

Single-use plastics ban Stage 2

Frequently asked questions

December 2024



► What are single-use plastics?

A single-use disposable plastic product is an item that is designed or intended to be used only once or a few times before being thrown away (disposed of). These products are made wholly or partly from plastic: a material made from or comprising organic polymers of plant or fossil fuel origin. Items made from expanded polystyrene are included in this definition.

► What is WA's Plan for Plastics?

[Western Australia's Plan for Plastics](#) was released in November 2020 and updated in June 2021. The plan provides a policy roadmap to reduce the impact and prevalence of single-use disposable plastic items.

The plan provides short-term and medium-term actions for change, including engagement and education programs, research and innovation, and regulatory bans on the supply and distribution of specified single-use plastic disposable items. Actions to address single-use plastics will be supported by engagement with the community and key stakeholders.

Advice has been provided by the Single-Use Plastic Working Group incorporating membership from the following sectors: State and local government, environment, retail, grocers, hospitality, catering, packaging, disability, medical and health (including Aboriginal health), carers, pharmacies, aged care, waste and produce growers.

Regulations have been introduced to ban specified single-use plastic items across two stages:

- Stage 1: commenced 1 January 2022
- Stage 2: commenced 1 March 2023.

A [Plastic Free Places](#) program also complements the plan.

► Why are we banning certain single-use plastics?

Single-use plastics are used in high quantities and have become a part of everyday life. Western Australians use millions of single-use plastics every year. Single-use plastics are commonly used outside the home, where they frequently end up as litter. In addition, single-use disposable plastic items are often not recycled, contaminate recycling waste streams and most end up in landfill.

In the environment plastic waste breaks up into smaller fragments. These fragments are called microplastics. Microplastics are now ubiquitous. They pollute the oceans and have been found in the Alps and Antarctica.

Plastic waste poses a significant threat to the health of marine, freshwater and land-based wildlife and ecosystems, and impacts the amenity of our environment and coastlines. Microplastics are known to enter the food chain, posing a risk to public health.

In 2019 the State Government consulted the public to gauge their support for actions to address single-use plastics and their preferred policy approaches. Nearly 9,500 submissions were received, with more than 98 per cent of those supporting action. Preferred policy approaches included banning items, improving the sustainable design of products, and community education.

► Can single-use items be recycled?

Single-use plastic and other plastic products are designed to be disposed of after limited use. Some single-use plastics can be recycled but have very low recycling rates. Other items cannot be recycled at all.

► What is being banned in Stage 2 of the Plan for Plastics?

The Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018 have been amended to implement the bans.

Stage 2 of the Regulations commenced on 1 March 2023, with enforcement of the bans to commence at different times between 2023 and 2025, depending on the banned items.

Under Stage 2, the Regulations ban the following single-use plastic items:

- degradable plastics
- loose-fill expanded plastic (EPP) packaging
- moulded EPP packaging
- EPP cups
- EPP food packaging trays for raw meat and seafood
- trays for takeaway food not covered in Stage 1
- non-compostable plastic produce bags
- cotton buds with plastic stems
- microbeads in rinse-off products
- coffee cups and lids for hot and cold cups
- lids for takeaway food containers, bowls, plates and trays.

► When will bans start?

Bans for the following items started on 1 September 2023:

- degradable plastics
- loose-fill expanded polystyrene (EPP) packaging
- EPP cups
- EPP food packaging trays for raw meat and seafood
- cotton buds with plastic stems
- microbeads.

In response to the feedback received in the Stage 2 consultation, the regulations have been designed to allow more time for businesses to run down supplies, design new processes and source alternatives. Enforcement for the following items started on 1 March 2024:

- coffee cups and lids for hot and cold cups
- trays not covered in Stage 1.

Enforcement for the following items started on 1 September 2024:

- lids for takeaway food containers, bowls, plates and trays
- non-compostable plastic produce bags.

The ban on moulded EPP packaging aligns with the National Roadmap for EPP implemented by the Australian Packaging Covenant Organisation and enforcement will start on 1 July 2025.





► What is the enforcement date?

The enforcement date is from when penalties apply for the supply or sale of these banned items.

► Who will the bans apply to?

The ban on the sale and supply of the prescribed plastics items applies to all businesses, retailers, wholesalers and distributors – including government, community groups and not-for-profit organisations – in Western Australia.

► Does the ban apply to online sales?

Yes. The ban applies to all single-use plastic items, including those supplied online in Western Australia.

► Can I still purchase a takeaway coffee?

Yes. Takeaway coffee will still be available. Businesses can use disposable coffee cups made from lined paperboard that are certified as compostable and paperboard lids. You can also take your own reusable cup.

► What can I use instead of plastic produce bags?

