



**BYRON
SHIRE
COUNCIL**

DRAFT Policy

Single-use Packaging and Materials 2023

Information about this document

Date Adopted by Council	
Resolution No	
Document Owner	Director Infrastructure Services
Document Development Officer	Manager Resource Recovery
Review Timeframe	4 years
Last Review Date	
Next Scheduled Review Date	

Document History

Doc No.	Date Amended	Details/Comments eg Resolution No.
E2023/32923		Draft
E2023/32923	06/10/2023	Draft version updated to incorporate stakeholder feedback

Further Document Information and Relationships

Related Legislation	<p>NSW Local Government Act 1993</p> <p>Plastic Reduction and Circular Economy Act 2021 (PRCE)</p> <p>Protection of the Environment Administration Act 1991 (POEA)</p> <p>Protection of the Environment Operations Act 1997 (POEO)</p>
Related Policies	<p>Australia & New Zealand Food Standards Code</p> <p>Sustainable Catering 2022</p> <p>Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers 2022</p> <p>Code of Conduct for Councillors 2022</p> <p>Code of Conduct for Staff 2022</p>

	<p>Code of Meeting Practice 2020</p> <p>Leasing and Licencing 2021</p> <p>Liquid Trade Waste Policy 2022</p> <p>Procurement and Purchasing Policy 2022</p> <p>Sponsorship Received by Council Policy 2021</p> <p>Sustainable Community Markets Policy 2020</p>
<p>Related Standards, Procedures, Statements, documents</p>	<p>Byron Shire Community Strategic Plan 2032</p> <p>Byron Shire Event Guide 2020</p> <p>Net Zero Emissions Strategy for Council Operations 2025</p> <p>Towards Zero - Byron Shire's Integrated Waste and Resource Recovery Strategy 2019-2029</p> <p>Illegal Dumping and Litter Education and Enforcement Plan (IDLEEP)</p>

Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.

CONTENTS

1. Objectives	1
1.1 Organisational Leadership	1
1.2 Policy Objectives.....	1
2. Statement	2
3. Scope.....	2
3.1 Council Business and Operations	2
3.2 Externally managed activities.....	3
3.3 Single-use materials not permitted to be procured, used, sold or distributed.....	3
3.4 Exemptions	4
4. Legislative and strategic context	5
4.1 Federal Government	5
4.2 State Government.....	5
4.3 Byron Shire Council	6
5. Sustainability	6
5.1 Social	6
5.2 Environmental	7
5.3 Economic	7
5.4 Governance	7
6. Enabling and Supporting the Policy	7
6.1 Lobbying of State and Federal Government	7
6.2 Implementation and stakeholder engagement	7
7. Implementation Plan	7
8. Definitions.....	8

1. Objectives

This Policy upholds Byron Shire Council's (Council) commitment to reducing the consumption of products from non-renewable resources and protecting our natural environment. The Policy outlines the principles and decision-making framework for Council, the community and businesses to phase out single-use plastics and other single-use and disposable materials in all Council business, on Council owned and managed lands, and in Council buildings and facilities.

The Policy addresses items, packaging and materials that are intended to be disposable, through disallowing their use. This refers to items that are designed for a single-use after which they are disposed of as solid waste.

1.1 Organisational Leadership

It is critical that Council, as an organisation, takes action to decrease our reliance on single-use items in all areas of our operations.

Through best practice in avoidance and reduction of waste we demonstrate leadership and provide an opportunity to engage our community on these issues. This Policy sets a standard and encourages industry and businesses working with Council to design and implement aligning values and practices.

