will consult further on any legislative changes as needed. We have also included proposed time frames for these actions, which may change following consultation and consideration of any legislative amendments required.



Have your say

We want to hear your thoughts on the actions set out in this paper, including on:

- their potential benefits and risks
- considerations for their implementation, including proposed time frames, definitions, and what items should be exempt from certain actions (such as for health and medical reasons, or accessibility needs)
- any alternative options we should consider.

To have your say, you can:



Take the survey

Visit yoursay.epa.nsw.gov.au to find out more and take our survey.



Make a written submission

You can also email a submission to us at plasticsconsultation@epa.nsw.gov.au

Reducing plastic litter



Background

Plastic items – particularly items designed for a single use – are some of the most littered items in NSW. Often these items are used for minutes or hours, only to be thrown away in the environment where they can persist for centuries. Did you know approximately 79% of littered items in the urban estuaries of NSW are plastic?⁴

Plastic litter is a significant threat to the health of our environment and wildlife. It can negatively affect the distribution, growth and abundance of many species on land and in sea.^{9,10} Because of the volume of plastic litter entering waterways and oceans, marine animals are particularly at risk. They can be harmed or killed by eating plastic litter or becoming tangled in it.

Litter affects our public spaces, impacting community wellbeing by preventing the use of recreational areas and eroding amenity. It also comes at significant cost: local councils, land managers and community groups spend around \$167 to \$198 million a year cleaning up litter, most of which is spent by councils on behalf of ratepayers.⁸

The NSW Government has been working to address these issues for many years. Under the *Waste Less, Recycle More* program, NSW invested \$50 million in a range of litter prevention and reduction initiatives between 2012 and 2021. A further \$38 million to 2027 has been allocated under the *NSW Waste and Sustainable Materials Strategy*.

These initiatives include the NSW container deposit scheme, *Return and Earn*, which has driven a

73% reduction in the number of littered beverage containers eligible for the scheme since its introduction in 2017.⁴ Overall, initiatives such as *Return and Earn* have enabled a 43% reduction in litter volume between 2013–14 and 2019–20, exceeding our previous target of reducing litter volumes by 40% by 2020.

To build on this success, we have set two new targets, focusing on reducing the number of items entering our environment and waterways as litter. They are to:

- reduce plastic litter items by 30% (from the 2018–19 level) by 2025
- reduce all litter items by 60% (from the 2018–19 level) by 2030.

Due in part to our litter reduction initiatives and the phase-out of unnecessary or problematic items such as lightweight plastic bags, we have already seen a 49% reduction in litter density (the number of littered items found every 1000 m²) since 2018–19.⁴

We have made significant strides in litter reduction, but certain items – such as beverage container lids, takeaway food packaging, shopping bags and lollipop sticks – are still entering and persisting in the environment as litter. According to our litter data, most of these items are plastic.

We need to take further action to prevent these items from becoming litter in the environment, where they can cause harm. The actions in this section target some of the most littered plastic items, to protect our waterways, wildlife and public spaces.



For every piece of litter on land in NSW, **nine times more** can be found in our waterways.⁵



Globally, nearly half of all seabird species are likely to have **ingested plastic** – this is predicted to increase to **95%** by 2050.⁶



Half of all sea turtles are estimated to have ingested plastic debris, and research indicates that a turtle has a **22% chance of dying** if it eats just one piece of plastic.⁷



Taking into account the direct costs of cleaning up litter, as well as the indirect costs associated with loss of amenity and environmental values, litter costs NSW more than **\$500 million** each year.⁸

Proposed actions

We received significant support from all stakeholders for more action to reduce litter in our public spaces and waterways.

We also heard that, in some cases, we can better reduce plastic litter in the environment by creating more opportunities for reuse and recycling of plastic items.

Some littered plastic items are recyclable but aren't currently recycled. For instance, about 42% of plastic packaging in Australia is considered to have good recycling potential but only 20% is recovered.¹¹ Litter therefore not only poses a risk to our environment and public spaces; it is also a loss of valuable material that could otherwise be reused or recycled. While the 'throw-away' mindset that characterises many single-use plastic items lends itself to littering behaviour, we can reduce litter by ensuring products are valued long after their first use.

Reflecting this feedback, in this paper we have included actions to support reuse and recycling of plastic items, where doing so will reduce littering behaviour.

Takeaway food and beverage packaging

Takeaway food and beverage items account for 35% of littered items in NSW urban estuaries, making up the biggest category of littered items in these areas. These items include single-use cups, bowls, and food containers and their lids.

Beverage container lids alone are the third most littered item in urban estuaries, with plastic bottle lids accounting for 7% of littered items.⁴ Littered plastic drink packaging has been identified as having a



high overall risk to the NSW marine environment.¹²

Takeaway food and beverage items also include other food packaging, such as single-serve condiment packages such as soy sauce fish, which account for 5.5% of the littered items found in our urban estuaries.⁴ Many single-serve condiment packages are also hard to recycle due to the materials they are made of and their small size.

While *NSW Plastics: Next Steps* proposed phasing out the supply of single-use plastic takeaway food and beverage packaging, we heard from retailers and the food service industry that, in some cases, available alternatives – such as in-store bulk dispensing or self-serve of condiments, or fibre-based bowls for hot soups – may create food safety and health and safety risks.

We are proposing the following actions to avoid these risks while still reducing littering behaviour and increasing both reuse and recycling.

What else are we doing to support plastic circularity?

The NSW Government is actively working to improve the circularity of plastic and other materials, such as by contributing to national packaging reform to improve packaging recycling. We are also developing a NSW Waste Infrastructure Plan, which will explore ways to increase critical waste and recycling capacity in NSW. It will also look at how we can reduce litter in NSW by improving waste collection infrastructure in public spaces, such as *Return and Earn* reverse vending machines and bins in high-litter areas.

Above: Litter on the ground



Single-use plastic cups

The below actions would apply to single-use plastic and mixed-material cups (and their lids) that are used to carry cold beverages such as iced coffees, milkshakes, juice and smoothies, and hot beverages such as coffee and tea.



Some businesses have already stopped using takeaway coffee cups and established ceramic cup ‘libraries’ without customer backlash. The solution is already happening but needs momentum.

