

Draft Submission on the NSW Litter Prevention Strategy 2022-2030: Consultation Draft

OCTOBER 2022

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing NSW general purpose councils and related entities. LGNSW facilitates the development of an effective community-based system of local government in the State.



OVERVIEW OF THE LOCAL GOVERNMENT SECTOR



Local government in NSW employs more than **55,000 people**



Local government in NSW looks after more than **\$136 billion of community assets**



Local government in NSW spends more than **\$1.9 billion each year on caring for the environment, including recycling and waste management, stormwater management and preserving and protecting native flora and fauna**



NSW has 450 council-run libraries that attract more than **34.8 million visits each year**



Local government in NSW is responsible for about **90% of the state's roads and bridges**



NSW councils manage an estimated **3.5 million tonnes of waste each year**



NSW councils own and manage more than **600 museums, galleries, theatres and art centres**

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Opening

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing all NSW general purpose councils and related entities. LGNSW facilitates the development of an effective community-based system of local government in the State.

LGNSW welcomes the opportunity to provide feedback to the NSW Environment Protection Authority (EPA) on the *NSW Litter Prevention Strategy 2022-2030 Consultation Draft* (the Strategy) as this is a matter of importance to local councils and other stakeholders within the local government sector. LGNSW has consulted with councils and other key stakeholders to inform this submission.

As a major land manager and point of contact with the community, NSW councils work tirelessly on the expensive and resource-intensive exercise of tackling litter. Councils carry out this work to provide a clean and safe environment for the community.

In developing this response, LGNSW sought feedback from NSW councils and regional waste groups. LGNSW would like to acknowledge the effort EPA staff have taken to seek feedback on this Strategy, especially via the online webinars.

To meet the consultation timeframe, this is a draft submission until it is reviewed and endorsed by LGNSW's Board at its next meeting, and any amendments will be forwarded in due course.

LGNSW Advocacy Priority

Councils provide waste, recycling and resource recovery services to the community, provide and operate recycling and disposal infrastructure and work tirelessly to reduce the amount of waste ending up in landfill by educating residents, businesses and schools about waste avoidance and recycling. Councils continue to face significant challenges from increasing waste generation and lack of markets for Australian recycled content.

All levels of government, as well as business and the community need to work together as we move to a more circular economy where materials and products remain within the economy for longer and waste is reduced.

LGNSW advocates for the reinvestment by the NSW Government of the NSW waste levy collected from the community and industry to:

1. Fund the delivery of priority infrastructure as outlined in the Waste and Sustainable Materials Strategy (WASM).
2. Provide a sound regulatory framework and financial support to encourage investment and innovation in circular economy opportunities.
3. Fund and deliver state-wide education campaigns which focus on broad priority areas and concurrently provide funding to support councils with undertaking targeted community education.
4. Work with the Federal Government to introduce producer responsibility schemes for those items included on the Minister's Priority List.

Response

In general, LGNSW supports the objectives of the Strategy and the approaches outlined by the EPA.

LGNSW has provided considered feedback below covering the 7 'approaches' in the Strategy.

- Approach 1: Source control
- Approach 2: Diversion to a circular economy
- Approach 3: Education, awareness and engagement
- Approach 4: Regulation and enforcement
- Approach 5: Infrastructure and clean-up
- Approach 6: Targeted programs to stop litter dispersal
- Approach 7: Monitoring, evaluation and research.

In total, LGNSW makes **18 recommendations** across the 7 approach areas for the EPA to consider.

Councils appreciate the collaborative effort the EPA has taken to address litter, both through this Strategy and EPA actions to date. The successful roll-out of the Container Deposit Scheme (CDS), the *Don't be a Tosser!* campaign, litter grants, reporting litter from vehicles, EPA litter library and strategic litter partnerships are all of noteworthy mention. Overall, councils have said that the Strategy is a good one.

LGNSW supports the release of a litter Report Card every two years to track the progress of the WASM and NSW Plastics Action Plan targets.

The NSW Litter Prevention Strategy 2022-2030 is a 'big picture' document, aiming to set out approaches for reducing litter and littering behaviour in NSW. There seems to be, on face value, several transitions of existing programs which have seen some levels of success in the past and some new strategic directions to meet the targets set. However, the Strategy is broad, and without the release of the implementation plan, it seems that much of the responsibility and cost of addressing litter will rest with councils. While the Strategy is supported by \$16 million, it is currently unclear how much will be distributed to local councils for their part in implementing these projects.

Access to funding to support litter reduction work is welcome, however preparing applications and ongoing reporting commitments from previous iterations of these programs have placed a significant resource burden on councils. LGNSW encourages the EPA to further streamline grant processes as much as possible.

It has been noted that this strategy is broad in nature and does not contain an action plan. It appears most of the details for program delivery will be made available in other documents, yet to be published, including the Litter Prevention Implementation Plan and Litter Data Framework. LGNSW will welcome the opportunity to provide feedback on these items, and on the grant funding program package and timeline.

