

2023

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND
BIODIVERSITY - REPORT 8 -
INQUIRY INTO WASTE MANAGEMENT OF ABSORBENT HYGIENE PRODUCTS -
GOVERNMENT RESPONSE**

**Presented by
Mr Chris Steel MLA
Minister for Transport and City Services**

The ACT Government welcomes the Standing Committee on Environment, Climate Change and Biodiversity Report 8 (the Report) into the waste management of absorbent hygiene products.

The ACT Government is leading the way with action to minimise waste in the natural environment. It is responding to the community's values and their drive to reduce our environmental footprint. In August 2023, the ACT Government progressed its commitment set out in the Parliamentary and Governing Agreement for the 10th Legislative Assembly (PAGA) by introducing the *Circular Economy Bill 2023*. In addition, the *ACT Circular Economy Strategy and Action Plan 2023-2030* (the Strategy) was released in August 2023 which provides a significant opportunity to advance circularity in the ACT over the coming years. The six key focus areas identified are:

- Procurement, skills, innovation and governance;
- Food and organics;
- Built environment;
- Consumer goods;
- Emerging and problematic waste streams; and
- Creating space to showcase our commitment to the circular economy.

Increasing the circularity of consumer goods – which includes products like absorbent hygiene products – is one of the key areas identified in the Strategy. The ACT Government is currently prioritising action on consumer goods through activities such as the potential expansion of the Container Deposit Scheme, developing a longer-term plan for problematic and unnecessary single-use plastics and the scoping the potential establishment of a textiles recycling hub.

As part of the *Inquiry into the waste management of absorbent hygiene products*, the Standing Committee received 19 responses. The Government would like to thank the Standing Committee and everyone who took the time to participate and contribute to the Inquiry.

Recommendation 1

The Committee recommends that the ACT Government consult with early childhood education and care settings across the ACT to develop a plan to increase the uptake of re-usable nappies, including training for educators, and providing education for parents and carers to support the uptake.

NOTED

The ACT Government recognises the opportunity presented by the number of children attending long day care (LDC) services and preschools in the ACT; however, there are some barriers to the development of a plan to increase the uptake of reusable nappies.

LDC services are operated by companies independent of the Government. The ACT Regulatory Authority would have no powers to compel early childhood education and care providers and services to participate in any reusable nappy plan.

The ACT Government also recognises that there are currently significant workforce challenges in early childhood education and care. Any plan to promote reusable nappies would need to carefully consider the potential for further demands on staff, compounding workforce pressures.

Recommendation 2

The Committee recommends that the ACT Government consider adding laundering services to the Recyclopaedia A-Z Listing and provide education to parents, carers, early childhood education and care settings about the availability of these services.

AGREED

The ACT Government agrees that promotion of reusable services such as laundering are important as part of growing the circular economy. Laundering services may also reduce the barrier for participation for busy families. The ACT Government notes that one relevant laundry service for nappies is available in the ACT and has updated the Recyclopaedia entry on nappies to include reference to this service.

The ACT Government will continue educating Canberran residents on sustainable nappy options, including available laundering services, as part of responding to written enquiries about options, as well as questions received during face-to-face engagements.

Recommendation 3

The Committee recommends that the ACT Government consider the use of rebates or incentives for re-usable nappy products, and measure uptake and waste reductions as a result.

NOTED

The ACT Government notes the role of rebates in encouraging the uptake of reusable nappy products in other Councils across Australia. Future consideration may be given to whether rebates or incentives would be an appropriate mechanism to encourage uptake of reusable nappy products in the ACT. This would be subject to future Government budget funding.

Waste audits assist with identifying the quantities of nappies placed in recycling or landfill household bin and may be used to inform any future work related to incentive programs.

Recommendation 4

The Committee recommends that the ACT Government explore the introduction of a cloth nappy library trial.

AGREED IN-PRINCIPLE

The ACT Government supports reducing the volume of disposable products entering the ACT's waste systems, while also recognising that the use of nappies and personal hygiene products more generally is a personal decision for individuals. In 2019 the Legislative Assembly passed a motion for the ACT Government to consider coordinating or supporting initiatives that encourage the use of sustainable cloth nappies, continence pads and sanitary products. To support the uptake of reusable alternatives, the ACT Government developed physical fact sheets, online entries in the Recyclopaedia and a sustainable sanitary education kit that can be borrowed by schools and community groups. These resources have been shared and promoted online and at community events, and the relevant Recyclopaedia page has had over 2,000 visits over the past three years.