Retailers will be able to provide alternative disposable bags for loose fruit and vegetables, such as compostable produce bags, paper bags or other non-plastic options. Shoppers can choose to bring their own reusable produce bags and containers.

► Can I still use dog poo bags?

Bags made from degradable plastics will be banned. Dog poo bags made from certified compostable plastics can continue to be used and can be placed in a Food Organics and Garden Organics bin. Dog waste bags made from ordinary plastics are permitted and need to be disposed of in a red-top bin.

► At what point of the supply chain will the ban on expanded plastic product packaging be enforced?

The ban applies to all businesses, manufacturers, retailers, wholesalers and distributors that supply or sell expanded foam packaging within a product or separately in Western Australia. See [Guidance on the expanded plastic packaging ban](#) for more information.



► Will expanded polystyrene foam boxes be included in the ban?

Any business-to-business use of expanded polystyrene, including foam boxes, is not included in the Stage 2 bans. Foam boxes provided by a business for home delivery of fresh food and pre-prepared meals are also not included where there is an opportunity for collection and reuse.

► How can I remember to bring my reusable items and ensure my actions are beneficial for the environment?

There are actions you can take to reduce the use of single-use plastics:

- Keep reusable shopping and produce bags in the back of the car or in your bag. Pop a note on your door or steering wheel.
- Carry a reusable coffee cup, cutlery, containers and straws with you.



► My paperboard container has a coating, lining, varnish or dispersion layer of polymers. Does it need certification?

Many fibre/paper packaging products use naturally or synthetically derived plastic polymers, to enable greaseproofing or to protect and apply labels and inks. These additions are likely to be defined as a plastic under the Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018.

Ask your supplier for the coating's ingredients list and see if it contains a plastic polymer. If so, and the packaging is a banned plastic item such as a takeaway food container, lid, cup, or bowl, then yes, the product will require certification under either the Australian Standard for industrial composting (AS4736:2006) or home composting (AS5810:2010). Note for lids, there is a [class exemption running to 1 September 2025](#) permitting compliance with EU composting standards while AS certification is underway.

This advice does not change if the coating is a lining or an aqueous emulsion. A coating of a PFAS-group chemical, while not plastic, Australian environment ministers have [noted](#) that removing PFAS in packaging is urgent and a priority for all jurisdictions, and will be dealt with through design standards.

Please note that regulatory exceptions exist for pre-packaging and pre-packed goods, where packaging may not require certification under Western Australian law.

► Is my food considered to be 'takeaway food' and therefore within scope of the ban?

There are several key questions and circumstances that support identification of takeaway food. Products meeting the following set of requirements are likely to be considered takeaway food:

- the product is a ready-to-eat meal or food (not ingredient), such as those taken to a picnic, party or shared meal,
- the food does not need further preparation such as reheating or adding ingredients, and
- the serving size is within a family serve.

Note the Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018 only apply to takeaway food containers when you are serving it or packing it onsite for customer selection (pre-packed). Exceptions apply for offsite packaged foods (pre-packaged) and catering platters.

► What rules apply to pre-packaged or pre-packed takeaway food?

Pre-packaged product means a product that:

- (a) arrives at the premises from which it is to be supplied to a consumer in a container or packaging in or by which the product is wholly enclosed, whether or not it is also in an outer container or packaging that contains multiple units of the product
- (b) is not designed to be removed from its container or packaging, other than any outer container or packaging, before it is supplied to the consumer.

For example, a pre-packaged product is something made and packaged offsite and not modified prior to sale to the customer, such as a sandwich or salad made and packaged at a bulk food manufacturer and then delivered to multiple stores to be placed on the shelf. If the food is a pre-packaged product, then the ban does not apply and both the base and lid of the

foodware can remain plastic. Please consider the most appropriate packaging for your circumstances and avoid using plastic where possible.

The definition of 'pre-packaged' is unlikely to apply to most mobile food vendors, because the food preparation and packaging typically occurs within the kitchen of the same business which retails from multiple locations. For mobile food vendors, although the food may be prepared elsewhere, if it is finalised and packaged for a customer at a set location, it would be considered made-to-order. However, if it is packaged in advance for customer selection and does not require any additional food preparation steps, this would be considered pre-packed.

Pre-packed takeaway food:

- (a) means takeaway food that is prepared in advance and placed into foodware before being put on display for selection by a consumer
- (b) does not include takeaway food that is prepared or placed into foodware following an order or request by a consumer.

For example, pre-packed takeaway food is a sandwich, salad or yoghurt made on the premises, packed ahead of time, and placed on display for customers to purchase later (e.g. grab-and-go service). If this is the case, the foodware base must comply with the ban, but the lid or window can remain plastic if desired.

This ensures pre-packed takeaway food can remain visible with a transparent plastic lid or window so customers can select it from display.

