

# SINGLE-USE PLASTIC BY-LAW

## FREQUENTLY ASKED QUESTIONS



### 1. Do we have a problem with plastic and litter in Hobart?

Plastic pollution is one of the most common forms of marine debris and the waters around Hobart are not immune. Whether it ends up as litter or into landfill, there is considerable public momentum to reduce availability of non-compostable products as a means to reduce environmental impact.

### 2. Will compostable packaging fix the takeaway litter issue?

Data from the Environment Protection Authority Tasmania indicates that up to 50% of litter is comprised of takeaway rubbish. Compostable packaging is not considered to be a solution to litter because not even compostable packaging breaks down quickly and harmlessly in the environment. Solutions to litter lie in behavioural change, an overall reduction in the consumption of packaging, as well as the provision of pathways for recovery of compostable litter.

### 3. Will all businesses be affected by the single-use plastic by-law?

The by-law only applies to businesses that provide or sell food in packaging that can be taken from the premises and consumed.

The by-law will encourage retailers to replace current single-use plastic containers which are smaller than one litre (1L) in volume or an area equivalent to A4 (210 mm by 297 mm) in size.

All packaging larger than these dimensions is not affected.

The implementation of the by-law will facilitate the replacement of plastics and may encourage innovation and new business opportunities.

The by-law does not apply where a retailer provides or sells food packaging supplied by the customer (e.g. coffee cups or Tupperware containers); or the customer was not provided food packaging by the retailer or a related entity of the retailer (e.g. a bottle of soft drink).

#### 4. What type of packaging is allowed and what isn't in Hobart?

##### ✓ Allowed

- Bottled beverages (glass/plastic/metal)
- Serviettes, wooden cutlery
- Paper wrapping (non-waxed, non-toxic inks)
- Plastic pre-wrapped chocolate bars/lollies/biscuits/chips
- Plastic pre-wrapped ice creams
- Wooden stirring sticks
- Paper sugar/salt/pepper sachets
- Cardboard cup trays / boxes
- Plastic pre-wrapped fruit and vegetables
- Certified compostable bioplastics (cold drink cups, bowls, cutlery, lids, sandwich wedges, noodle boxes, coffee cups, hot chip boxes)
- Pizza boxes
- Long-life reusable plastic containers

##### ✗ Not allowed

- Plastic cutlery
- Sauce sachets (e.g. tomato, soy, tartare)
- Plastic takeaway hot food containers and lids
- Takeaway plastic straws
- Plastic lined noodle boxes
- Plastic lined coffee cups
- Plastic lids on takeaway cups
- Plastic sandwich wedges

#### 5. Straws

There are some instances when a person with a disability may require a single use plastic straw. A retailer will not be penalised for supplying a straw under these circumstances.

#### 6. Will there be a cost?

The costs to each individual business will vary depending on the number and types of packaging products, packing supplier and the size of business operations. The overall cost to the DKHAC pool café for example was less than 1% of annual turnover and they were required to switch or substitute a wide range of items.

Current Tasmanian packaging suppliers include compostable products among their range, so compliant products can be sourced locally. The by-law is expected to stimulate the development of new packaging products and solutions and one such supplier of reusable takeaway containers in Tasmania has already emerged.

#### 7. What are the next steps after the Council vote passing the by-law?

- The General Manager will submit the proposed by-law and regulatory impact statement to the Director of Local Government (state government) for consideration.
- If satisfied, the director will issue a certificate certifying that Council may commence a formal public consultation process.
- Council will publish a public notice and seek comment for a period of at least 21 days. Council will undertake any additional public consultation as considered necessary during this time.
- Any public submissions must be considered by the Council.
- Council will formally make the by-law.

#### 8. Why is there an infringement associated with non-compliance of the by-law?

Penalties are an essential part of any by-law, however they are a last resort.

The two penalty units associated with the single-use plastic by-law is consistent with other by-law infringements such as;

- failing to maintain premises used by animals
- Keeping a rooster
- Keeping too many bee hives.

The current penalty unit amount is \$168 and is set by the State Government. The two penalty units is applicable for an infringement notice which can be issued by a council officer. An eight penalty unit and infringement of up \$1344 is assessed if the matter is prosecuted.