

Response to recommendations made in
*Report on the Single-use and Other
Plastic Products (Waste Avoidance) Act
2020 Review of Act –2024*

March 2026

Introduction

The *Single-use and Other Plastic Products (Waste Avoidance) Act 2020* came into operation on 1 March 2021. A requirement within the Act calls for a review to be conducted into various aspects of the Act as soon as practicable after the third anniversary of its commencement. In 2024, Mr Richard Dennis AM PSM of Ayrton Consulting was engaged to undertake the review.

The [*Report on the Single-use and Other Plastic Products \(Waste Avoidance\) Act 2020 Review of Act – 2024*](#) was published in February 2025 and outlined 30 recommendations for consideration.

Green Industries SA and the South Australian Environment Protection Authority have prepared the following response to the recommendations.

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| 1 | <p>The Act should be amended so that a plastic item should not be banned by regulation except on the recommendation of the Minister. The Minister should not make a recommendation unless the Minister forms the opinion that the item is: (a) unnecessary; or (b) for environmental, human health or economic reasons, including waste management or resource management, problematic. In forming this opinion, the Minister may consider the precautionary principle, and whether the plastic item:</p> <ul style="list-style-type: none"> (a) can be eliminated or replaced by an item that is not a plastic item or by a reusable plastic item without causing harm or significant disruption to consumers; or (b) is difficult to collect or recover through kerbside or similar publicly accessible collection and recovery systems and services; or (c) is made from material that is difficult or costly to recycle through commercially available recycling technologies; or (d) hinders, disrupts or obstructs opportunities for other materials or resources to be recovered, collected or recycled; or (e) contributes significantly to litter; or (f) is made from material that may cause harm to human health or the environment; or (g) contains additives that accelerate the breakdown of the item into particles. <p>This recommendation should be adopted subject to discussion with the other States and Territories with a view to achieving as much consistency as is reasonably possible in this area.</p> | <p>Agree in principle – This recommendation suggests that South Australia should adopt the guidance provided in the New South Wales legislation regarding prescribing a prohibited plastic item. This requires further consideration. South Australia is participating in the National Plastics Harmonisation Working Group comprised of representatives from all Australian jurisdictions to identify opportunities to harmonise related single-use and other plastic legislation. In February 2025, a summary of the <i>National Roadmap: Harmonising action on problematic and unnecessary plastics</i> was released, outlining how jurisdictions are working together to reduce variations on 24 plastic items, without reversing existing measures. Jurisdictions are continuing to work on the development of model definitions to support consistency in future actions.</p> |
| 2 | <p>In promoting consistency in approach in relation to criteria, the State Government should also consider placing significant emphasis on: (a) the threat to the environment if action is not taken; and (b) the costs of alternatives to the community and businesses.</p> | <p>Agree in principle - As noted in the review, the preparation of regulatory impact statements can assist with understanding the costs to business and the community, however this can be limited by the difficulty in calculating the real cost of environmental externalities associated with plastic items.</p> |
| 3 | <p>The publicity associated with a new set of bans should include information about the alternatives that are expected to be provided for the items or products that are being banned, including about the composition and correct disposal of these alternatives.</p> | <p>Agree - The Replace the Waste website (www.replacethewaste.sa.gov.au) managed by Green Industries SA (GISA) includes an Alternatives page which provides guidance to businesses and consumers on alternatives that are compliant with the single-use plastic (SUP) legislation. In addition, GISA has subscribed to the Plastic Ban Solution Finder that has been developed by Boomerang Alliance to assist businesses to identify alternatives to banned plastic items which are compliant with the SUP legislation. A link to this database is provided on the Alternatives page of the Replace</p> |