— an individual’s submission to NSW Plastics: Next Steps

Proposed actions	Description	Time frame
<p>Action 1 Require food service venues such as fast-food restaurants and cafes to accept reusable cups for takeaway hot and cold beverages.</p> <p>Action 2 Trial reusable cups in government premises such as buildings, venues and stadiums across NSW.</p> <p>Action 3 Develop reuse ‘toolkits’ for transforming existing locations and new developments into reuse-only precincts.</p>	<p>These actions aim to promote the uptake of reusable alternatives to single-use cups.</p> <p>Reusing items to avoid waste generation is an important part of transitioning to a circular economy. We heard significant support for reusable alternatives to single-use cups from stakeholders such as Boomerang Alliance, Good Cup Co and WOSUP Australia, who also pointed to successful reuse initiatives in other countries such as Germany.</p> <p>Trialling reuse systems in NSW Government premises will allow us to test these approaches in NSW, to better understand the impact of reuse on littering behaviour.</p> <p>Through our proposed reuse ‘toolkits’, we will also encourage others who want to increase reuse in their precincts, by providing NSW Government support for reusable cups, collection infrastructure and cleaning facilities, and education.</p>	By end 2027

Proposed actions	Description	Time frame
<p>Action 4 Introduce a design standard requiring single-use cups for cold beverages and their lids to be recyclable.</p> <p>Action 5 Introduce mandatory design standards requiring an anti-littering label and the Australasian Recycling Label on single-use cups for hot and cold beverages, supported by a behaviour change campaign.</p>	<p>Reusable options aren't always available. In these cases, making sure plastic items can be recycled and are appropriately labelled can help ensure they are properly disposed of.</p> <p>We propose to work with industry across the supply chain to make sure single-use plastic cups for cold drinks, and their lids, are recyclable and are accepted at recycling facilities.</p> <p>The Australasian Recycling Label is a labelling scheme developed by the Australian Packaging Covenant Organisation to support the design of recyclable packaging and help consumers to recycle correctly. We heard from stakeholders such as the National Retail Association that mandating the use of the Australasian Recycling Label will improve disposal behaviour and reduce false claims about the recyclability of certain items.</p>	<p>By end 2027</p>
<p>Action 6 Explore expanding <i>Return and Earn</i> to accept single-use plastic cups for cold beverages.</p>	<p>We have heard from stakeholders such as the National Retail Association, Australian Food and Grocery Council, Australian Council of Recycling, and the Australian Association of Convenience Stores that improved waste collection options for single-use plastic cups are needed to reduce litter and create clean feedstock for recycling. Others, such as Woolworths, noted trials of container deposit schemes for takeaway packaging in places such as Denmark.</p> <p>Container deposit schemes such as <i>Return and Earn</i> incentivise consumers to collect and deposit containers for reuse, recycling or proper disposal.</p> <p>Expanding <i>Return and Earn</i> to accept single-use cold beverage cups may involve introducing requirements to standardise the design of single-use plastic cups to reduce opportunities for fraud. It may also require an expanded network of <i>Return and Earn</i> reverse vending machines or other collection avenues, such as return-to-store options, to ensure collection points are conveniently located.</p>	<p>From 2030</p>



Single-use plastic beverage bottle lids



Plastic lids are an item that should be targeted in the next steps plastic plan because they are ubiquitous in the environment ... To begin tackling the issue of lids in the environment, [Tangaroa Blue Foundation] agrees with the requirement to have lids tethered to the item itself. Tethering the lid to the item ensures that lids are less likely to be littered and has the potential to make it easier to recycle both parts together ... By mandating this packaging requirement, NSW would be aligned with the European Union's Directive on the reduction of the impact of certain plastic products on the environment.

— Tangaroa Blue Foundation submission to NSW Plastics: Next Steps

Proposed actions	Description	Time frame
<p>Action 1 Introduce a design standard requiring plastic lids to be 'tethered' or attached to <i>Return and Earn</i>-eligible plastic bottles below 600 ml.</p> <p>Action 2 Work with other states and territories to ensure container deposit schemes across Australia accept plastic bottle lids, including tethered lids.</p>	<p>Tethering plastic lids to <i>Return and Earn</i>-eligible plastic bottles that are drunk on-the-go will make it harder for consumers to remove and litter them, instead ensuring they are properly recycled or disposed. This approach has been adopted in Europe.</p> <p>We heard from key stakeholders such as the National Retail Association, the Australian Food and Grocery Council, the Australian Association of Convenience Stores, Coca Cola Australia and the Australian Beverages Council that a nationally harmonised approach to encourage the proper disposal of plastic bottle lids is needed. Although the NSW <i>Return and Earn</i> scheme accepts plastic lids that are reattached to their bottle, not all container deposit schemes in Australia do. Through national forums such as the Environment Ministers' Meeting, we will ensure container deposit schemes across Australia have a consistent position on plastic bottle lids.</p>	From 2030



Single-use plastic food containers

Action on food containers would apply to:

- disposable plastic unlined food trays such as sushi trays, bento boxes, and plastic trays for raw meat and seafood
- lidded plastic bowls, plates, trays or containers used for takeaway or eat-in food
- packs of lidded disposable plastic food ware.



While single-use packaging will have a role in the consumption of takeaway food and beverage items, there is a big opportunity to reduce the volume that is used if there's a shift to using reusable items or other solutions by consumers where possible. This could include reusable coffee cups, utensils, bags, containers. While this is a harder change to make, it can be catalysed by governments, schools, not-for-profits and businesses through incentivisation and inspiration.

— IKEA Australia submission to NSW Plastics: Next Steps

Proposed actions	Description	Time frame
<p>Action 1 Introduce a design standard requiring single-use plastic food containers and their lids to be recyclable.</p> <p>Action 2 Introduce mandatory design standards requiring an anti-littering label and the Australasian Recycling Label on single-use plastic food containers, supported by a behaviour change campaign.</p>	<p>These actions aim to ensure takeaway food containers and their lids can be recycled and are labelled to guide consumers on how to properly dispose of them.</p> <p>We propose to work with industry to make sure single-use plastic food containers and their lids are recyclable and are accepted at recycling facilities.</p>	By end 2027
<p>Action 3 Explore expanding <i>Return and Earn</i> to accept single-use plastic food containers</p>	<p>Stakeholders such as Viva Energy Polymers supported initiatives to increase recycling of takeaway food containers. Expanding <i>Return and Earn</i> to accept single-use plastic food containers can support this by incentivising consumers to collect and deposit these items for recycling, reuse or proper disposal, rather than littering them.</p> <p>This may involve introducing requirements to standardise the design of takeaway plastic food containers to reduce opportunities for fraud and exploring ways to expand the current network of <i>Return and Earn</i> reverse vending machines or introduce other collection avenues, such as return-to-store options, to ensure collection points are conveniently located.</p>	From 2030



Single-serve condiment packages



... the food industry, working along with the packaging suppliers and recyclers and given sufficient time and government support, will be able to find a sustainable solution, such that single-serve plastic condiment packages are no longer considered 'problematic' plastic products in the environment.