The ACT Government notes that in the Report, some local councils in Australia have implemented cloth nappy trials and the ACT may be able to learn from these experiences.

The ACT Government will continue to promote the sustainable absorbent hygiene kit which includes a wide range of reusable nappy samples and information resources.

The ACT Government may consider exploring opportunities in the future in relation to cloth nappy library trials as part of broader work on circular economy. However, an introduction of such a trial would be subject to future Government budget funding.

Recommendation 5

The Committee recommends that the ACT Government ensure that as part of school education programs, provide education and products to encourage the use of re-usable period products.

NOTED

ACT public schools deliver the Australian Curriculum. Managing transitions, including puberty, is included in the Health and Physical Education learning area of the Australian Curriculum, under the personal, social and community health strand.

ACT public schools make period products available to students. As the Education Directorate considers implementation of the requirements of the *Period Products and Facilities (Access) Act*, the suitability of reusable products will be explored.

Recommendation 6

The Committee recommends that the ACT Government explore developing a laundering service subsidy program targeting the early childhood education and aged care sectors.

NOTED

The ACT Government acknowledges that a laundering service offers convenience for early childhood education and aged care sectors. As of October 2023, the ACT Government is aware of only one reusable nappy laundering service (Conder House) and a small number of incontinence laundering services. The implementation of any subsidy program would be subject to further Government consideration and Government budget funding.

Recommendation 7

The Committee recommends that, ahead of the procurement of the new Food Organics Garden Organics (FOGO) facility in 2026, the ACT Government engage with the absorbent hygiene industry to see the ACT at the forefront of compostable nappy technology and how nappy composting can be supported in the ACT.

NOTED

The potential to include compostable nappies is dependent on industry's ability to accept and process these products whilst still producing a product that meets both formal Australian Standards as well as informal industry standards which are required to sell the final product into competitive markets. Further considerations are outlined in the response to Recommendation 9.

The ACT Government is engaging with the waste management and resource recovery industry as part of the procurement of the FOGO facility. A Request for Expression of Interest (REOI) is anticipated to be released in late 2023. Through this process, the ACT Government will seek

feedback from industry on the viability of accepting genuinely compostable nappies as feed stock in a future FOGO facility.

Recommendation 8

The Committee recommends that the ACT Government consider trialling kerbside collection and recycling for compostable nappies for households to inform the future procurement of the FOGO facility, and investigate what is required to offer this to businesses including early childhood educational settings.

NOT AGREED

The current FOGO pilot collection service's temporary processing facility is not licenced to collect compostable nappies. These products have also not been included in the current scope for the future industrial-scale FOGO processing facility (see response to recommendation 9).

Currently the ACT Government only collects FOGO from households. Business-generated FOGO is collected by private commercial waste collection companies and fall outside the remit of the ACT Government. These are private business arrangements between the individual business owners and the collection providers.

Recommendation 9

The Committee recommends that the ACT Government ensure that the new composting facility can process genuinely compostable nappies.

NOT AGREED

The ACT Government understands that processing of single-use compostable nappies has been trialled in other jurisdictions' FOGO services, and that it may divert waste from landfill. However, there are a range of considerations outlined below that may impact the ability of the potential inclusion of nappies in the ACT's future facility. Due to these considerations listed below and those listed under the response to Recommendation 7, the ACT Government cannot ensure that the future facility will process compostable nappies.

Licensing

In preparation of the new FOGO facility, the ACT Government has identified that any commercial composting is a prescribed activity under Division 8.1 of the *Environment Protection Act 1997* and therefore requires an 'environmental authorisation' (EA) if a facility composts, or is intending to compost, more than 200 tonnes of animal waste or 5,000 tonnes of plant waste per annum. The Territory has lodged an Environmental Impact Statement (EIS) scoping document on the basis of processing FOGO only. Hygiene and sanitary products are neither considered food organics nor garden organics. This licence is envisaged to be issued on the basis of the EIS and Development Application process for the processing of FOGO only.