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| | | the Waste website. GISA intends to continue to work with Boomerang Alliance to expand the alternative products included in the database to further assist businesses operating in South Australia. |
| 4 | <p>The Act should be amended so that it is possible to ban an item that:</p> <ul style="list-style-type: none"> (a) is considered by the Minister to be an item that corresponds to a single-use plastic item that is banned under the Act taking into account its intended purpose or the purpose for which it is ordinarily used; and (b) is a single-use item; and (c) is not compostable, recyclable or reusable taking into account: <ul style="list-style-type: none"> (i) standards prescribed by the regulations; and (ii) other factors considered relevant by the Minister. | <p>Further consultation required - The intention of the recommendation by the reviewer is understood however if implemented is unlikely to address the frustrations regarding substitutes for banned single-use plastic products expressed through submissions to the review and general feedback since the bans came into effect.</p> <p>By way of example, there are strong feelings in parts of the community about paper straws and wooden cutlery being inferior alternatives to plastic straws and plastic cutlery. However, these single-use, non-plastic alternatives can both be considered as corresponding to the single use items that have been banned and both can be composted after use through the FOGO (green) bin system in South Australia. Used paper straws are also technically recyclable if placed in a paper envelope or similar, to prevent the straw from falling through the processing machinery at a material recovery facility (MRF). The extent to which regulations to control non-plastic single-use items are needed, and how these would be regulated, requires further consultation.</p> |
| 5 | Paragraph (a) of the objects of the Act should be amended to refer to the ability to provide for the restriction or prohibition of certain single-use items that are not plastic. | Subject to outcomes from other recommendations - This recommendation is dependent on further discussions about banning non-plastic single-use items. |
| 6 | New or additional strategies should be adopted by the State Government to promote the <i>Replace the Waste</i> website and <i>Which Bin SA</i> , including with a wider focus on waste avoidance and the correct disposal of materials. | Agree - GISA is building upon the existing brand awareness of the single-use plastics campaign ' <i>Replace the Waste</i> ' for ongoing and consistent messaging about alternatives, as well as developing 'social normalisation' messaging about South Australia's reputation as first movers when it comes to protecting our environment. The <i>Replace the Waste</i> brand and assets are made widely available to councils, waste educators, schools, businesses and the public in a variety of 'ready to use' materials in various formats via the <i>Replace the Waste</i> website. <i>Which Bin</i> campaign materials continue to be updated to reflect correct disposal of alternatives and the use of certified compostable barrier bags to divert food waste. GISA also maintains several social media channels for <i>Replace the Waste</i> including Facebook, Instagram and a subscriber e-newsletter. |
| 7 | The State Government should undertake regular campaigns in a variety of forms to promote which bin should be used for a particular item or product. This would be consistent with supporting an ever-increasing | Agree - Campaigns for both ' <i>Replace the Waste</i> ' and ' <i>Which Bin</i> ' provide around the clock access to information on the appropriate recycling or disposal and on better alternatives to single-use. Both campaigns utilise Facebook and direct email to |