— Birch and Waite submission to *NSW Plastics: Next Steps*

Proposed actions	Description	Time frame
<p>Action 1 Introduce a design standard requiring single-serve condiment packages to have a standardised anti-littering label and the Australasian Recycling Label.</p>	<p>The Australian Marine Conservation Society and others raised concerns that the on-the-go nature of takeaway single-serve condiment packages meant that they are more readily littered than condiment packages consumed in the home. Labelling and anti-litter messaging will help encourage consumers to properly dispose of these packages.</p>	<p>By end 2027</p>
<p>Action 2 Require takeaway food service businesses to display anti-litter messaging in their shopfronts.</p>		
<p>Action 3 Require single-serve condiment packages to be recyclable and accepted in material recovery facilities in five years.</p>	<p>We heard from food service industry representatives that greater collaboration between packaging manufacturers, suppliers and recyclers is needed to ensure condiment packaging is recyclable and to explore alternatives that achieve reuse and avoid waste.</p>	<p>From 2030</p>
<p>Action 4 Co-design a roadmap for making single-serve condiment packages circular by 2030.</p>	<p>We will work to bring together stakeholders across the packaging supply chain, along with the Australian Packaging Covenant Organisation, to support this collaboration and work towards making condiment packages recyclable in five years.</p>	



Plastic lollipop sticks

We propose the following action to reduce littering of plastic lollipop sticks, which make up 3% of littered items found in our urban estuaries.⁴



There are easy alternatives to these items, specifically wood, which is already used in similar products.

— Tangaroa Blue Foundation submission to *NSW Plastics: Next Steps*

Proposed action	Description	Time frame
<p>Action Phase out the supply of single-use plastic lollipop sticks.</p>	<p>We heard from stakeholders such as the Worldwide Fund for Nature that lollipop sticks are unnecessary, heavily littered, and problematic when they enter the environment. They also noted that voluntary commitments by confectionery companies to move away from plastic sticks have not been effective, although paper and wood alternatives are starting to be used by companies such as Kmart.</p> <p>Action on plastic lollipop sticks may apply to any rigid plastic stick or tube contained within or attached to a confection.</p>	By end 2025



Cigarette butts

Cigarette butts are unsightly, toxic and harmful to the environment. They are consistently the most-littered item in NSW, with 62% of smokers littering their cigarette butts and an estimated 1.32 billion butts littered in the state each year.^{13,14}

On land, cigarette butts make up 39% of littered items.¹⁵ They also contain filters made of cellulose acetate, a plastic that can persist in the environment for a long time. When they are littered on land, cigarette butts can be easily carried through stormwater to our waterways and marine environments, where they can be swallowed by animals such as fish and birds and where their filters can leach the chemicals they absorbed during smoking, such as nicotine and heavy metals, into the environment.¹⁶ Research has shown that cigarette filters can be lethal to fish species at concentrations as low as one butt per litre of water.¹⁷

To reduce the harmful impact of cigarette butt litter, we propose the following action.



Tobacco filters are an unnecessary, avoidable plastic product. In addition to the microplastics created from the degradation [of cigarette butts], smoked tobacco filters collect several thousand chemicals, many of which are currently listed as Issues of Concern by the United Nations. With a call from the World Health Organization in 2022 to ban tobacco filters ... this consultation on cigarette filters is the perfect opportunity for NSW to take action on this form of toxic plastic pollution and set the standard for Australia.

— No More Butts submission to NSW Plastics: Next Steps

Proposed action	Description	Time frame
<p>Action Collaborate with the Commonwealth Government and other Australian states and territories on a national approach to regulating cigarette butts.</p>	<p>This aligns with the World Health Organization Framework Convention on Tobacco Control, which calls on all parties –including Australia –to address the environmental impacts of cigarette waste through national policies. The NSW Government is contributing to Australia’s work on a Global Plastics Treaty.</p> <p>The NSW Government will also share NSW data and research on cigarette butts and littering behaviour to inform this national approach.</p>	<p>By end 2027</p>



Using our litter data

The NSW Environment Protection Authority (EPA) Litter Data Framework is one of the most comprehensive approaches to collecting litter data in Australia. We use two long-term litter monitoring programs as our key data sources.

These two litter surveys, as well as other data sources such as the Butt Litter Index, give us robust information on the types and quantities of litter in NSW – down to the brand of littered items – and how they change over time. The EPA uses this data, which is published annually, to inform the development of litter reduction initiatives and track our progress towards our litter reduction targets.

Find out more about our [litter data and targets](#).

The **Key Littered Items Study** is a marine-based litter count that began in 2017. It surveys litter in remote beaches and urban estuaries along the NSW coast. Every three months, surveyors collect litter from mangroves at low tide. Mangroves provide us with a rich picture of the litter in our environment, as they act as natural traps for littered items carried from urban areas by rainwater run-off, waterways and winds. Once collected, the litter is sorted, categorised and counted in a lab.

The **Australian Litter Measure** is a land-based litter count that began in 2022. It surveys litter in retail, industrial and residential areas; along main roads; and at parks and beaches. Twice a year, surveyors walk each site in transects and count and record every item of litter they find. They also record factors that might influence litter counts, such as weather conditions or major events taking place nearby. Alongside the Key Littered Items Study, the Australian Litter Measure is designed to give us a better understanding of how litter moves through our environment from land to sea.

Proposed actions

Description

Time frame

Action 1

Explore ways to make the way we report our litter data more transparent, including publishing the brand data of littered items.

During consultation on NSW Plastics: Next Steps we heard from some retail stakeholders that greater transparency in our litter data at a more granular level – for example, publishing data on coffee cups as well as the broader category of beverage containers – would help them to take informed steps to reduce littering of their products.

By end 2025

Action 2

Consider requiring the brand owners of highly littered plastic items to set litter reduction targets.

In response, we will explore ways to make the way we report our litter data more transparent, including publishing the brand data of littered items. This will also encourage businesses to take more responsibility for the way the items they supply are used and disposed of. To support this, we will also consider requiring the brand owners of highly littered plastic items to set litter reduction targets as part of their environmental, social and governance goals, ensuring they are more accountable for their products' end of life.

Reducing harmful chemicals in plastics and microplastics



Background

The potential harm caused by plastic items in the environment may go well beyond what we can see with the naked eye.

Plastics contain thousands of chemicals such as plasticisers, pigments and flame retardants, which are added during the manufacturing process to change a plastic's colour, flexibility, durability and other properties. The resulting versatility of plastic is a large part of why it is such a widely used material.

But as plastic items break into smaller and smaller pieces – 'microplastics' – over time, the same chemicals that make plastic so useful can also leach into the air, water and soils.¹⁷ Microplastics are the highest priority threat to NSW marine species, from the largest whale to the smallest plankton, including the fish that end up on our plates.¹³

While evidence is emerging to indicate that microplastics and the chemicals in them may have detrimental impacts on the environment and human health, the nature, extent and severity of these impacts is unknown.^{30,31} However, given the widespread distribution of

microplastics in the environment and their ability to enter and accumulate in the food chain, the risks they may pose are concerning. People may be exposed to microplastics and potentially harmful chemicals through a number of pathways: they can eat food packaged in plastic, microwaved in a plastic container, or grown from contaminated soil; drink water from a plastic bottle; or breathe polluted air.^{17,18,32}

The chemicals in plastics and microplastics are also posing challenges to recycling and reuse. They can contaminate new products made from recycled plastics.¹⁷ They may also compromise the beneficial use of valuable recovered resources such as biosolids and compost.³³

To ensure we can safely use recovered materials and protect our waterways, plants, animals and communities, we need to take a precautionary approach. This means phasing out harmful chemicals from plastics and products that create microplastics where we can. Where we can't do so, we need to ensure plastic items are properly managed and disposed of to limit the release of chemicals and microplastics into the environment.