Compost standards

Any compost produced through a FOGO facility must meet existing Australian standards. Additionally, it is likely that products from the ACT FOGO facility could be sold interstate and as such, any end products must also meet the standards imposed by those jurisdictions.

In 2022, the New South Wales Environment Protection Authority (NSW EPA) released a position statement on acceptable inputs to NSW FOGO bins in 2022. The only compostable plastic products accepted in their system are kitchen caddy liners that comply with Australian Standards. Research from the NSW EPA has also shown that compostable products provide negligible or no nutrient value to compost but significantly increase the risk of per- and polyfluoroalkyl substances (PFAS) contamination.

The citywide FOGO rollout will focus on delivering a high-quality product (compost) that has low contamination and in turn is able to be sold into markets in the ACT and region. Without a high-quality product that meets Australian Standards and is accepted by end markets, a circular economy for these materials cannot be achieved.

Composting technology

The Kimberly-Clark compostable nappy trials referenced in the Report were processed via anaerobic digestion composting systems which are not suitable for large-scale processing of FOGO. Given the feed stock, site size and operating limitations regarding odour and leachate management, the ACT Government has chosen an in-vessel composting system as the preferred technological process.

Contamination

Contamination is a major issue faced in the processing of organic materials, and unclear labelling of compostable products can create confusion on which products are compostable. There is a risk of contamination from non-compostable nappies that are incorrectly placed in FOGO bins. The ACT Government will continue to monitor the approach taken in other jurisdictions in relation to the future acceptance of compostable materials, such as compostable nappies.

Recommendation 10

The Committee recommends that the ACT Government not develop any new policies that affect access and ease of use for adult absorbent hygiene products without in-depth consultation and co-design with people with lived experience and relevant peak bodies, including ACTCOSS and Advocacy for Inclusion.

AGREED

The ACT Government agrees with the recommendation that in-depth consultation and co-design with people with lived experience and relevant peak bodies should be undertaken when developing any new policies regarding single use adult absorbent hygiene products. This will ensure the negative impact on older adults and people with disability, including disability pensioners and aged care pensioners who use these products is taken into consideration.

Recommendation 11

The Committee recommends that the ACT Government promote their Recyclopaedia resources more widely to maximise uptake of sustainable absorbent hygiene products.

EXISTING GOVERNMENT POLICY

The ACT Government agrees that education plays an important role to behaviour change and the promotion of Recyclopaedia through official ACT Government social media accounts, and in a variety of other ways, is existing government policy. The ACT Government will seek to promote waste avoidance behaviours more broadly as work related to the circular economy progresses.

The ACT Government will continue to promote the Recyclopaedia resources to maximise the uptake of sustainable absorbent hygiene products to Canberran residents. This can be achieved through community engagement at events such as the Sustainable Canberra Expo, Seniors Expo and University Orientation Week. This involves showcasing the Recyclopaedia and the sustainable absorbent hygiene kit which includes a wide range of reusable nappy samples and information resources.

Recommendation 12

The Committee recommends that the ACT Government look to introduce workshops and information sessions on modern re-usable nappies at pre-natal classes at Canberra Hospitals and new-parent groups.

AGREED IN-PRINCIPLE

The ACT Government agrees with the recommendation in principle. Pre-natal classes held at Canberra Health Services already include information to inform the new-parent groups of options available. Classes are provided via WebEx and Face-to-Face.

In these information sessions, new parents are provided demonstrations as well as hands-on experience to put a nappy on a doll. The information sessions do not focus on one type of nappy, both cloth, disposables and eco-nappies (reusable) are discussed.

The ACT Government will support the implementation of Recommendation 12, and will provide information on modern reusable nappies at the Physiotherapy Mums and Bubs pre and post-natal education classes.

Recommendation 13

The Committee recommends that the ACT Government provide education and training on the disposal of absorbent hygiene products to organisations involved in waste collection, handling and disposal, in order to limit contamination in general waste.

NOTED

The ACT Government is of the view that education to residents around more sustainable options for absorbent hygiene products would be most effective in reducing waste generated from these products. The ACT Government takes an educative approach to encourage the uptake of reusable alternatives to disposable absorbent hygiene products, whilst recognising this is a personal decision.

The waste industry has its own existing processes, procedures and training in place to manage contamination of waste more generally.