



Environment Protection Authority

## Media Pack: Everything you need to know about NSW's single-use plastic bans



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The NSW Government is banning certain single-use plastics.

From 1 November 2022, all manufacturers, wholesalers, businesses and community organisations will be banned from supplying a range of single-use plastic items. This follows the ban on lightweight plastic bags that came into place on 1 June.

To help journalists and media organisations cover the ban, this media pack includes useful information such as what is and isn't banned, where exemptions may apply, details about our regulatory approach and potential fines, links to advertising collateral, and information resources.

# 1. NSW plastic facts

Key facts about single-use plastics and the NSW Government's commitment to phase them out.

- In NSW, single-use plastic items and packaging make up 60 per cent of all litter.
- Around 575 million plastic items were littered in NSW in 2019. Much of these were single-use items, such as plastic bags, straws and cutlery.
- Over time, these items break into smaller pieces of plastic. They can be ingested by wildlife, killing or injuring them, and can enter the human food chain.
- Plastics never completely degrade. Over years, they break into tiny pieces called microplastics. Microplastics are the multi-coloured pieces of plastic that can be found in the environment. ([Reference NOAA](#))
- The phase out of single-use plastic items will help prevent an estimated 2.7 billion items of plastic litter from entering our natural environment and waterways over the next 20 years.
- The items selected are littered at approximately 20 times the rate of other plastics.
- Approximately 40 per cent of these littered items end up in marine environments and waterways.
- Of the 16,000 submissions the Government received when consulting on the future bans of plastics in NSW, 98% supported the phasing out single-use plastics.
- Major retailers have flagged their intention to pursue a national, voluntary phase out of heavyweight bags using virgin plastic over the next two to three years. The EPA will monitor the success of this action before determining whether a future mandatory phase out is needed.
- The NSW Government has engaged the National Retail Association to deliver an extensive education and engagement program for 40,000 businesses in 650 precincts across the State, to assist retailers, suppliers, community groups and not-for-profit organisations phase out single use plastics.
- The NSW Waste and Sustainable Materials Strategy 2041 and the NSW Plastics Action Plan are backed by a \$356 million investment over five years (from 1 July 2022). This investment includes new programs and initiatives that minimise waste, values our resources, decarbonises our economy and kickstarts the transition to a circular economy.
- For plastics, this investment includes:
  - \$10 million to design and deliver the Circular Materials Fund
  - Up to \$5 million to design and implement a plastics innovation program
  - \$2 million for establishing a plastics research partnership
  - \$500,000 to help prevent nurdles entering our waterways (nurdles are small plastic pellets used to manufacture plastic products)

## 2. What is banned?

The NSW plastic ban is a staged ban that involves a number of single-use items to help reduce litter in our environment.

### 2.1. From 1 June 2022

- Lightweight plastic bags with handles (35 microns or less) were banned.

### 2.2. From 1 November 2022

The following items will be banned:

- single-use plastic straws
- single-use plastic cutlery, including plastic chopsticks and sporks
- single-use plastic stirrers
- single-use plastic bowls (excluding bowls with a spill-proof lid)
- single-use plastic plates
- single-use plastic cotton buds
- expanded polystyrene food service items
- plastic microbeads in rinse-off personal care products such as face and body cleansers, exfoliants and masks, shampoo, conditioner and hair dyes, and toothpaste.

**Pictures of banned items are available on [this web page](#).**

**For information about alternative items, visit [this web page](#).**

### 2.3. Information about the bans

- The ban applies whether the item is sold or given away for free.
- The ban applies to 'traditional' plastic, as well as any biodegradable, compostable, or bio-plastics alternatives, including those made from Australian certified compostable plastic. This is because most items made from compostable plastic and bioplastic do not biodegrade unless they are specifically treated in a commercial composting facility. This means that they do not biodegrade when littered in the environment or when sent to landfill, where they can create just as big a problem as conventional plastic.

**FAQs about the bans are available on [this web page](#).**

## 3. What is not banned?

A number of single-use plastic items are not captured by the NSW plastic bans.

### 3.1. Information about what is not banned

The NSW Government is committed to reviewing the necessity of these items as sustainable alternatives become more available.

Under the NSW Plastics Action Plan, the NSW Government has committed to review further items in 2024 to determine whether phasing out is appropriate at that time.

We will commence work on this from next year.

### 3.2. From 1 June 2022

The ban on lightweight plastic bags **does not apply to:**

- barrier bags such as bin liners, human or animal waste bags (such as nappy bags, bags for collecting food waste for FOGO systems, pet waste bags)
- produce bags and deli bags
- bags used to contain medical items (excluding bags provided by a retailer to a consumer used to transport medical items from the retailer).