Some chemical additives in plastic have hazardous properties, such as persistence in the environment, accumulation in the body, and properties that may disrupt hormone function, damage the nervous system or cause cancer.^{18,19}



As well as leaching chemical additives, microplastics can concentrate and transport other toxic chemicals through the environment.²⁰ Disease-causing or invasive organisms may also hitchhike on their surface.²¹ When an animal (including the ones we eat) swallows microplastics, they and the chemicals in them can enter and accumulate in the food chain. Research also suggests that microplastics may damage aquatic and terrestrial organisms, impact soil health and impede plant growth.^{10,20,22}



Microplastics are everywhere. They have been detected in the lowest reaches of the ocean, near the summit of Mount Everest, and at both the Earth's poles.^{23,24,25} Microplastics have also been found in the atmosphere, the rain falling from the sky, our beaches, and our bodies.^{26,27,28,29}



When cosmetic, personal care, or cleaning products containing microbeads are washed down the drain, or when clothing made of synthetic fabrics is washed, microplastics enter our wastewater.



These microplastics can contaminate biosolids, which are recovered from wastewater treatment processes and applied to land to improve soil quality.



Throwing away plastic items – even those labelled ‘biodegradable’ or ‘compostable’ – in kerbside green bins can result in harmful chemicals and microplastics contaminating compost made from household organic waste.



Contamination of biosolids and compost can prevent the safe use of these recovered resources in household gardens, public parks and playground and agricultural land.

Proposed actions

Through the feedback we received on *NSW Plastics: Next Steps*, we heard significant support for greater action to reduce harmful chemicals in plastics and microplastics.

We also heard that any action in this space should be consistent with national regulations, policies and processes. For example, the Industrial Chemicals Environmental Management Standard, implemented in NSW through the *Protection of the Environment Operations Act 1997*, is a national standard to manage the environmental risks associated with industrial chemical use, storage, handling and disposal. It is intended to deliver more consistent environmental regulation across Australia.

The NSW Government is also contributing to a national process to reform packaging regulation to ensure packaging in Australia can be safely recovered, reused and recycled. This may include prohibiting harmful chemicals being used in packaging.

We will seek to align our action on harmful chemicals in plastics and microplastics with the Industrial Chemicals Environmental Management Standard and national packaging reform where we think they sufficiently protect our environment, our communities and our circular economy. But we will not shy away from taking further action if we think greater protections are needed faster than these frameworks and processes allow.

Removing harmful chemicals from food packaging

Groups of chemicals used in plastics have been identified as being of major concern due to their hazardous properties and ability to leach into the environment.¹⁷

These chemicals include perfluoroalkyl and polyfluoroalkyl substances (PFAS), some of which can persist in the environment for a long time, are highly mobile, accumulate in organisms, and may be toxic. Under the Industrial Chemicals Environmental Management Standard, the import, export and manufacture of certain PFAS chemicals will be phased out in NSW from 1 July 2025, including in objects or products that are not in use before this date.

Other chemicals of concern include flame retardants, certain UV stabilisers, phthalates, bisphenols, alkylphenols and alkylphenol ethoxylates, biocides, certain metals and metalloids, and polycyclic aromatic hydrocarbons. For some of these chemicals, action has already been taken at the global or national level. But many remain in a wide range of plastic and non-plastic items, including food packaging.¹⁷

We propose the following actions to reduce the risks these chemicals may pose to the environment, human health and the circular economy. While these actions would initially apply to plastic and non-plastic food packaging, they may be expanded to other types of packaging and plastic products in the future, such as children's toys or packaging for skin-contact products.



Harmful chemicals in single-use packaging are not restricted to PFAS ... We propose that all chemical additives in packaging be catalogued, and steps taken to remove and eliminate those identified as harmful to humans, wildlife, and the environment.

— **Total Environment Centre and Australian Microplastic Assessment Project, and Boomerang Alliance submissions to *NSW Plastics: Next Steps***



Phasing out harmful chemicals in plastics is essential. There are many unnecessary chemicals added to plastics for various avoidable reasons and the resultant chemical cocktail reduces the recyclability of these plastics.

— **Take 3 for the Sea submission to *NSW Plastics: Next Steps***

Proposed actions	Description	Time frame
<p>Action 1 Develop and publish a ‘green list’ of chemicals that are permitted in plastic and non-plastic food packaging below certain tolerable risk thresholds.</p>	<p>In listing any chemicals, we will consider their environmental and human health risks; risks to plastic recycling and contamination of other recycling streams; their necessity (such as for food safety purposes); the availability of safe alternatives; and whether exemptions are needed to allow unintentionally added trace levels of certain chemicals in plastic and non-plastic food packaging.</p>	By end 2027
<p>Action 2 Develop and publish a ‘red list’ of chemicals that are proposed to be phased out of plastic and non-plastic food packaging supplied in NSW within specified time frames.</p>	<p>To develop these lists, we will work with industry, research organisations, and other states and territories, and draw on international best practice.</p> <p>Stakeholders such as Chemistry Australia and Accord Australasia stated that any action on chemicals in food packaging should be consistent with the Industrial Chemicals Environmental Management Standard. Where appropriate, we will seek to align these lists with the chemicals scheduled under the Standard, and implement them through the NSW Industrial Chemicals Environmental Management Standard Register adopted in NSW under the Protection of the <i>Environment Operations Act 1997</i>.</p>	By end 2027
<p>Action 3 Introduce a voluntary chemical certification and labelling scheme for plastic and non-plastic food packaging.</p>	<p>Stakeholders such as the National Retail Association noted that many businesses – let alone consumers – are not aware of the chemicals in the packaging they use for their products. We also heard from stakeholders such as the Australian Organics Recycling Association and the Australian Packaging Covenant Organisation that some suppliers may misleadingly use terms such as ‘biodegradable’ as a form of greenwashing, causing confusion for both businesses and consumers.</p>	By end 2027
<p>Action 4 Support for increased chemical testing capacity for packaging.</p>	<p>The certification and labelling scheme will ensure food packaging complies with relevant chemical regulations and existing or new standards for a product to be labelled as recyclable, biodegradable, compostable or dissolvable. This will provide clarity to businesses and consumers and help them make informed purchasing decisions, as well as ensure packaging is safe for the environment and human health and can be recycled.</p> <p>Several stakeholders also noted that there is limited testing capacity in NSW for suppliers to ensure their packaging can comply with a certification scheme. In response, we will provide support for increased testing capacity for food-contact packaging.</p>	By end 2027

Proposed actions	Description	Time frame
Action 5 Work with the Commonwealth Government to mandate the chemical certification and labelling scheme for plastic and non-plastic food packaging in five years.	<p>Stakeholders such as the National Retail Association, Australian Institute of Packaging, Australian Food and Grocery Council, Australian Council of Recyclers and Australian Association of Convenience Stores have told us that it is important to maintain national consistency when acting on chemicals in packaging.</p> <p>We will work with the Commonwealth Government to mandate the certification and labelling scheme. This will include identifying the most appropriate level of government for regulating the scheme, such as through national packaging regulation.</p>	From 2030

Reducing microplastics in the environment



Plastics containing pro-degradant additives (oxo-degradable, landfill degradable and photo-degradable plastics)

Degradable plastics contain additives that make them fragment quickly into smaller pieces under certain conditions.