This Policy supports Council's *Towards Zero: Integrated Waste Management and Resource Recovery Strategy*, which outlines Council's Strategic Vision: **To support a landfill-free, zero net carbon emissions Shire through best practice in waste avoidance, recovery and treatment.**

1.2 Policy Objectives

- Reduce pollution on our beaches, open spaces, road reserves and waterways
- Mitigate impacts to our natural environment and wildlife caused by litter
- Reduce carbon emissions caused by producing, transporting, recycling and disposing of single-use materials
- Preserve natural resources and reduce the need to mine raw materials
- Minimise the amount of valuable resources going to landfill
- Increase community pride and encourage leadership in environmental stewardship
- Work to change behaviour and normalise the use of reusables throughout our community
- Provide confidence for industry to invest in infrastructure to support circular economy initiatives
- Increase the sustainability of Council's internal practices and lead by example to achieve our goal of zero-waste to landfill by 2029
- Support State and Federal waste reduction targets

- Reduce financial cost to Council and community

2. Statement

Based on the **waste hierarchy principles**, this Policy should prioritise reusables that are sourced locally and made from renewable resources with a low carbon footprint. This is in place of single-use products, which by their nature are manufactured to be used once, or for a short period of time before being disposed of.

Applying the waste hierarchy through this Policy involves:

1. Avoidance and refusal of single-use products
2. Preferencing reusable and washable alternatives
3. Repairing over replacement
4. Purchasing recycled content and recyclable materials



Through eliminating single use materials and switching to reusable alternatives, Council will support a shift to a **Circular Economy**. This model has three key components:

1. Products and materials are designed and manufactured in a way that eliminates waste and pollution.
2. Products and materials are reused, repaired, repurposed, and kept in circulation.
3. We regenerate natural systems through returning biodegradable materials to the earth.



3. Scope

3.1 Council Business and Operations

The Policy conditions apply to:

- 3.1.1 all Council business and operations (Councillors, Staff, Committees, Contractors, Volunteers) where single-use, disposable materials may be used such as, but not limited to, purchases, packaging, merchandise, catering, workshops and events.
- 3.1.2 all Council sponsored and funded activities and events.
- 3.1.3 all individuals, groups, or organisations planning to use, hire and/or lease Council owned or managed sites (buildings, facilities and land) that require Council's approval, formal notification or a permit to conduct an activity. This includes, but not limited to, events, markets information sessions, workshops, filming activities, meetings, parties, festivals or club activities.
- 3.1.4 The use of **balloons and decorations** as stipulated in Table 3.3.1 items 16 and 17 is not permitted by an individual, group, or organisation, on any Council owned or managed sites (buildings, facilities and land) or road reserves.

- 3.1.5 Single-use items, as identified in this Policy are not permitted to be procured, used, sold or distributed. Reusable alternatives are to be used instead, as suggested in the *Single-use Packaging and Materials Guidelines*.

3.2 Externally managed activities

The following provisions apply for all externally managed activities:

For activities with a recurring agreement with Council, for example sporting clubs and building leases, a *Single-use Packaging and Materials Avoidance Plan* will be required to be completed by relevant stakeholders, with guidance from Council staff. This Plan will assist organisations to transition away from single-use packaging within the applicable timeframe, as specified in *Section 7: Implementation Plan* of the Policy.

In areas outside of Council's direct control, such as private businesses, Council will continue to encourage and support the use of reusables in place of single-use materials through engagement, education, incentives, and guidelines.

3.3 Single-use materials not permitted to be procured, used, sold or distributed

Table 3.3.1

<p>1. All Plastic Bags Including thicker supermarket style bags. Only bin liners certified compostable AS 4736-2006 should be used where necessary</p>
<p>2. Straws* Plastic, paper, "biodegradable" or "plant based"</p>
<p>3. Plates, bowls & platters Plastic, bioplastic, paper, bamboo or any other material described as compostable or biodegradable</p>
<p>4. Drink stirrer Any material</p>
<p>5. Polystyrene Tableware, drinkware and packaging</p>
<p>6. Cutlery Plastic, bioplastic, bamboo, wood</p>
<p>7. Bottled water* Including within vending machines</p>
<p>8. Drinkware Plastic, paper, anything labelled "compostable", "biodegradable", and polystyrene cups</p>