### 3.3. From 1 November 2022

The ban on single-use plastic items **does not apply to:**

- serving utensils such as salad servers or tongs
- coffee cups
- plastic cups
- items that are an integrated part of the packaging used to seal or contain food or beverages, or are included within or attached to that packaging, through an automated process (such as a straw attached to a juice box)
- single-use plastic bowls designed or intended to have a spill-proof lid, such as those used for a takeaway soup
- expanded polystyrene (EPS) meat or produce trays
- expanded polystyrene (EPS) packaging, including consumer and business-to-business packaging and transport containers
- expanded polystyrene (EPS) items that are an integrated part of the packaging used to seal or contain food or beverages, or are including within or attached to that packaging, through an automated process (such as an EPS noodle cup).

# 4. Exemptions

The EPA has granted some exemptions to allow the continued supply of banned single-use plastic items in special circumstances.

## 4.1. Exemptions granted relate to:

**The supply of single-use plastic straws for people who need them due to a disability or other medical need**

- Enables continued access to plastic single-use straws where they are available.
- You do not need to prove that you have a disability or other medical need when asking for a straw and providers such as restaurants and cafes should not ask you for proof.

**A time limited exemption for paper or cardboard plates and bowls with a plastic lining or coating to enable suitable food safe/alternatives to be sourced/developed**

- This includes products like takeaway cardboard and bagasse bowls without lids and printed or coloured paper 'party' plates and bowls.
- The exemption ends on 31 October 2024.

**The supply of single-use plastic cotton buds and bowls for medical, scientific and forensic purposes in certain circumstances where there is no suitable alternative, including:**

- in a hospital where a sterile bowl is needed in a surgical setting for infection control purposes
- using plastic single-use cotton buds or swabs for taking samples for a pathology test, or at a crime scene for forensic analysis.
- noting the supply of plastic single-use cotton buds that are supplied as part of a first aid kit or a kit used for medical, scientific or forensic testing is still permitted for sale to members of the general public.

## 4.2. Information about exemptions

The EPA can grant exemptions to permit the continued supply of banned plastic items, including where there is no safe alternative reusable item.

More information about these exemptions is available on the EPA website:

<https://www.epa.nsw.gov.au/your-environment/plastics>

# 5. Regulatory approach and fines

The EPA is the sole NSW regulator of the single-use plastic bans.

- The EPA's focus is on education and awareness. Its priority is to ensure businesses and the community are aware of the bans and able to comply.
- The EPA is committed to a fair and considered approach to regulation and will consider all circumstances before taking any action.
- The EPA has a range of tools and techniques to achieve compliance. These include education and awareness building to influence behaviour, as well as placing requirements on responsible parties to comply.
- Ultimately, the EPA can use financial penalties where other tools have not been sufficient to bring about compliance.
- **An individual cannot be fined for *using* a banned single use plastic item.**
- **The obligation to stop supplying banned plastic items only applies where the banned items are supplied in a business or retail setting, or in undertaking activities in the community such as events.**
- The following penalties could be applied for non-compliance with some of the key offences under the PRCE Act if the matter goes to court:
  - Supplying a banned item or failing to comply with a compliance notice:
    - for a corporation = max 500 penalty units (\$55,000)
    - for an individual = max 100 penalty units (\$11,000)
  - Failing to comply with a stop notice:
    - for a corporation = max 2500 penalty units (\$275,000)
    - for an individual = max 500 penalty units (\$55,000)
- EPA can issue on the spot fines (penalty notices):
  - For retailers and other businesses supplying a banned item or not complying with a stop notice:
    - For a corporation: \$5,500
    - For an individual: \$1,100
  - If the business is a manufacturer, producer, wholesaler or distributor:
    - For a corporation: \$13,750
    - For an individual: \$2,750
  - If the matter goes to court, higher penalties may apply

## 6. Creative assets

The new Stop it and Swap it advertising campaign is now underway to help inform NSW businesses and the community about the upcoming 1 November bans.

A range of creative assets is now available to download from Google Drive [here](#) for use across print, out of home, digital and social media. An example of materials is included below.

In addition, you can find images of banned single-use plastic items and alternative items on [this web page](#). Please contact the EPA media team if you would like a copy.

### 6.1. Print/Out of home materials



### 6.2. Video materials

- 15 sec and 6 sec videos



### 6.3. Social materials



# 7. Information resources

There is a range of information about the NSW single-use plastic bans.

- **For retailers, businesses, community organisations & not-for-profits:**  
<https://www.dpie.nsw.gov.au/plastics-ban>
- **EPA's regulatory role, including exemptions and enforcement of the *Plastic Reduction and Circular Economy Act 2021*:**  
<https://www.epa.nsw.gov.au/your-environment/plastics>
- **The NSW Plastics Action Plan:**  
<https://www.dpie.nsw.gov.au/our-work/environment-energy-and-science/plastics-action-plan>
- **The NSW Stop it and Swap it campaign page:**  
<https://www.dpie.nsw.gov.au/our-work/environment-energy-and-science/plastics-action-plan/stop-it-swap-it>
- **EPA media team:**  
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