We heard from stakeholders that often products marketed as ‘degradable’ are selected by consumers and businesses because they are marketed as an ‘environmentally friendly’ option. Items that are labelled as ‘degradable’ can also encourage littering behaviour, because people think the item will break down completely in the environment. However, the plastic fragments from these degradable plastics do not disappear. Instead, they persist in the environment as microplastics, and contaminate recycling streams if degradable plastic products are disposed of incorrectly.

Queensland and Western Australia have banned all degradable plastics, including oxo-degradable, photo-degradable and landfill degradable plastics. South Australia and the ACT have phased out the supply of oxo-degradable plastics only.

We propose the following action to minimise the harm caused by degradable plastics and bring NSW in line with other Australian states and territories.



... [Australian Organics Recycling Association] strongly supports the complete ban of items that use terms such as ‘biodegradable’, ‘oxo-degradable’, ‘landfill degradable’, ‘photo-degradable’, ‘degradable’, or ‘partially compostable’. These terms are confusing as ... [the items] cannot be composted or recycled.

— Australian Organics Recycling Association submission to NSW Plastics: Next Steps

Proposed action	Description	Time frame
<p>Action Phase out the supply of plastics containing pro-degradant additives, such as oxo-, photo-, and landfill degradable plastics, that do not meet relevant compostable standards or other certification requirements.</p>	<p>We heard broad support for this action from most stakeholders, including environmental groups, the retail sector, and the waste and resource recovery industry.</p> <p>Stakeholders such as the Australian Retailers Association and National Retail Association also noted that the use of the ‘degradable’ was often associated with greenwashing and was confusing for retailers and consumers who are trying to do the right thing. This action, supported by the certification scheme described in the previous section, would help to address this issue.</p>	By end 2025



Plastic microfibres released by washing synthetic textiles

Primary microplastics are microplastics that are released directly into the environment as small plastic particles, rather than from the breakdown of plastic litter. It is estimated that the global release of primary microplastics into the ocean is the equivalent of every human throwing one lightweight plastic grocery bag into the sea each week. About 35% of this release is due to laundering synthetic textiles.³⁴

Synthetic fibres such as polyester and nylon account for 69% of all materials used in clothing globally. This figure is expected to increase to 75% by 2030.³⁵ Every time a load of these fabrics is washed, microplastic fibres – ‘microfibres’ – are shed and released into our wastewater, and go on to contaminate biosolids and the marine environment.

We propose the action below to reduce the amount of microfibres being released into the environment from washing clothes and household textiles made from synthetic fabrics.



As part of the National Plastics Plan, the Australian Government has included working with industry to put microfibre filters in all new washing machines by 2030 ... We recommend that NSW works through the Environment Ministers’ Meeting to introduce a national mandatory requirement earlier than 2030. In addition, there is a significant variation in the effectiveness of filters. The requirement should include a minimum performance standard.

– Minderoo Foundation submission to NSW Plastics: Next Steps

Proposed action	Description	Time frame
<p>Action Introduce a design standard requiring all new washing machines to have a rating against a minimum performance standard for their ability to capture and reduce microfibres.</p>	<p>This ‘technology neutral’ approach would be similar to the six-star energy and water ratings for appliances, and enable innovation in filters and other washing machine technology to reduce the release of microfibres into wastewater.</p>	<p>By end 2027</p>



Plastic microbeads in all cleaning products

Plastic microbeads are small, manufactured plastic particles that are intentionally added to some rinse-off cosmetic, personal care and cleaning products. When these products are washed down the drain, microbeads can enter wastewater and contaminate biosolids or pollute waterways.

NSW phased out the use of plastic microbeads in certain rinse-off personal care products in 2022. However, they are still present in other cleaning products that are washed down the drain. Queensland, Western Australia and the ACT have introduced bans on plastic microbeads in all cleaning products.

We propose the following action to prevent plastic microbeads from entering our waterways and bring NSW in line with other jurisdictions.



Unilever supports the phase-out of plastic microbeads in cleaning products. We stopped using plastic scrub beads in 2014, in response to concerns about the build-up of microplastics in waterways.

— Unilever submission to NSW Plastics: Next Steps

Proposed action	Description	Time frame
Action Phase out plastic microbeads from all cleaning products.	We heard broad support for this action from most stakeholders, including from the retail sector and the waste and resource recovery sector.	By end 2025

Keeping pace on plastics action



Background

While significant progress has been made across Australia in response to the plastic pollution crisis, each state and territory has taken a different approach to tackling single-use, problematic and unnecessary plastic items. This fragmentation means that certain items are unregulated in one state but banned or subject to certain standards or regulations in the next.

Many of the businesses that import, manufacture, supply or use plastic items in NSW operate across other Australian states and territories and often across countries. We have consistently heard that having different policies, regulations and standards in each jurisdiction to manage the same plastic item makes it harder for these businesses to operate. Having different rules for plastic items across borders also causes confusion for consumers who are trying to do the right thing and make choices that reduce plastic waste.

These issues can undermine the progress made by any one state or territory in tackling plastic pollution.

Other states and territories in Australia have begun regulating unnecessary or problematic plastic items that NSW has not yet acted on. We need to address these items to align with other states and territories and set the foundation for a harmonised response to unnecessary or problematic plastic items across Australia. This will make it easier for businesses and consumers to do the right thing and prevent NSW from becoming a dumping ground for harmful plastics that are regulated elsewhere.

It also gives us the opportunity to learn from the approaches taken in other jurisdictions about what works well and what could be improved, to



ensure the action we take in NSW is as effective as it can be.

While it is important to align our approach to tackling unnecessary or problematic plastics with other states and territories where we can, plastic litter, microplastics and certain chemicals in plastics are having an impact on the environment, our communities and the circular economy today. The risks associated with plastic pollution are too great for us to wait for others to act. Moreover, as the state with the largest population in Australia, NSW has a role in leading the way to reduce plastic pollution.

We need to consider how we can best embody this role and tackle the problems with plastic while minimising conflicts with the approaches taken in other Australian states and territories and minimising impacts on businesses and consumers.

Above: A community recycling centre in Penrith



As the most populous state generating more waste than other jurisdictions, it is disappointing that NSW has been slow to act. NSW now needs to step up and take a leading role in eliminating problem single-use plastics.

NSW needs to be a leading voice for this crucial national agenda.

— Boomerang Alliance submission to NSW Plastics: Next Steps

Proposed actions

In developing actions to address the items below and throughout this paper, we have considered what other Australian states and territories are doing and listened to stakeholders to learn from their experiences of those actions.