<p>9. Coffee cups and lids Includes anything labelled as “compostable”, “recyclable” or “biodegradable”</p>
<p>10. Accessory foodware items Individually wrapped sugar, coffee, tea bags containing plastic, salt & pepper, soy sauce, other sauces and condiments, individual portioned spreads or cup sleeves</p>
<p>11. Cling film / plastic wrap</p>
<p>12. Promotional materials and merchandise Plastic items not designed to be durable and / or reusable.</p>
<p>13. Supply of individually wrapped confectionary Eg. Chocolate bars, ice creams, lollies As part of Council operations, workshops or events.</p>
<p>14. Masks* No supply of single use disposable (does not include P2, P3)</p>
<p>15. Coffee Pods Nespresso style. Reusable / refillable accepted.</p>
<p>16. Balloons All types including helium, “biodegradable” and water balloons</p>
<p>17. Decorations – Single-use plastic and problematic items Glitter, confetti, tinsel, party poppers, streamers, glow sticks</p>

*exemptions may apply

3.4 Exemptions

In general, the circumstances in which Council will consider it necessary or appropriate to grant an exemption will be limited. This is because the Policy creates a framework of requirements to achieve positive environmental and human health outcomes, in support of a circular economy.

An exemption may apply whereby it is required to support people living with a disability or medical need, or to support vulnerable communities in the event of a natural disaster or other emergency situation.

Large scale events (eg festivals) may apply for an exemption to allow some single-use packaging, in conjunction with reusable alternatives. However, the event must submit a *Single-use Packaging and Materials Avoidance Plan* with their Event Waste Management

Plan which outlines how they will transition to be single-use packaging and materials free within an agreed timeframe.

4. Legislative and strategic context

This Policy works within the framework set by Federal Government Strategy and NSW Government Strategy, Policy and Legislation.

It aligns with Byron Shire Councils Community Strategic Plan, Delivery Plan and other key Strategies. Relevant legislation and documents are listed below.

4.1 Federal Government

National Waste Policy Action Plan

This Policy will assist in achieving the National Waste targets set out in the *National Waste Policy Action Plan*. Targets specifically addressed include;

- reduce total waste generated by 10% per person by 2030
- significantly increase the use of recycled content by governments and industry
- phase out problematic and unnecessary plastics by 2025

4.2 State Government

NSW Waste and Sustainable Materials Strategy

Outlines the actions that will be taken over the next 6 years to move towards a circular economy. This transition to a circular economy focuses on achieving a reduction in waste and emissions, reducing harm to our environment, and boosting innovation to help drive the economy.

NSW Plastics Action Plan

Action 1: Introduce new legislation to reduce harmful plastics - Phase out single-use plastic

Net Zero Plan Stage 1: 2020-2030

Plastic Reduction and Circular Economy Act 2021 (PRCE)

Objects of Act

- (1) The objects of this Act are as follows—
 - (a) to protect the environment and human health,
 - (b) to promote and support the principles of a circular economy,
 - (c) to support material circularity through design, production, use, re-use, collection, recycling, reprocessing and end-of-life management,
 - (d) to ensure responsibility for products across their life cycle,

- (e) to reduce the impact, or potential impact, of items, waste from items and waste material on the environment and human health.

This Policy includes prohibited plastic items under the PRCE Act, as well as additional items in accordance with the objects of the act, which may be prohibited in the future.

Table 4.2.1: *Prohibited single-use plastic items under the NSW Plastic Reduction and Circular Economy Act 2021 (PRCE)*

Lightweight plastic bags with handles (35 microns or less)
Plastic single use cutlery (including compostable or bioplastic alternatives)
Straws
Stirrers
Plastic bowls
Expanded polystyrene bowls, foodware, cups, clamshell containers, plates
Plastic microbeads in certain rinse off personal hygiene products
Plastic cotton buds

Protection of the Environment Administration Act 1991 (POEA)

Protection of the Environment Operations Act 1997 (POEO)

4.3 Byron Shire Council

Byron Shire Community Strategic Plan 2032

Objective 3 We nurture and enhance our natural environment: 3.5 Minimise waste and encourage recycling and resource recovery practices

Council has integrated the United Nations Sustainable Development Goals (SDGs) into its Community Strategic Plan. This Policy drives SDG 12 *Responsible Consumption and Production* identifying Councils role in delivering this outcome as a Provider, Leader and Planner in the delivery of this goal.

Towards Zero - Byron Shire's Integrated Waste and Resource Recovery Strategy 2019-2029

Underpinning the *Towards Zero Strategy* are the waste hierarchy and circular economy frameworks.