Approach 1: Source control

LGNSW supports this approach in preventing harmful litter from entering the environment. The single-use plastic bans will continue to play a vital role in driving reduced litter rates across NSW.

Councils encourage the EPA to work on other Extended Producer Responsibility (EPR) schemes or regulatory changes to reduce litter. Continued bold actions to reduce commonly littered items such as takeaway containers, print and advertising litter, cigarette butts and snack and confectionary litter items are supported.

As with any regulatory change, early and clear communication is key and will help affected industries and consumers to plan and identify alternatives. It is critical to explain how the phase outs will be monitored and enforced, for both domestic and imported products.

Local government strongly supports a separate butt litter target as this is a highly littered item, and introduction of an EPR scheme for this litter type is also supported. However, a 2% reduction target for butts seems low at face value, especially considering reduced rates of smoking.

Significant resources should be directed to address print and advertising material as a source of litter. Although legislation exists to prevent this litter from occurring, councils struggle to undertake enforcement in this area and would welcome EPA support to address this issue specifically.

Recommendations:

1. That the EPA support additional Extended Producer Responsibility (EPR) schemes or regulatory changes to reduce litter, such as for cigarette butts and snack and confectionary items.
2. The NSW Government continue to ban single-use plastics where they are not required for medical reasons or complying with environmental health regulations, with exemptions for critical uses.
3. That the EPA investigate additional measures to prevent print and advertising litter.

Approach 2: Diversion to a circular economy

LGNSW and its member councils support the transition from a linear to circular economy in NSW.

As noted above, councils support the EPA exploring EPR schemes for a wider range of littered items. Currently the burden of litter (and waste in general) is borne by the communities where the litter occurs. There is an opportunity for this cost to be borne by the generators of the waste instead (either through an EPR scheme, new design laws or product bans). Legislative change either at the State or Federal level is required with all these options.

Some councils expressed concern that EPR schemes may be slow and cumbersome to deliver results and hope the implementation plan can truly address circular outcomes in the life of this Strategy, especially in the product reuse space.

Councils welcome the investigation of ways to address new litter items such as vapes, and the continued investigation into confectionary and snack packaging. LGNSW encourages the EPA to undertake further engagement with manufacturers targeting problem litter items like food and confectionary wrappers.

Recommendations:

4. That a greater proportion of the waste levy collected be reinvested in recycling and waste management, to assist with the transition to a circular economy.
5. That the NSW Government work with the Federal Government to introduce producer responsibility schemes for those items included on the Minister's Priority List.
6. That the EPA extend Return and Earn to take more glass and/or introduce precinct-based glass collection funded by producers.

Approach 3: Education, awareness and engagement

Education and awareness are key to successfully preventing litter in NSW. The *Don't be a Tosser!* campaign has been successful in its broad (state-wide) and consistent messaging format. Councils have noted the flexibility to tailor the campaign locally has resulted in greater local adoption. However, the *Tosser* messaging may require review as it is difficult to interpret for younger and culturally and linguistically diverse (CALD) audiences. Councils would like the opportunity to contribute to the development of future anti-littering campaign collateral.

LGNSW supports the creation of a Litter Prevention Partnership Strategy in collaborating with key stakeholders to build long-term ownership and action on litter prevention. The litter library provided by the EPA is a fantastic resource especially for councils without internal design, marketing or waste education staff.

The EPA sponsors several Keep NSW Beautiful (KNSWB) activities, such as the Blue Star Awards, the Litter Congress and the Community Litter Grants. Councils would like to see the EPA also support the excellent work that other organisations do in this area.

Councils have worked hard to forge new partnerships with key agencies and businesses as part of their Regional Litter Strategies and programs, however, some have found it cumbersome and difficult to establish and maintain relationships with NSW Government agencies. Combined with diminishing resourcing within councils to support this activity, local government would welcome greater EPA influence and leadership with relevant agencies.

There is an opportunity to include provisions for reaching lower foot traffic yet high litter areas, such as industrial zones and work sites. Given the wide mix of responsible agencies for key littered areas such as roadsides and rivers/waterways, EPA led partnerships and progress in this space would deliver great gains for communities. EPA led action in this area would be welcomed to prevent duplication of efforts across councils and regions of councils, catchment groups and other agencies.

Councils are often the key delivery partner for litter programs, as they manage program implementation and support community groups to reduce litter. A greater commitment and involvement from the EPA and other / new partners would enable significant litter prevention gains in areas which councils may not have had the jurisdiction or resources to achieve outcomes.

Recommendations:

7. That the EPA continue to fund state-wide anti-litter campaigns, such as *Don't be a Tosser!*, however ensure that they are CALD-appropriate.
8. That the EPA invite local government input into the new litter campaign to be launched in 2025.
9. That the EPA consider supporting more/other litter reduction organisations.

Approach 4: Regulation and enforcement

Reporting and regulatory approaches should continue to support litter prevention in NSW with communities encouraged to report littering from vehicles. Some councils consulted were unaware but interested in the training program available for POEO authorised officers. LGNSW will endeavour to work with the EPA to promote this training to councils.