We will consider adopting the approaches of other states and territories where we have heard they are working well, and where they will deliver the best outcomes for NSW environments, communities and businesses.

In some cases, we heard that certain approaches could drive perverse environmental and human health outcomes. For example, phasing out certain plastic packaging can increase food waste, create food safety risks, and drive a switch towards non-plastic alternatives that are more carbon intensive, contain potentially harmful chemicals, and can't be recycled. This undermines the intent of acting on problematic and unnecessary plastics.

In these cases, we will explore other actions that avoid these risks while still dealing with the problems presented by certain plastic items. Where we can, we will work through national forums and with other states and territories to make sure our actions are consistent with national policies, regulations and processes, and to carve a path forward that other jurisdictions can follow.

How are we working with other states and territories?

NSW is leading a national process to harmonise approaches to tackling single-use, problematic and unnecessary plastics across Australia.

We are also participating in other national processes to bring more consistency to the way we manage plastic items and plastic waste, and their risks. This includes work to reform national packaging regulations to ensure all packaging in Australia has a circular outcome; harmonise what can be accepted in container deposit schemes across Australia; and regulate industrial chemicals under the Industrial Chemicals Environmental Management Standard.

We will engage in each of these processes, as well as in national forums such as the regular Environment Ministers' Meetings, to ensure our next steps to deal with problematic and unnecessary plastics are consistent with national policies and regulations where possible.



... we see an opportunity for NSW to lead a more sophisticated circular economy approach ... While banning some items may achieve positive change, there is mounting evidence that many bans are worsening environmental impacts, reducing circular economy opportunities, sending more items to landfill and failing to significantly impact litter.

— National Retail Association submission to NSW Plastics: Next Steps

Plastic shopping and barrier bags



Heavyweight plastic film shopping bags

Plastic film shopping bags are plastic film bags with handles that are provided at the point of sale to carry goods. In this paper, heavyweight plastic film shopping bags include all plastic film shopping bags that are more than 35 microns thick.

Voluntary industry action and a ban on lightweight shopping bags have successfully reduced littering of these items in NSW. But despite this, checkout shopping bags still make up 1.5% of all littered items.⁴ Plastic bags in the marine environment have been identified as a priority threat to animals such as whales and turtles.¹³

Reusable and recyclable alternatives to heavyweight plastic film shopping bags are readily available.

All Australian states and territories except NSW, Tasmania, Victoria and Queensland have either phased out or are considering phasing out heavyweight plastic film shopping bags. Queensland allows heavyweight plastic film shopping bags that meet certain reuse and recycled content standards.

We propose the following actions to bring us in line with other states and territories and minimise littering of plastic bags by encouraging consumers to use them more than once.



We support the proposed phase-out of thick plastic shopping bags, with an exemption for bags that meet a specific reuse standard to ensure high rates of reuse and design for recycling at end of life. At present many retailers are labelling thick plastic bags as ‘reusable’ when most will only be used once.

— Circular Plastics Illawarra submission to NSW Plastics: Next Steps

Proposed actions	Description	Time frame
<p>Action 1 Adopt Queensland’s approach through a design standard requiring heavyweight plastic film shopping bags to meet certain reuse and recycled content standards.</p>	<p>We heard positive feedback on Queensland’s approach from stakeholders such as Kmart, ALDI, the National Retail Association, the Australian Food and Grocery Council and the Australian Council of Recycling. Aligning our approach with that of a neighbouring state would make it easier for businesses operating in both jurisdictions. We also heard that blanket bans on heavyweight plastic film bags have driven a shift towards plastic and non-plastic alternatives that are unrecyclable or have greater environmental impacts across their life cycle.</p> <p>Under Queensland’s approach, plastic film shopping bags are required to be:</p> <ul style="list-style-type: none"> • more than 35 microns in thickness (which is already required in NSW under the <i>Plastic Reduction and Circular Economy Act 2021</i>) • verified as being made from a minimum of 80% recycled content • verified as being durable and big enough to carry 10 kg of weight for at least 125 uses. 	By end 2025

Proposed actions	Description	Time frame
<p>Action 2 Only allow shopping bags made of plastic to be readily available at the point of purchase if they are clearly designed for reuse or are part of an extended producer responsibility scheme for plastic recycling. All other plastic shopping bags will be required to be stored out of sight and only provided on request.</p>	<p>These actions are intended to promote the reuse and recycling of plastic shopping bags, reducing litter by ensuring they are valued for longer than one use.</p> <p>Bags that are clearly designed for reuse may include reusable bags made from nylon, polyester, woven polypropylene, and non-woven polypropylene bags with stitched seams and a minimum weight of 90 gsm. However, we heard from stakeholders such as Papier-Mettler that some of these bags are not easily recyclable. We would value your feedback on which bags you reuse and think should be made readily available.</p>	By end 2025
<p>Action 3 Introduce a design standard requiring plastic shopping bags to have a standardised anti-littering label and the Australasian Recycling Label.</p>	<p>Labelling will encourage consumers to properly dispose of or recycle plastic shopping bags. Eliminating harmful chemicals from plastic shopping bags will also support recycling and protect human health, as well as preventing chemicals from leaching into the environment if a plastic shopping bag is improperly disposed of.</p>	By end 2027
<p>Action 4 Introduce a design standard to eliminate harmful chemicals from plastic shopping bags.</p>		



Plastic barrier bags

Plastic barrier bags include fresh produce bags and other barrier bags that carry seafood, meat and non-food goods such as umbrellas, bait, pet waste and nappies.

We heard from waste and resource recovery stakeholders that plastic barrier bags—including those that are mislabelled as ‘compostable’—are a source of contamination in organic waste recycling streams, as many people throw them in their kerbside green bins when disposing of food waste.

South Australia and Western Australia requires single-use plastic produce bags to be certified as either home or industrial compostable. However, except for plastic kitchen caddy liners that are certified as industrially compostable, plastic packaging is not allowed in kerbside green bins in NSW, to protect the quality of compost made from organic waste. This prohibition includes any other compostable or biodegradable plastic bags.

We propose the following actions to minimise contamination in our organic waste streams.



... we do not support the wholesale removal of plastic barrier bags in retail food settings, as they continue to play an important role in maintaining food safety, reducing food spoilage, maintaining and growing produce variety, and improving checkout speed and efficiency. Their availability helps customers to access the large range of loose fresh Australian fruit and vegetables we supply, promoting their consumption and delivering the health benefits of fresh produce.