Net Zero Emissions Strategy for Council Operations 2025

5. Sustainability

5.1 Social

- Supports community values around environment, health, ethics, sustainability and climate change

5.2 Environmental

- Reduces emissions in mining, manufacture, transport and disposal of materials
- Supports protection of local environment, waterways and wildlife through litter reduction

5.3 Economic

- Supports sustainable procurement which incorporates value for money, including product quality and reduced environmental impact
- Provide confidence for industry to invest in infrastructure to support circular economy initiatives

5.4 Governance

- Single Use Packaging and Materials Guidelines
- Leases, licenses and hireable facility agreements
- Event Waste Management Plans
- Compliance signage for outdoor public spaces
- Single-use Packaging and Materials Avoidance Plan for public interfacing stakeholders

6. Enabling and Supporting the Policy

6.1 Lobbying of State and Federal Government

- Council will lobby State and Federal Governments and advocate for progressive targets and solutions, specifically to expand the list of banned single use plastics under the *Plastic Reduction and Circular Economy Act 2021* in a timely manner.
- Council will engage NSW and Federal governments to advocate bigger picture policy review and reform, aligned with Council strategic objectives.
- Council will seek ongoing funding and grant support to enable the growth of circular economy industries and infrastructure.

6.2 Implementation and stakeholder engagement

- Implementation will be supported with infrastructure where practicable to enable a transition away from single-use to reusable materials.
- The Policy and its implementation will be supported by the *Single-use Packaging and Materials Guidelines and Single-use Packaging and Materials Avoidance Plan* template to assist user groups to transition to reusables.
- Extensive stakeholder engagement and education will support the implementation of this Policy.
- Engagement with businesses surrounding Council offices, facilities and operations will be undertaken to ensure they understand the principles of the policy and accommodate reusable alternatives to single-use for staff and contractors.

7. Implementation Plan

Implementation of this Policy will be staged to allow for appropriate stakeholder engagement and ensure Council operations are not negatively impacted.

Implementation of the Single-use Packaging and Materials Policy will occur as follows:

- 7.1.1 Effective 6 months from adoption:** Items listed in Table 3.3.1 are not permitted to be purchased, sold or distributed by Council Staff, Councillors, Committees, Contractors, volunteers and/or other representatives of Council and Council sponsored and/or funded activities and events.

In addition, items 16 (Balloons) and 17 (Decorations) in Table 3.3.1 are not to be used or displayed by any individual (including members of the general public), group or organisation on Councils managed land, buildings, facilities or road reserves.

- 7.1.2 Effective 12 months from adoption:** Items listed in Table 3.3.1 are not to be purchased, sold or distributed by individuals, groups, or organisations planning to use, hire and/or lease Council owned or managed sites (buildings, facilities and land) that require Council's approval, formal notification or a permit to conduct an activity, either directly through Council or via a Section 355 Committee.

This includes, but is not limited to halls, events, markets, information sessions, workshops, filming activities, meetings, parties, weddings, festivals or sporting club activities.

- 7.1.3 Effective 24 months from adoption,** or at renewal, whichever comes first, the Policy will apply to all private lease or licences within Council owned buildings, facilities or lands.