An education and enforcement presence are essential in delivering behaviour change outcomes. From the inner city to regional areas, councils say those with dedicated education

and enforcement presence see the best results. Further support for this purpose would be welcomed.

Dedicated in field litter enforcement activities either funded by or undertaken by the EPA would help achieve the aims of the Strategy. In addition, dedicated enforcement officers would address some jurisdictional issues currently faced by councils and reduce duplication of effort.

LGNSW supports the continued promotion of *Report to EPA* through EPA campaigns and networks to expand the network of community reporters. In addition, LGNSW supports the need to promote the risk of being fined for littering.

Recommendations:

10. That the EPA work with LGNSW to promote the EPA's litter enforcement training program.
11. That the EPA consider supporting key public land managers to employ dedicated litter staff.
12. That the EPA consider employing or funding dedicated in-field litter enforcement officers/rangers.

Approach 5: Infrastructure and clean-up

LGNSW supports the continued grant funding to councils, communities and other key stakeholders as part of the NSW Litter Prevention Grants Program. The further funding for waste and litter infrastructure (funding stream 2) are a welcome addition to the program – allowing for further implementation of smart bins, community food organics and garden organics (FOGO) and commingled recycling bins, cameras in litter hotspots etc.

Councils report the inconsistency of public place litter bins as a cause for user confusion, potentially resulting in litter. The standardisation of signage for public place bins could help to remedy this issue. It is recommended that the EPA works with other state agencies to ensure standardised signage is implemented across the board.

As a key stakeholder in litter prevention and enforcement, councils request to be consulted regarding any changes to the *Litter Prevention Implementation Plan 2022-2027*.

Recommendations:

13. That the EPA introduce standardised public place bin signage for all public land managers and work with all state agencies to implement the signage across the board.
14. That the EPA consult with councils on any changes to the *Litter Prevention Implementation Plan 2022-2027*.

Approach 6: Targeted programs to stop litter dispersal

Targeted litter prevention programs are integral and should continue to be expanded as required.

LGNSW commends the EPA for launching *Operation Clean Sweep* and the *Cigarette Butt Litter Prevention Program*. Micro plastics and cigarette butts are significant litter issues for councils and so any action to reduce their prevalence is encouraged.

LGNSW notes the *Streets to Sea* program and applauds the EPA for working collaboratively with different organisations to address litter in NSW waterways. However, councils are the primary road and stormwater managers in NSW and should therefore be engaged in the

design process of this program. Through previous iterations of stormwater programs, councils have become managers of gross pollutant traps and similar infrastructure which requires ongoing maintenance to be effective. The cost of managing this infrastructure can be significant. Future programs that require new infrastructure, or rely on or impact existing infrastructure need to be carefully considered, with ongoing maintenance costs factored in.

Councils would like to see Streets to Sea initiatives supported through grant funding made available to councils to address specific small catchments within their LGAs, in addition to the larger whole of catchment examples used in the strategy.

The reporting and collection of data from these programs should inform success and learnings for future programs.

Recommendations:

15. That the EPA engage with councils on the design of the Streets to Sea project as the key road and stormwater managers in NSW, and that any impacts on existing infrastructure (or provision for new infrastructure) and ongoing maintenance costs be factored in.
16. That councils be represented on the Streets to Sea “cross-government working group”.
17. That the EPA consider provision of grant funding to councils to address specific small catchment areas in support of the Streets to Sea initiative.

Approach 7: Monitoring, evaluation and research

Litter monitoring and program evaluation are critical but can often be overlooked in litter prevention. Litter ‘leakage’ is a significant issue for NSW councils. Research is welcome into waste leakage and the delivery of subsequent actions, particularly windblown litter, scavenging animals, overflowing bins, and leakage from waste collection vehicles.

LGNSW welcomes the transition from measuring litter by volume to measuring by number of littered items.

Some councils have noted that while important, the Local Litter Checks can be arduous for those with multiple projects. It is suggested that prior to any projects being funded, organisations are advised of their data collection commitments tied to that funding.

Recommendation:

18. That the EPA advise organisations of their data collection commitments prior to awarding funding.

Conclusion

LGNSW thanks the EPA for the opportunity to provide feedback on this Strategy.

Overall, LGNSW and its members support the Strategy and the approaches listed to reduce litter rates in NSW.

The Strategy is a 'big picture' document, which aims to set out approaches for reducing litter and littering behaviour in NSW. There are several transitions of existing programs which have seen some levels of success in the past and some new strategic directions to meet the targets set. LGNSW has made several recommendations regarding the Strategy and also on issues to be considered as part of implementation.

Of note, LGNSW and its member councils support a separate cigarette butt litter target as a highly littered item, however the proposed 2% reduction target for butts could be strengthened. We also strongly support the pursuit of EPR schemes for a wider range of littered items such as cigarette butts, snack/confectionary items and print and advertising material.

LGNSW looks forward to providing feedback on the implementation plan, which the EPA has advised will be released with the finalisation of this Strategy.

For further information or to discuss this submission, please contact [Christian Pagliaro](#), Senior Policy Officer Waste.