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Reference: 043-22 JM

Monday, 17 October 2022

NSW Environment Protection Authority
Locked Bay 5022
PARRAMATTA NSW 2124
By email to: litter.prevention@epa.nsw.gov.au

Re: Comments on the draft NSW Litter Prevention Strategy 2022-2030

To NSW Environment Protection Authority,

Thank you for the opportunity to make a submission on the [draft NSW Litter Prevention Strategy 2022-2030](#) currently on public exhibition.

Strategic Alignment

The Sydney Coastal Councils Group (SCCG) is a regional organisation of councils, established in 1989 to promote collaboration among member councils on environmental issues relating to the sustainable management of the urban coastal and estuarine environment. The group comprises nine councils adjacent to Sydney marine and estuarine environments and associated waterways and represents nearly 1.3 million Sydneysiders. We are guided by the SCCG's 2019-2029 Strategic Plan which includes six goals which are highly relevant to the draft Strategy:

- People and places adapt to a changing climate and future shocks and stressors
- Waterways and the foreshore are protected and healthier
- Marine biodiversity is protected in the bioregion
- The SCCG Region is comprised of sustainable, liveable and 'smart' cities
- There is a collaborative, effective and consistent approach to coastal and estuarine management
- SCCG is trusted and respected to make representations that reflect the values of its members

Our comments

The draft strategy sets out the broad approaches for driving down litter and littering behaviour and achieving the NSW Government's Litter Targets of a 30% reduction in plastic litter by 2025 and 60% reduction in all litter by 2030. The draft strategy also sets out how grant funding will work for stakeholders and partners in their efforts to make NSW litter-free.

The SCCG recognises the huge challenge faced by governments, industry and community from the legacy of wasteful use of resources created by society and moving to a circular economy. The Litter Prevention Strategy 2022-2030 strategy, together with the NSW Waste and Sustainable Materials Strategy 2041 are significant endeavours of NSW Government in this regard. For litter prevention, the SCCG acknowledges the importance of recycling and reusing waste and resources before they become litter and how this is central to the circular economy.



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The SCCG has reviewed the draft strategy with input from its member councils, as well as having attended the EPA's briefing session on 12 October 2022 and provides the following comments. We have opted to provide a submission by email, addressing the feedback questions from the survey.

Are the 'settings' right for the strategy?

- There should be a reference to the former litter prevention strategy and implementation plan, achievements and learnings to inform the context for the new strategy and its implementation.
- The intention to prepare a Report card with two yearly update to detail key outcomes and progress of actions against the Litter Prevention Implementation Plan is supported. This would ideally include a review against progress to litter prevention targets.
- Development of the proposed Litter Prevention Partnership Strategy recognises the critical role of partnerships among governments, industry and community and will be a good companion to the Litter Prevention Strategy. Details of the process and timeframes for development of the Litter Prevention Partnership Strategy should be included.
- EPA coordination role in collaboration across government agencies is essential to the success of litter prevention initiatives, especially where litter reduction is dependent upon improvements to source control and circular economy outcomes.
- The context for providing ongoing funding

Will the strategy achieve targets?

- Achieving the 43% litter reduction by 2020 and exceeding the former target of 40% is encouraging in consideration of further litter reduction targets.
- Continuation of the Return and Earn container deposit scheme, in consideration of its success in halving total beverage container litter volume within five years may contribute significantly towards the new litter prevention targets although it is unclear the extent to which this initiative contributed to the 40% litter reduction target by 2020.
- Phasing out of single use plastics, especially those items to be prohibited from November 2022 is stated to result in the reduction of 2.7 billion pieces of plastic entering the environment. Together with the current ban on lightweight single use plastic bags, this is stated to reduce overall litter items by 20%, contributing significantly to the 25% plastic litter reduction target.
- Appropriate timing for phasing out plastic packaging, especially the now most commonly littered items of confectionary wrappers and snack bags will be essential to achieving litter reduction targets by 2030. This is also true in general where litter reduction is dependent upon source control and circular economy outcomes.

Do the vision and approaches meet the EPA's strategic objectives?

- The seven approaches being Source Control, Diversion to a circular economy, Education awareness and engagement, Regulation and enforcement, Infrastructure and clean-up, Targeted programs to stop litter dispersal and Monitoring evaluation and research are comprehensive and reflect EPA's strategic objectives. Also importantly, approaches for source control and diversion to a circular economy integrate with outcomes sought under the NSW Waste and Sustainable Materials Strategy 2041.
- The EPA's intention to continue supporting stakeholders to take ownership and act on litter prevention through collaborative litter prevention grant funding programs is strongly endorsed, together with the EPA's continuing role in facilitating partnerships among stakeholders and leading collaboration across government agencies.