8. Definitions

Policy acronym	Definition
Biodegradable	The ability to break down completely into natural substances, carbon dioxide, water, and biomass by the natural action of microorganisms, but the term by itself does not define how quickly this process will occur, or a specific set of conditions that are required.
Biodegradable Plastics	Biodegradable plastics, also called “oxo-degradable plastics”, are conventional plastics made with fossil fuel, like PE, PP or PET, and an additive (a pro-oxidant, hence the “oxo” in the name) which allegedly allows the rapid biodegradation of the product. The main problem with these claims is that there is no independently verified conclusive proof that the plastic will completely biodegrade, and rather it breaks into millions of tiny pieces that pollute the environment.
Bioplastic	A general term describing either bio-based (made wholly or partly from biomass) plastic or biodegradable (ability to break down in the environment by the natural action microorganisms) plastic or both. Bioplastics are not necessarily biodegradable.
Circular Economy	Systematic approach based on the principles of designing out and avoiding waste and pollution, keeping products and materials in use, and regenerating natural systems.
Committee	Refers to Council Hall Committee, Section 355 Committee and Advisory Committee members and associated meetings, events and managed facilities.
Compost	Decayed organic material, such as food or plants; used as fertiliser for gardens.
Compostable	In the context of plastic, is a precisely defined term. It means that an item can break down into carbon dioxide, water, and biomass within a specific time frame and under specific, controlled conditions.
Compostable (Industrial) Certification: AS 4736-2006	Compostable materials (plastics) that meet Australian standard AS4735 for commercial composting, must disintegrate after 12 weeks and completely decompose after six months so that 90 per cent or more of the material converts to CO ₂ , in an industrial composting facility.
Compostable (Home) Certification: AS 5810-2010	Home compostable products and materials are designed to break down and compost in a home compost environment, at ambient temperatures and with a natural microbial community. These products must meet strict guidelines in accordance with the Australian Standard.
Council facility	Any building, venue, grounds, depot, hall or council managed property. This includes facilities managed by Council's Section 355 Committees.

Degradable	Degradable plastic items can break down in anaerobic environments like landfills. However, degradable products do not break down completely and turn into organic material. Instead, they break apart into microscopic pieces which can still affect the environment. Often chemicals are added to allow these items to break up faster.
Disposable	<p>A disposable item is a product designed for a single use after which it is recycled or is disposed as solid waste.</p> <p>The term is also sometimes used for products that may last several months, to distinguish from similar products that last indefinitely. (disposable vs reusable).</p>
Disposable foodware accessory	A disposable item that accompanies food or beverage designed for single -use, including stirrers, napkins and utensils; condiment cups and packets; cup sleeves, tops, lids, and spill plugs; and other similar accessories.
Micro-plastics	Extremely small pieces of plastic debris, less than 5mm long. They end up in the environment resulting from the disposal, leakage and breakdown of consumer products and industrial waste.
Plastic (fossil -fuel based)	Plastics are synthetic, made from polymers, based on hydrocarbons (molecules built from hydrogen and carbon atoms) that we get mostly from things like petroleum, natural gas, or coal.
Plastic (plant-based)	Plant-based plastics are plastics made with plant-derived molecules, as opposed to petroleum-derived molecules. However, plant-based does not mean the item is made from 100% plant material. There are several types of plant-based plastics that will not biodegrade or require very specific conditions to biodegrade.
Reuse	Reallocation of a product or material without reprocessing or remanufacturing.
Reusables	<p>In the context of the policy, reusables refers to container, cups, bowls, plates, utensils that:</p> <ol style="list-style-type: none"> are made to be used multiple times for the same purpose come with a warranty, or other written representation from the manufacturer, that they are designed to last at least one year
Recyclable	Must be able to be recycled according to guidelines set out by Byron Shire Council's recycling facility contractor, or specialty recycling programs, such as Community Recycling Stations.
Resources (natural)	Valuable minerals mined from the earth to create materials in which products are manufactured.
Resource	A stock or supply of money, materials, staff, and other assets that can be drawn on by a person or organization in order to function effectively.

Single Use	'Single-use product' means a product that is not conceived, designed or placed on the market to accomplish, within its life span, multiple trips or rotations by being returned to the producer for refill or reused for the same purpose for which it was conceived.
Waste Avoidance	Preventing waste generation, through design and manufacturing of products, changing consumer behaviour to preference durable, reusable, repairable products, and through refusing using and purchasing items.
Waste Hierarchy	The waste hierarchy is a set of priorities for the efficient use of resources.
Waste Recovery	Any waste management operation that diverts a waste material from the waste stream and which results in the creation or use of a product with a potential or ecological benefit.
Lease	Lease means exclusive use of land and or facilities for an agreed purpose and term in exchange of rent.
Licence	Licence means non-exclusive right to occupy land and/or facilities for an agreed purpose and term in exchange for rent.
Long-term	Long-term means a lease or license contract term over twelve-months. Operational Land means Council owned land classified as community land under the Local Government Act 1993 (NSW).