

SECOND READING SPEECH

PLASTIC SHOPPING BAGS BAN BILL 2013

Mr Speaker, I move that the Bill be now read a second time.

The purpose of this Bill is to create a new Act to prohibit the supply of lightweight, non-biodegradable plastic shopping bags for the purposes of carrying purchased goods from retailer premises.

Lightweight plastic bags are a pervasive part of our modern world. If disposed of carelessly, they can spoil the appearance of our urban and natural environments and have adverse ecological effects on our waterways and marine wildlife.

They also encourage a throwaway mentality that is at odds with the community's desire for sustainable use of our natural resources.

It is now time to take action to improve and protect our environment, enhance our reputation as "clean and green" and support the community's existing usage of reusable and biodegradable shopping bags.

This Bill aims to apply a new and straightforward approach to managing the proliferation of plastic shopping bags, built on measures which have proved to be effective in other Australian jurisdictions.

The measures in the Bill were developed during detailed consultation with local government, with retailers and wholesale suppliers of plastic bags and with the public. The likely impacts of the new legislation were included in a Minor Assessment Statement released for public comment in December 2012.

My Department has used the results of that consultation to refine the Bill.

Mr Speaker, the Bill approaches plastic bag control in several ways.

Firstly, the Bill makes it an offence for retailers to supply lightweight plastic bags, for the purposes of carrying purchased goods from stores.

In this context, a plastic bag is defined as a polyethylene bag with handles that has a thickness of less than 35 microns. What we are talking about here is the thin, checkout-style plastic bags that are often provided in supermarkets and other shops.

These bags are typically used only once or twice and then thrown away, which sends the wrong message about what is acceptable in terms of sustainable environmental practices.

Secondly, I would like to point out that the ban won't include the thicker 'boutique-style' plastic bags, because these are strong enough to be re-used many times.

The Bill also excludes genuinely biodegradable plastic bags from the ban. Under commercial composting conditions, these bags will break down into inert materials with a negligible environmental impact in comparison to the fragments of polyethylene that proliferate in our environment as checkout-style bags slowly disintegrate.

For health and safety reasons, the thin plastic 'barrier bags' used for fruit, vegetables and meat products in many supermarkets will also be excluded from the ban. As will plastic bags that are part of product packaging, such as those used for sliced bread.

So you can see that the proposed ban, whilst supporting our environmental goals, also meets the practical needs of the community.

Thirdly, the Bill also includes a number of other offences to make sure that the ban is effective.

For example, it will be an offence to provide false and misleading information about a bag's thickness or biodegradability. This is important because we will be likely to see an increase in the use of biodegradable bags once the Act comes into force and we need to make sure that these bags meet the Australian Standard for biodegradability.

This is why we have also included a provision for the EPA Director to require written evidence that a bag is biodegradable.

Mr. Speaker, be assured that these new measures will be applied in a reasonable manner. The Bill allows for a period of up to 6 months before the ban takes effect on 1 November this year and there will be a public and retailer education program to make sure everyone is kept fully informed during the lead up to the ban.

The evidence provision for biodegradability will also be applied in a sensible and practical way. There is no intention to target retailers and individuals who are genuinely trying to meet their obligations under the Act. Instead, compliance efforts will focus on those few who clearly seek to avoid their responsibilities and undermine the Act's objectives.

The new legislation will be enforced by officers from the EPA Division of the Department of Primary Industries, Parks, Water and Environment, who are authorised under the *Environmental Management and Pollution Control Act 1994*, using powers, responsibilities and checks and balances provided by that Act.

A compliance program for this new legislation is being developed that focuses on education and awareness.

We want to encourage compliance with this new legislation. However, if enforcement action is required, I expect that the service of infringement notices for offences will be the major way the new Act will be enforced. I plan to have Regulations in place to achieve this before the ban commences in November.

Offences can also be prosecuted in court if necessary, although I see this as a last resort and only for serious breaches, or situations of serial non-compliance.

In this instance the Bill provides for two levels of penalty depending on whether the offence is by an individual or a body corporate.

Maximum court penalties are set in the Bill and will range from 20 to 50 penalty units for individuals and from 50 to 100 penalty units for corporations.

The Bill's provisions are an important incentive to make the switch to reusable and biodegradable bags and will bring Tasmania in line with legislation in South Australia, the A.C.T. and the Northern Territory. It will also build on the work that has already occurred in Tasmania, with many retailers already moving away from plastic bags and providing suitable alternatives. It also of course builds on the good work at Coles Bay, the first town in Australia to go plastic bag free.

Finally, Mr Speaker, the Bill is not only about preventing the supply of plastic bags. It also makes clear what is acceptable in terms of biodegradable and reusable plastic bags and it will promote the move towards sustainable use of our resources and reduction of litter.

The community rightly expects contemporary measures for managing plastics and other forms of disposable packaging and this Bill is an important step in meeting its expectations.

Overall, it will make an important contribution towards the protection of Tasmania's lifestyle, environmental quality and its status as a progressive jurisdiction in terms of environmental management.

Mr Speaker, I commend the Bill to the House.