

Waste Reduction and Recycling (Plastic Items) Amendment Act 2021

Explanatory notes for SL 2021 No. 132

made under the

Waste Reduction and Recycling (Plastic Items) Amendment Act 2021

General Outline

Short title

Waste Reduction and Recycling (Plastic Items) Amendment Act 2021

Authorising law

Section 2 of the *Waste Reduction and Recycling (Plastic Items) Amendment Act 2021*.

Policy objectives and the reasons for them

The objective of the Proclamation is to commence the remaining provisions of the *Waste Reduction and Recycling (Plastic Items) Amendment Act 2021* (the Amendment Act) on 1 September 2021.

The Amendment Act makes amendments to the *Waste Reduction and Recycling Act 2011* to ban the supply of single-use plastic straws, stirrers, plates, bowls and cutlery, and expanded polystyrene takeaway food containers and cups. The ban is a key action identified in the *Tackling Plastic Waste – Queensland’s Plastic Pollution Reduction Plan*, released in November 2019, to reduce plastic waste, and the environmental and economic impacts of plastic pollution.

Achievement of policy objectives

The policy objective is achieved by fixing a commencement date of 1 September 2021 for the remaining provisions of the Amendment Act.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the policy objectives of the authorising law.

Inconsistency with policy objectives of other legislation

The Proclamation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

The Proclamation simply commences the Amendment Act. Any implementation costs arising from initiatives to support the Amendment Act will be met from existing agency resources. Any future allocation of resources will be determined through normal budgetary processes.

Consistency with fundamental legislative principles

The Proclamation is consistent with fundamental legislative principles.

Consultation

No specific stakeholder consultation was undertaken on the Proclamation because it is considered administrative in nature.

During development of the Waste Reduction and Recycling (Plastic Items) Amendment Bill 2020 (the Bill), the single-use plastic items ban was subject to extensive consultation through a Consultation Regulatory Impact Statement, which was released in March 2020 for a period of six weeks. A total of 19,622 submissions were received during the consultation period from 13 March to 30 April 2020. Ninety-four per cent of submissions supported the ban.

In addition, consultation was undertaken through a Single-Use Plastic Items Stakeholder Advisory Group, comprising members from key peak bodies representing tourism, hospitality, retail, local government, aged, disability, manufacturing and community and environment sectors. No issues were raised in relation to the commencement date.

The commencement date was announced during the debate on the Bill.

Since receiving Royal Assent on the Amendment Act, there has been considerable awareness and communication of the banned items and the proposed commencement date. In May 2021, the Department of Environment (DES) further engaged with the National Retail Association and Boomerang Alliance to ensure engagement with retailers, the hospitality sector, manufacturers, suppliers and community groups.

In accordance with *The Queensland Government Guide to Better Regulation*, the Office of Best Practice Regulation was not consulted in relation to the regulatory proposal. DES applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category (g) – regulatory proposals that are of a machinery nature).