— Retailer submission to NSW Plastics: Next Steps

Proposed actions	Description	Time frame
<p>Action 1 Phase out the supply of unnecessary plastic barrier bags that have safe alternatives available.</p>	<p>We heard feedback from stakeholders such as the Australian Retailers Association that some barrier bags are necessary for food safety and reducing food waste, and that phasing them out may perversely increase plastic waste due to increased consumption of pre-packaged produce.</p> <p>However, other barrier bags (such as those used to carry wet umbrellas) are not necessary, and there are alternatives available that avoid generating plastic waste.</p>	By end 2027
<p>Action 2 Introduce a design standard requiring plastic barrier bags to have a standardised anti-littering label and the Australasian Recycling Label.</p>	<p>These actions are aimed at ensuring that plastic barrier bags which are not phased out are properly disposed of, and that if they are improperly disposed of in kerbside green bins, they do not contaminate organic waste streams.</p>	By end 2027
<p>Action 3 Introduce a design standard to eliminate harmful chemicals from plastic barrier bags.</p>		

Balloons

When lighter-than-air balloons are released, they can travel large distances and land in our environment as litter. When they end up in waterways or in the ocean, balloons can be swallowed by marine animals such as turtles and seabirds and block their digestive system, leading to starvation and death. Animals can also get entangled in balloon strings and ribbons.

Due to these risks, balloons have been identified as a priority threat to the NSW marine environment.¹³ They are also considered to be the deadliest type of marine debris for seabirds.³⁶

NSW has already stopped the release of 20 or more lighter-than-air balloons into the environment at the same time. But we are behind Queensland, Tasmania, Western Australia and Victoria, which have banned the release of lighter-than-air balloons altogether.

South Australia is banning plastic balloon sticks, clips and ties. These accessory items are unnecessary and can also be littered in our environment.

We propose the following actions to bring us in line with other Australian states and territories, and reduce the risks caused by littering of balloons and their accessory items.



Balloon releases

Proposed action	Description	Time frame
Action Phase out the release of lighter-than-air balloons.	We heard broad support for this action from most stakeholders, including from environmental groups and the retail sector.	By end 2025



Plastic balloon accessory items

Proposed action	Description	Time frame
Action Adopt South Australia's approach to phase out supply of plastic balloon sticks, clips and ties.	We heard broad support for this action from most stakeholders, including from environmental groups and the retail sector.	By end 2025



Tangaroa Blue Foundation recommends the complete ban of ALL balloon releases in NSW. ... This recommendation aligns specifically with the NSW Government's own Marine Debris Threat and Risk Assessment reports that identified balloons as one of 12 debris items that are priority threats to the marine estate ... This is an opportunity for NSW to immediately implement a ban of balloon releases which would align with QLD, VIC and WA with the aim of a national ban as soon as possible

— Tangaroa Blue Foundation submission to NSW Plastics: Next Steps



Council supports the banning of the release of all balloons and accessories. This response should be extended to any balloons in outdoor or public spaces. Balloons cause significant damage to wildlife, and if are in outdoor areas have a significant chance of becoming litter.

— Byron Shire Council submission to NSW Plastics: Next Steps



Expanded plastic packaging

Expanded polystyrene (EPS) packaging is difficult to recycle and instead takes up space in landfill or is littered in the environment. As EPS products are lightweight and can easily break apart, they can be readily transported by wind and water when littered and pose a hazard to wildlife. Expanded or ‘foamed’ plastics and polystyrene packaging have been identified as a priority threat to the marine environment.¹³

NSW has already banned EPS food service items such as cups, clamshells, plates and bowls. We are now exploring options to phase out EPS food trays, loose-fill packaging and moulded packaging, in line with a national agreement made at the April 2021 Environment Ministers’ Meeting.

South Australia is phasing out EPS trays used for meat, fruit and other food items for retail sale from September 2024. Queensland has banned EPS loose-fill packaging. ACT has phased out both EPS food trays and loose-fill packaging. The Northern Territory is planning to ban EPS food trays, loose-fill packaging and moulded packaging in 2025.

Western Australia has banned food containers and trays and loose-fill packaging materials made of EPS or other expanded or foamed plastic packaging material. This ban will apply to moulded or cut packaging from July 2025.

We propose the following action to align with other states and territories and reduce the harmful impact of expanded and foamed plastics.



... polystyrene is known to be toxic to humans and marine wildlife and difficult if not impossible to recycle ... these qualities motivated the banning of loose packaging EPS [expanded polystyrene] and from consumer food and beverage containers in Australia’s National Plastics Plan.

— Tangaroa Blue Foundation submission to NSW Plastics: Next Steps

Proposed action	Description	Time frame
<p>Action Adopt Western Australia’s approach of phasing out supply of food trays, loose-fill packaging, and moulded or cut packaging made wholly or partly of any form of expanded and foamed plastic.</p>	<p>Western Australia’s approach applies to packaging made from EPS and other expanded or foamed plastics such as expanded polyethylene, expanded polypropylene, ethylene-vinyl acetate and expanded bioplastics.</p> <p>Western Australia’s approach includes a number of exemptions, such as for packaged products weighing more than 45 kg; products that are identified as fragile and requiring protective packaging in compliance with a standard; specialist packaging for medical or scientific applications; packaged products manufactured before 1 March 2025; and packaging sent between businesses.</p> <p>We would value your feedback on whether this approach would be feasible and effective in NSW.</p>	<p>By end 2025</p>

Small food packaging items



Fruit stickers

Plastic fruit stickers are too small to recycle and can contaminate organic waste recycling streams if they are thrown away with food waste.

From September 2025, South Australia will ban labels affixed to fruit or vegetables that are not Australian Standard certified as compostable. It will also ban their non-compostable adhesives.

We propose the following action to align with South Australia.



Produce stickers play a vital role in meeting retail and regulatory requirements, supporting informed consumer decision-making, inventory management and more. While alternatives to stickers on fruit exist, such as plastic film wrap or laser labelling, they are not as wholistically environmentally friendly commercially viable at scale, or readily available.

— Australian Fresh Produce Alliance submission to NSW Plastics: Next Steps

Proposed action	Description	Time frame
<p>Action Introduce a design standard requiring fruit and vegetable stickers and their adhesives to be certified compostable.</p>	<p>To address concerns from stakeholders such as the Australian Fresh Produce Alliance regarding the current availability of alternatives to non-compostable stickers, the standard would come into effect in five years.</p>	<p>From 2030</p>



Plastic pizza savers

Pizza savers are a plastic device designed to prevent the lid of a pizza box from touching the top of a pizza. Pizza savers are unnecessary and difficult to recycle.

Pizza savers have been banned from sale, supply and distribution in South Australia since 2023.

We propose the following action to align with South Australia.



These are small plastic items that are only used momentarily, and they are difficult to recycle in conventional facilities. If they are not removed from the pizza box, they can impact the recyclability or compostability of the box itself.

— Tangaroa Blue Foundation submission to *NSW Plastics: Next Steps*

Proposed action	Description	Time frame
Action Phase out supply of plastic pizza savers.	We heard broad support for this action from most stakeholders, including from the retail and waste and resource recovery sectors.	By end 2025



Plastic food-bag tags

Plastic tags used to seal bags containing food such as bread can be replaced with non-plastic, recycled and recyclable alternatives.

From September 2024, South Australia will phase out plastic food-bag tags, including tags for produce bags and rice cakes. There will be a temporary exemption for bags of potatoes or carrots weighing 2 kg or more.