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| | emphasis of the circular economy, add to the effectiveness of kerb-side collection, and provide for better outcomes when waste is being disposed of in public places. The public also needs practical guidance on what alternatives to plastics to use and how to dispose of them properly. | improve public access to knowledge and to respond in near real time to members of the public seeking more specific knowledge. ‘Which Bin’ as a waste avoidance and recycling brand is in use across local government in South Australia, with councils receiving free branded assets designed and developed by GISA to complement bans and to increase waste diversion from landfill and to promote more sustainable and environmentally mindful solutions and alternatives. |
| 8 | Further steps should be taken to encourage businesses and the managers of public areas to provide a variety of bins, and to use more signage about which bin to use. Advice and assistance should be provided to ensure that the signage is clear and consistent. | <p>Agree in principle - GISA has developed signage for events and venues as part of the ‘Better Practice Waste Management Guide’ to support the consistency in waste management systems provided in these settings and provides support for councils who have received funding support to implement public place three-bin systems.</p> <p>Bins remain the responsibility of businesses and councils to maintain and service. Signage in the business or commercial context is often different to ‘Which Bin’ household kerbside messaging and systems. There should be a wider expectation that businesses that pay a fee for private waste and recycling services should be getting signage and assets from their waste service provider who is charging them for services.</p> <p>GISA does not control business real estate or positioning of bins, and householder messaging is not generally provided in a commercial context. If GISA has supported a project or provided funding to focus on bin systems and signage through the Business Sustainability Program, or signage is required for government sites, this may be developed, but signage placement on privately owned land or in businesses is not within GISA’s control. Where a private waste management service provider charges a client for the removal of waste and recycling, this system and signage is under their control, including any education provided to their clients/customers.</p> |
| 9 | In relation to future bans, the State Government should conduct public and business forums, and plan and deliver webinars, that assist with information dissemination and education. | Agree - GISA regularly provides public presentations on waste, recycling, the SUP bans and better alternatives in general. Regular email communications are also distributed under both the GISA and <i>Replace the Waste</i> brand to make the widest possible audience aware of bans, and alternatives and likely impacts for businesses. |
| 10 | Any new sets of bans should be accompanied by a comprehensive stakeholder mapping and engagement process, outlined during the public consultation phase and then implemented after the bans are announced and before they come into operation, to ensure that all impacted parties | Agree - Any further items considered for restriction under the legislation would undergo consultation, market research, focus group testing and impact assessments. The benefit in having several strong brands that are already established assists with this kind of messaging and stakeholder mapping. |

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| | are informed about the proposed changes and have adequate time to prepare for compliance. | |
| 11 | The definition of plastic in the Act should be replaced with the definition used in corresponding legislation in Western Australia, being that plastic: <ul style="list-style-type: none"> (a) means a material consisting of a polymer, to which additives or other substances may have been added, which can function as a main structural component of final products; and (b) includes expanded plastics; but (c) does not include a material consisting of natural polymers that have not been chemically modified. | <p>Agree in principle - South Australia is participating in the National Plastics Harmonisation Working Group comprised of representatives from all Australian jurisdictions to identify opportunities to harmonise related single-use and other plastic legislation including the development of model definitions for plastic, single-use, and degradable plastic.</p> <p>The information from these model definitions will help inform any required changes, alongside the definitions recommended by the Independent Reviewer, learnings from regulatory activities and any other relevant considerations.</p> |
| 12 | The definition of <i>single-use</i> in the Act should be replaced with the definition used in corresponding legislation in New South Wales, being that <i>single-use</i> , in relation to an item: <ul style="list-style-type: none"> (a) means an item designed or intended to be, or ordinarily, used only once for a particular purpose, whether or not the item is or can be – <ul style="list-style-type: none"> (i) re-used for the same or another purpose; or (ii) used for more than 1 purpose; or (iii) recycled; and (b) includes an item prescribed by the regulations, but does not include an item excluded by the regulations. | |
| 13 | The definition of <i>oxo-degradable plastic</i> in the Act should be replaced with a definition based on the corresponding legislation in Western Australia, being <i>degradable plastic</i> , which is defined in the following terms: <ul style="list-style-type: none"> (a) means plastic that contains an additive designed to accelerate fragmentation of the plastic into smaller pieces under certain conditions, including exposure to light, bacteria or heat; but (b) does not include biodegradable plastic <i>or</i> compostable plastic. | |
| 14 | The use of the term “biodegradable plastic” in the definition referred to above should be reviewed with a view to using “compostable plastic” instead. Any compostable plastic excluded under this definition should meet prescribed Australian Standards. Furthermore, consideration should be given to banning the use of the term “biodegradable plastic” in connection with the labelling or marketing of materials and products. | |