Are there ways that the draft strategy could be improved ie. are there any gaps?

- Prioritising problematic litter and waste items for reduction and phase-out is highly important to litter prevention. It should be given more weight, explained in more detail and stated as a critical commitment for the action plan.



- Local government continues to play an effective role in identifying problematic items in their local jurisdictions and working with local businesses and residents to phase them out. The importance of this continuing role should be emphasised.
- A specific reference should be made in the strategy to identify that strengthening partnerships with local government working with local businesses would be effective and that this will be addressed in the Litter Prevention Implementation Plan.
- Next steps and timeframe for developing the Litter Prevention Implementation Plan 2022-2027 should be clearly spelt out in the strategy.
- Action statements appear in text boxes but are not referenced or clearly identified for the Litter Prevention Action Plan. Such actions in the text boxes in various sections could be better captured in a table in the appendix, as a scoping plan of proposed actions for consultation.
- There is no mention of the important role that council street sweeping contributes to Infrastructure and clean-up. It is suggested that some details be included in the strategy.

General comments

Please refer also to the table following for comments on specific sections in the strategy and recommendations.

I trust that our comments will be helpful in finalising the draft NSW Litter Prevention Strategy.

The SCCG looks forward to continuing partnerships with the EPA and stakeholders in the further implementation of the Regional Litter Prevention Strategy for Greater Sydney Harbour 2021-2030, together with the development of the Greater Sydney Harbour Coastal Management Program.

As I understand, the EPA intends to establish a cross-government working group to develop and implement the Streets to Sea approach which will take a whole of catchment perspective, integrating with stormwater management. The SCCG would greatly welcome the opportunity to participate on this group.

If you have any queries, please contact me on 0407 733 075 or by email at executiveofficer@sydneycoastalcouncils.com.au

Yours sincerely,



Sarah Penny Joyce
SCCG Executive Officer



General comments on the draft Litter Prevention Strategy 2022-230

Section reference	Comments	Recommendations
Table 1 The impacts of litter – environmental p.5	Statement of harm caused by ingestion of plastic litter is limited to animal populations.	1. Environmental and/or harm to health should include a statement about potential impacts on human health or humans as part of the environment.
	Outcomes of environmental impact omit the proliferation of microplastics in the marine environment as a result of litter.	2. Environmental Outcomes should include a reference to microplastic litter proliferating in the marine environment.
Table 3 Cigarette butt littering target for NSW p.6	Target of 30% reduction in cigarette butt littering behaviour seems to be at odds with the target value which is a 50% reduction over the 2020 baseline.	3. Clarify the target percentage for reducing cigarette butt littering behaviour by 2030 of 30% to reflect the target value of 50% reduction over the 2020 baseline.
	Partnerships with communities only indirectly implies community organisations in addition to communities which could be included more specifically.	4. Include community organisations among the partnership groups.
How will we achieve this? p.7	States that the 5-year <i>Litter Prevention Implementation Plan 2022-27</i> will outline how everyone can contribute and integrate actions to achieve litter prevention targets, noting further that an updated Litter Implementation Plan will be set in place for 2027-2030. It is unclear whether these plans are part of the strategy or proposed to be developed and whether in consultation.	5. Clarify the process and timeframe for preparing the 5-year Litter Prevention Implementation Plan 2022-27. 6. Updated 'Litter Implementation Plan 2027-2030' should read 'Litter Prevention Implementation Plan 2027-2030'.
	There is no reference to the former NSW Litter Prevention Strategy 2019-2022 or the accompanying NSW Litter Prevention Implementation Plan 2019-22 and no detail on what was achieved and how it has informed the updated strategy and implementation process.	7. Provide some context on the former NSW Litter Prevention Strategy 2019-2022 and the accompanying NSW Litter Prevention Implementation Plan 2019-22, what was achieved and how it has informed the updated strategy and implementation process.
Approach 1: Source control p.10	Monitoring and evaluation, drawing on the EPA Litter Data Framework is stated to inform broader circular economy policy and address leakage of materials. There is no prior explanation in the draft Strategy of what the EPA Litter Data Framework is and no reference.	8. Include an explanation of the EPA Litter Data Framework where it is first introduced in the text and/or a reference to a further explanation later in the document.