We propose the following action to align with South Australia's ban.



The ARA is supportive of a ban of plastic bread tags, provided its application remains solely to bread and/or bakery items.

— Australian Retailers Association submission to *NSW Plastics: Next Steps*

Proposed action	Description	Time frame
Action Phase out supply of plastic food tags.	We heard from retail stakeholders such as Woolworths that plastic tags serve an important function for heavy fruit and vegetable bags, and that there aren't suitable alternatives available for this purpose that can withstand packaging and storage environments. The phase-out would initially only apply to bread, bakery and dry pantry items, with produce bags being temporarily exempt until end 2029 to enable the development of suitable alternatives to plastic tags for produce bags.	By end 2025

Summary of proposed actions

Reducing plastic litter

Item	Proposed action	Proposed time frame
Single-use plastic cups	<ul style="list-style-type: none"> Require food service venues such as fast-food restaurants and cafes to accept reusable cups for takeaway hot and cold beverages. Trial reusable cups in government premises such as buildings, venues and stadiums across NSW Develop reuse 'toolkits' for transforming existing locations and new developments into reuse-only precincts Introduce a design standard requiring single-use cups for cold beverages and their lids to be recyclable Introduce mandatory design standards requiring an anti-littering label and the Australasian Recycling Label on single-use cups for hot and cold beverages, supported by a behaviour change campaign Explore expanding <i>Return and Earn</i> to accept single-use plastic cups for cold beverages 	By end 2027
	<ul style="list-style-type: none"> Explore expanding <i>Return and Earn</i> to accept single-use plastic cups for cold beverages 	From 2030
Single-use plastic beverage bottle lids	<ul style="list-style-type: none"> Introduce a design standard requiring plastic lids to be 'tethered' or attached to <i>Return and Earn</i>-eligible plastic bottles below 600 ml Work with other states and territories to ensure container deposit schemes across Australia accept plastic bottle lids, including tethered lids 	From 2030
Single-use plastic bowls with lids and food containers	<ul style="list-style-type: none"> Introduce a design standard requiring single-use plastic food containers and their lids to be recyclable Introduce mandatory design standards requiring an anti-littering label and the Australasian Recycling Label on single-use plastic food containers, supported by a behaviour change campaign 	By end 2027
	<ul style="list-style-type: none"> Explore expanding <i>Return and Earn</i> to accept single-use plastic food containers 	From 2030

Reducing plastic litter (continued)

Item	Proposed action	Proposed time frame
Single-serve condiment packaging	<ul style="list-style-type: none"> • Introduce a design standard requiring single-serve condiment packages to have a standardised anti-littering label and the Australasian Recycling Label • Require takeaway food service businesses to display anti-litter messaging in their shopfronts 	By end 2027
	<ul style="list-style-type: none"> • Require single-serve condiment packages to be recyclable and accepted in material recovery facilities in five years, in line with a co-designed roadmap for making single-serve condiment packages circular by 2030 	From 2030
Plastic lollipop sticks	<ul style="list-style-type: none"> • Phase out the supply of single-use plastic lollipop sticks 	By end 2025
Cigarette butts	<ul style="list-style-type: none"> • Collaborate with the Commonwealth Government and other Australian states and territories on a national approach to regulating cigarette butts 	By end 2027
Using our litter data	<ul style="list-style-type: none"> • Explore ways to make the way we report our litter data more transparent, including publishing the brand data of littered items • Consider requiring the brand owners of highly littered plastic items to set litter reduction targets 	By end 2025

Reducing harmful chemicals in plastics and microplastics

Item	Proposed action	Proposed time frame
Harmful chemicals in packaging	<ul style="list-style-type: none"> • Develop and publish a ‘green list’ of chemicals that are permitted in plastic and non-plastic food packaging below certain tolerable risk thresholds • Develop and publish a ‘red list’ of chemicals that are proposed to be phased out of plastic and non-plastic food packaging supplied in NSW within specified time frames. • Introduce a voluntary chemical certification and labelling scheme for plastic and non-plastic food packaging • Provide support for increased chemical testing capacity for packaging 	By end 2027
	<ul style="list-style-type: none"> • Work with the Commonwealth Government to mandate the certification and labelling scheme in five years 	From 2030
Plastics containing pro-degradant additives	<ul style="list-style-type: none"> • Phase out the supply of plastics containing pro-degradant additives, such as oxo-, photo-, and landfill degradable plastics, that do not meet relevant compostable standards or other certification requirements 	By end 2025
Plastic microfibres released by washing synthetic textiles	<ul style="list-style-type: none"> • Introduce a design standard requiring all new washing machines to have a rating against a minimum performance standard for their ability to capture and reduce microfibres 	By end 2027
Plastic microbeads in all cleaning products	<ul style="list-style-type: none"> • Phase out plastic microbeads from all cleaning products 	By end 2025

Keeping pace on plastics action

Item	Proposed action	Proposed time frame
Heavyweight plastic film shopping bags	<ul style="list-style-type: none"> Adopt Queensland's approach through a design standard requiring heavyweight plastic film shopping bags to meet certain reuse and recycled content standards Only allow shopping bags made of plastic to be readily available at the point of purchase if they are clearly designed for reuse or are part of an extended producer responsibility scheme for plastic recycling. All other plastic shopping bags will be required to be stored out of sight and only provided on request. 	By end 2025
	<ul style="list-style-type: none"> Introduce a design standard requiring plastic shopping bags to have a standardised anti-littering label and the Australasian Recycling Label. Introduce a design standard to eliminate harmful chemicals from plastic shopping bags 	By end 2027
Plastic barrier bags	<ul style="list-style-type: none"> Phase out the supply of unnecessary plastic barrier bags that have safe alternatives available, such as barrier bags for umbrellas Introduce a design standard requiring plastic barrier bags to have a standardised anti-littering label and the Australasian Recycling Label Introduce a design standard to eliminate harmful chemicals from plastic barrier bags 	By end 2027
Balloon releases	<ul style="list-style-type: none"> Phase out the release of lighter-than-air balloons 	By end 2025
Balloon accessory items	<ul style="list-style-type: none"> Adopt South Australia's approach to phase out supply of plastic balloon sticks, clips and ties 	By end 2025
Expanded plastic packaging	<ul style="list-style-type: none"> Adopt Western Australia's approach of phasing out supply of food trays, loose-fill packaging, and moulded or cut packaging made wholly or partly of any form of expanded and foamed plastic 	By end 2025
Fruit stickers	<ul style="list-style-type: none"> Introduce a design standard requiring fruit and vegetable stickers and their adhesives to be certified compostable 	From 2030
Plastic pizza savers	<ul style="list-style-type: none"> Phase out supply of plastic pizza savers 	By end 2025
Plastic food-bag tags	<ul style="list-style-type: none"> Phase out supply of plastic tags for bread, bakery and dry pantry items. Plastic tags for produce bags will be temporarily exempt from phase-out until end 2029 	By end 2025



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