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| | These matters should be raised with other jurisdictions with a view to achieving a consistent approach across Australia. | |
| 15 | Any additional items considered to be banned from 2026 should include any plastic product that has been banned in another jurisdiction but not in this State. This recommendation should be the subject of further consultation to ensure that these additional bans are workable in this jurisdiction and to provide reasonable notice of this initiative. | <p>Agree - On 10 December 2024, at the Australian Environment Ministers Meeting, all Ministers (except for Queensland) agreed to release a summary of the National Roadmap: Harmonising action on problematic and unnecessary plastics, work together to reduce variations on 24 items (without reversing any existing measures) and future action being coordinated and consistent to the extent possible.</p> <p>South Australia has banned or restricted 20 of the 24 items included in the National Roadmap. Further consultation with the community and business is required before considering banning the remaining four items:</p> <ul style="list-style-type: none"> • Microbeads in rinse off personal care and cleaning products • Balloon releases • Expanded plastic packaging (all loose fill and for moulded products where the items weigh 45kg or less) • Plastic film signage outdoors for promotional or advertising purposes. |
| 16 | The Act should be amended to provide for a code of practice, to be introduced by regulation, relating to food and beverage containers used at significant venues and major events. The types of venues and events will need to be determined in consultation with relevant sectors and stakeholders, with exceptions for some temporary events, and venues in regional areas where there are large distances to available infrastructure. Vendors should be able to use reusable or compostable food packaging and service ware, depending on their particular circumstances. | <p>Agree in principle - If such an amendment were to be implemented, the relevant planning authority would be best placed to require and regulate venues and events to use reusable food and beverage containers as part of their consideration to approve the activity/event. Correspondingly, a Code of Practice would need to be developed in a manner that allows for those planning authorities to consider and apply appropriately. Further consideration and consultation would need to occur to determine if such a code of practice were written to require action, that is it is enforceable, or as a guide.</p> |
| 17 | For the purposes of the proposed code of practice, a reusable container should be defined as a product that is designed and manufactured to achieve a minimum number of refill or return cycles, based on a prescribed standard, for the same primary purpose. | <p>Partially agree - See response above to Recommendation 16.</p> |
| 18 | South Australia should support national initiatives to ban intentionally added PFAS in plastic and other products: (1) that are used for packaging in connection with the provision of food and beverages: or (2) that are designed to be compostable through kerbside and other similar publicly available collection and recovery systems or | <p>Agree - In October 2024, the Australian Government consulted on national reform of packaging regulation which included seeking support for a national ban on a limited set of problematic packaging inputs (including carbon black, oxo-degradable plastic and per-and polyfluoroalkyl substances [PFAS]). South Australia continues to support national reforms that would address these problematic packaging inputs.</p> |

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| | <p>services. If required, legislation should be introduced in South Australia to complement national initiatives once the Commonwealth Government has settled on its policies and legislation.</p> | |
| 19 | <p>South Australia should work with the Commonwealth to ban harmful chemicals from plastics, their alternatives and packaging. Legislation should be introduced in South Australia to complement national initiatives once the Commonwealth Government has settled on its policies and legislation.</p> | <p>Agree - All Australian governments, including South Australia, are working together to implement the Industrial Chemicals Environmental Management Standard (IChEMS) to establish nationally consistent standards that work to reduce the impact of industrial chemicals on the environment.</p> <p>Australia’s industrial chemicals roadmap, which was developed collaboratively by the Commonwealth, states and territories, sets out how, the IChEMS framework is being delivered.</p> <p>From a regulatory perspective, the Commonwealth is looking into options for enforcing the prohibitions and restrictions in the standard for overseas importation, manufacture, and relevant uses. SA is contributing to the scheduling of chemicals under IChEMS that is leading to bans on harmful chemicals.</p> <p>More broadly, all governments are at various stages of adding the IChEMS to their regulatory frameworks. In SA it is proposed to introduce an Industrial Chemicals Environment Protection Policy to enable IChEMS measures to be enforceable in SA.</p> |
| 20 | <p>Legislation should be in place to regulate the use of compostable products, including by regulating the use of labels for products that claim to be compostable. Any products that are promoted or labelled as being compostable should be required to meet a set of prescribed standards. These requirements should build on the exemptions that currently apply under the Act in relation to the certification of relevant products and the use of appropriate labels or other markings.</p> | <p>Further consultation required - Businesses that make claims such as ‘compostable’, ‘biodegradable’, ‘degradable’ or ‘recyclable’ on bags, food service items and packaging must ensure those claims can be substantiated and are appropriately qualified in accordance with the SUP legislation.</p> <p>The ACCC (Australian Competition and Consumer Commission) plays a key role in ensuring that labelling information on products and services is accurate and fair (for example Biodegradable, degradable and recyclable claims on plastic bags). To support businesses the ACCC has published a guide ‘Making Environmental Claims’ which references considerations when labelling a product compostable to ensure it is accurate and fair.</p> <p>It is noted that this recommendation is in addition to exemptions that currently apply under the Act which require certification of items to Australian Standard 4736 and/or Australian Standard 5810.</p> |