► Are bakery products considered to be takeaway food and therefore must comply with the ban?

Many onsite-made bakery products are likely to be considered takeaway food and captured by regulations. The following would be considered takeaway food:

- the bakery product is a ready-to-eat food (not ingredient) such as those taken to a picnic, party or shared meal, and
- the serving size is within a family serve.

Note the Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018 only apply to takeaway food containers when you are serving it or packing it onsite for customer selection (pre-packed). Exceptions apply for offsite packaged foods (pre-packaged) and catering platters.

The following images show baked goods that will need to comply with the ban on plastic takeaway containers if packed or served onsite.



► Is my product reusable?

Determining whether a product is reusable comes down to several measures including the setting where the item is supplied and used, whether the item meets dishwashing standards of 780 washes, and how the item is marketed and priced.

Note that 'reusable' is not defined in WA regulations but is a priority term for consideration in the ongoing national harmonisation work. This [NSW Single-use plastic guidance for industry \(food service ware items\)](#) is a useful document to consider in terms of understanding what is single use and reusable.

► Is my takeaway food product soupy and is the food container eligible for the class exemption SUP0003/2024/1?

Under the [class exemption SUP0003/2024/1](#) soupy foods are considered to be liquid (hot – over 60 degrees Celsius) foods that can be poured such as curry, gravy, soup and laksa. The exemption captures products where the liquid is a key component of the food product and generally does not combine with other ingredients to reduce pouring or risk of a spill. To this, takeaway foods such as fried rice, fettuccine, gnocchi and refried beans are not likely to be soupy and would not be eligible for this 12-month class exemption.

► Where can I go for support?

Retailers, suppliers and businesses impacted by the bans will be able to get support to transition to alternatives. This program for Stage 2 started in mid-2023.

Individuals and organisations interested in the [Plastic Free Places](#) program can contact the Boomerang Alliance.

Other organisations that have been involved in development of the Regulations as part of the [Single-Use Plastic Working Group](#), and which may be relevant to your area of interest, include:

- Australian Food and Grocery Council
- Australian Hotels Association
- Australian Medical Association
- Australian Packaging Covenant Organisation
- Australian Retailers Association
- Carers Advisory Council WA
- Department of Communities
- Department of Health
- Master Grocers Association
- National Disability Services
- National Retail Association


- People with Disabilities (WA) Inc
- Pharmacy Guild of Australia
- Plastic Free Foundation
- Restaurant and Catering Industry Association of Australia
- South West Aboriginal Medical Service
- vegetablesWA
- WA Local Government Association (or your relevant local government)
- Waste Management and Resource Recovery Association Australia
- WWF Australia.

All other enquiries can be directed to the Department of Water and Environmental Regulation at:

- Website: [Western Australia's Plan for Plastics](#)
- Telephone : 08 6364 7000
- Email: plastic-action@dwer.wa.gov.au
- Act and Regulations: www.legislation.wa.gov.au

► If a retailer has banned stock or packaging, can they still continue to use up/sell this stock after the enforcement date?

From 1 March 2023, businesses and organisations will have a period of 6–28 months, depending on the item, to run down their existing stock. After this, penalties will apply. The department will take an education-first approach as part of the introduction of these changes. Exemptions from the bans can be sought through an [online application process](#) from the department.



▶ What are the fines/penalties relating to banned single-use plastic items?

There are penalties for the sale and supply of banned single-use plastic items:

- Prescribed plastic items, degradable plastic items, microbead products, prescribed expanded plastic packaging, or plastic bags must not be supplied by a business or undertaking – **\$5,000**
- Prescribed plastic items, degradable plastic items, microbead products, prescribed expanded plastic packaging, or plastic bags are not to be supplied by a business or undertaking – **\$5,000**
- Suppliers and manufacturers of prescribed plastic items, degradable plastic items, microbead products, prescribed expanded plastic packaging, or plastic bags must not give any false or misleading information – **\$5,000**
- Plastic straws are not to be supplied by a business or undertaking – **\$5,000** (exemptions apply)
- Release of gas-filled balloons – **\$5,000**.

Enforcement of penalties will be in accordance with the department's [Compliance and Enforcement Policy](#). The department will take an education-first approach as part of the introduction of these changes.

▶ How can I report a business or an organisation suspected of non-compliance?

If you suspect a prohibited plastic item is being supplied or sold, you can make a report to the department's Pollution Watch hotline number (1300 784 782) or Senior Compliance Officer for plastic via email to complianceforplastics@dwer.wa.gov.au.

▶ Where can I go for further information?

Further information can be found at:

- Department of Water and Environmental Regulation: 08 6364 7000
- Email: plastic-action@dwer.wa.gov.au
- Website: [Western Australia's Plan for Plastics](#)