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Approach 2: Diversion to the circular economy p.11	<p>The Return and Earn container deposit scheme is stated to complement the kerbside recycling systems already in place. However, this is misleading given beverage containers are a key valuable commodity within the kerbside stream and it implies that current kerbside recycling systems are effective in capturing recyclable commodities. It is widely understood that contamination and the limited value of some other items in the recycling stream are problematic in diverting these items for reuse and/or recycling.</p> <p>There are limitations on appropriate locations for Return and Earn facilities to be accessible eg. large shopping centres with outdoor parking areas. In more urbanised areas, such locations are limited. The SCCG understands there is a need for smaller and more accessible Return and Earn facilities in built-up urban areas which would expand the opportunities and convenience for depositing containers. There is also an opportunity for smaller facilities to be located in sporting and recreation areas for the benefit of community groups, at the same time improving litter source control.</p>	<p>9. Reword the references to kerbside recycling systems so as not to imply they are currently effective in diverting waste items for recycling.</p> <p>10. Investigate smaller and more accessible Return and Earn facilities to expand the reach in more built-up urban areas and recreation spaces.</p>
Approach 2: Diversion to the circular economy p.12	<p>Producer responsibility should apply to cigarette butt litter but is a longer term goal. In the meantime, more needs to be done to provide appropriate disposal facilities for cigarette butt litter and/or improve butt disposal behaviour. This section should include reference to more details about the achievements to date and propose ongoing and/or further action, including more education and butt litter disposal facilities under 'Cigarette Butt Litter Prevention Program' under Approach 6: Targeted programs.</p>	<p>11. Include more context for butt litter prevention with a reference to more details under Approach 6 about the achievements in butt litter education and disposal facilities and proposed actions, recognising these are key initiatives that support and align with product stewardship and extended producer responsibility schemes, especially whilst under development.</p>
Approach 2: Diversion to the circular economy p.13	<p>The strategy states there are separation and recycling processes available for the various components in vaping devices including plastic, lithium and heavy metals. This is misleading, given the complexity and costs of separation. For example, lithium is often not extracted in battery recycling due to changing technology.</p>	<p>12. If reference is to be made to the feasibility of separating mixed components for recycling, it should be clarified that these processes are complex and costly.</p>
Approach 4: Regulation and enforcement p.17	<p>The strategy notes the contributions of Local Government and State agencies in enforcing litter laws. It is not clear what role councils play and under what jurisdictions councils enforce litter laws, although they are responsible for placing bins in public places and obliged to</p>	<p>13. Provide a description of the role that councils play in litter prevention and regulation and enforcement and give context to the importance of their ongoing role under the new strategy, such as through boosting</p>



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	clean up litter in public places. It is noted that effective enforcement relates to boosting visibility of local enforcement and that the EPA will work with local government to increase the visibility of the risk of being fined. However, this is not identified as an action statement (in a text box).	visibility of local enforcement. Include the specific action statements in text boxes, similar to other sections for the EPA working with Local Government to improve enforcement operations and provide training for authorised officers.
Approach 5: Infrastructure and clean-up p.19	This section notes the EPA's intention to continue providing grant funding to stakeholders under the NSW Litter Prevention Grants Program and support litter prevention strategies and projects. This reflects the broader approach to litter prevention and is somewhat lost under the heading 'How will we deliver infrastructure and clean-up'. Further, the proposed action program for litter prevention is also not appropriately located within this section.	14. Relocate the details of the NSW Litter Prevention Grants Program, 5-year Litter Prevention Implementation Plan 2022-27 and details of how funding will be allocated (p.20) to a more relevant and higher profile section entitled section so it is not just associated with Infrastructure and clean-up.
p.19	The 5-year Litter Prevention Implementation Plan 2022-27 is stated as having a proposed program of action that is subject to change in consultation with stakeholders. However, there are no details on whether the implementation plan is in draft form or where it can be referenced.	15. Include more detail on the process and timing for the development of the 5-year Litter Prevention Implementation Plan 2022-27. If in draft form, include as an appendix to the strategy and references to the appendix in the text.
Approach 6: Targeted programs to stop litter dispersal Fig.3 Integrating data on sources and flows of litter p.21	Figure 3 identifies 'Targeted research' on the stormwater system as a component of integrated data on sources and flows of litter. Councils have a key role in managing the stormwater system and should be closely involved with targeted research initiatives. For example, data on litter collected from Gross Pollutant Traps is recorded by many councils and there is scope to develop a standardised methodology that could potentially allow comparison across sub-catchments.	16. Identify the role that councils could play in Targeted research on the Stormwater system and/or propose an action to work with councils in developing research and data collection initiatives.
Approach 7: Monitoring, evaluation and research p.24	This section refers to six data sets under the EPA Litter Data Framework that measure litter and related data. However, the six data sets are not identified. It is noted that the key data set that is used to monitor progress to the NSW Litter Prevention Targets is the Key Littered Items Measure. Other data collected such as through the Australian Litter Measure and Local Litter Checks is used to corroborate or refine the information. However, no other data sets are described.	17. List the six data sets that contribute to the EPA Litter Data Framework and their role.



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