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| 21 | Steps should be taken to seek consistent labelling of products across jurisdictions, and that this is addressed by the Act to the extent that it is not covered by other legislation. | Further consultation required - The <i>Trade Practices Act 1974</i> requires that businesses provide consumers with accurate information about goods and services. As noted in the response to recommendation 20, the ACCC has provided national guidance to ensure labelling of compostable products is accurate and fair. |
| 22 | Work should be undertaken to support the increased availability of bins at public places and events for the proper disposal of compostable items and products, and for items and products that should be recycled. Consideration should be given to supporting this by the provision of financial support and public education campaigns. The opportunity should be taken to include information about what each symbol used on items, products and materials means. | <p>Agree - GISA provides funding for councils to improve waste management and recycling services, including for public place three bin systems.</p> <p>In 2022 the Better Practice Waste Management Guide for events and venues was released to provide more standardised advice and signage to event and venue managers and increase consistency in systems across these settings, including three bin systems. This guide is in the process of being updated given further bans have come into effect since this time and to include additional information on incorporating reusable cup systems.</p> <p>In 2022, a review of the <i>Environment Protection (Waste to Resources) Policy 2010</i> commenced. The discussion paper, <i>Beyond recycling: Moving SA towards a more circular economy</i> was released for public consultation from September to December 2024. Feedback supported mandatory recycling and organics bins at events and venues, along with standardised bin lid colours. Scoping for a detailed cost-benefit analysis to inform a staged approach to implementing public place recycling requirements, is being considered subject to approval.</p> <p>The EPA's <i>Beyond recycling: Moving SA towards a more circular economy</i> discussion paper included consideration to requirements for public place recycling and the <i>2025 – 2030 Waste Strategy Accelerating SA's transition to a circular economy</i> includes an action for GISA to lead, partnering with local government, to support the roll-out of recycling and organic waste bins in suitable public places alongside general waste bins.</p> <p>Public education campaigns, including information on certified compostable labelling and proper disposal, is undertaken through the 'Which Bin' campaign and supporting resources developed for councils.</p> |
| 23 | The State Government could collect or obtain, and publish, more information about the impact that the increasing use of compostable products is having on the circular economy and on end markets. | Agree in principle - GISA collects data annually to inform the Kerbside Report and the Circular Economy Resource Recovery Report. There are limitations in the level of detail that can be obtained through these data collection processes regarding |

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| | | <p>quantities and impact, however revised waste auditing guidelines for local government may assist with gaining a greater level of detail on materials presented in kerbside collected food organics and garden organics (FOGO) bins.</p> <p>The ban on plastic barrier bags for fruit, vegetables, nuts and confectionery supports food waste diversion policy objectives and further research into this impact will be considered.</p> <p>Composters have provided feedback on reduced contamination from plastic barrier bags, plastic coffee cup lids and other items being incorrectly disposed in the green bin as a result of the 2024 bans on these items.</p> |
| 24 | The State Government should consider, as part of the national reforms relating to packaging, supporting the proposal that black and dark coloured plastic packaging should not be used. | Agree - In October 2024, the Australian Government consulted on national reform of packaging regulation which included seeking support for a national ban on a limited set of problematic packaging inputs (including carbon black, oxo-degradable plastic and per- and polyfluoroalkyl substances [PFAS]). South Australia continues to support national reforms that would address these problematic packaging inputs. |
| 25 | The objects of the Act should be amended by excluding the word “marine” from paragraph (b) in order to make it clear that the Act is interested in litter reduction across all aspects of activity and the environment, not just in connection with the marine environment. | <p>Agree - During consultation on the development of the SUP Act, it was suggested that ‘objects of the act’ be included. It was requested that the information included in the draft bill’s explanatory information, which referenced the intention of the Act to address marine pollution, be included in the legislation.</p> <p>In the Government’s response to the consultation feedback, it was noted that the ‘Objects’ section would include reference to better waste management practices, including reducing marine and other litter, the waste management hierarchy and the principles of the circular economy.</p> <p>It appears in the version of the Act that was passed, the object pertaining to waste and litter was simplified to:</p> <p style="padding-left: 40px;">(b) Promote and support better waste management practices including the reduction of marine litter</p> <p>There is the option of modifying the object to either remove the specific reference to marine litter or to reflect the original intention by substituting ‘marine and other litter’.</p> |
| 26 | Consideration should be given to amending the Act so that the Minister is able to grant exemptions from the operation of the Act, or specified | Further consideration required - The current legislated option for exemptions provides for appropriate considerations to refine prohibitions that have been re- |

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| | provisions of the Act. The provision would provide that an exemption would be able to be granted subject to any conditions determined by the Minister and that an exemption would be able to be varied or revoked by the Minister in the Minister’s absolute discretion. | <p>considered wholistically, including from industry-wide and consumer/user perspectives, while ensuring sufficient assessment and procedural rigour to any such amendment.</p> <p>Experiences shared by Western Australia indicate that more readily available and bespoke systems for exemptions can result in a high volume of requests for exemptions for many reasons, often related to a specific business’s circumstances. The potential to have individual exemptions increases the appetite for individual lobbying, as opposed to industry representation, and for inconsistencies for items exempted from prohibitions, resulting in consumer and stakeholder confusion.</p> |
| 27 | It should be possible to prescribe design standards for plastic and other items for environmental, human health or economic reasons. The scheme should be modelled on the scheme that is found in the Plastic Reduction and Circular Economy Act 2021 (NSW). | <p>Further consultation required - The Independent Reviewer notes that part of the review of packaging regulation currently being undertaken by the Commonwealth Government relates to design standards. South Australia supports design standards being applied nationally to packaging where possible.</p> <p>Given the small size of the South Australian market, there should be further consultation and consideration to state legislated design standards that may serve as a barrier to further harmonisation or be challenging to implement in a jurisdiction with a smaller market size.</p> |
| 28 | A consequential amendment will need to be made to the long title of the Act to take into account the broader scope of the Act on account of recommendations made in this report. Additional changes to the objects of the Act will also need to be considered. | Subject to outcomes from other recommendations - This recommendation is subject to other responses to other recommendations outlined in the report. |
| 29 | The short title of the Act should be amended. One option would be to change the name of the Act to Plastic Control, Product Management and Waste Reduction Act. | Subject to outcomes from other recommendations - This recommendation is subject to other responses to other recommendations outlined in the report. |
| 30 | Consideration should be given to replacing references to “product” in the Act with the term “item”, which would be defined to include: (a) a part of an item; and (b) a product, material or substance. | Agree - Consideration will be given to this recommendation in conjunction with the National Plastics Harmonisation Working Group comprised of representatives from all Australian jurisdictions to identify opportunities to harmonise related single-use and other plastic legislation. |