

Waste Reduction and Recycling and Other Legislation Amendment Bill 2023

Statement of Compatibility

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 38 of the *Human Rights Act 2019*, I, Meaghan Scanlon, Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs make this statement of compatibility with respect to the Waste Reduction and Recycling and Other Legislation Amendment Bill 2023.

In my opinion, the Waste Reduction and Recycling and Other Legislation Amendment Bill 2023 is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

The Waste Reduction and Recycling and Other Legislation Amendment Bill 2023 amends the *Waste Reduction and Recycling Act 2011* to give effect to decisions to:

- remove the clean earth levy exemption; and
- ban the outdoor release of lighter-than-air balloons.

The Bill also:

- amends the definition of waste to provide the head of power to prescribe a thing to not be a waste through regulation and move it from the *Environmental Protection Act 1994* to the *Waste Reduction and Recycling Act 2011*
- includes the circular economy principles in legislation
- extends the review period for the Waste Management and Resource Recovery Strategy from three to five years
- allows the chief executive to:
 - amend or suspend a Resource Recovery Area declaration
 - make decisions about payments to local governments where satisfied that the payment is necessary, and
 - provides an expiry for the exemption for otherwise banned single-use plastic items that are integral to a shelf-ready product.

The majority of amendments in this Bill streamline operational and administrative arrangements around decisions under the levy framework. Changes providing the ability for the chief executive to make a decision to amend or suspend a resource recovery area declaration provide for an enforcement escalation pathway that provides more equity for operators of sites with resource recovery areas.

While releasing a lighter-than-air balloon is currently a littering offence, providing for a legislated ban on the outdoor release of lighter-than-air balloons provides certainty regarding the offence and serves to prevent littering by avoiding the release action.

Human Rights Issues

No human rights are affected by this Bill.

Conclusion

In my opinion, the Waste Reduction and Recycling and Other Legislation Amendment Bill 2023 is compatible with human rights under the *Human Rights Act 2019* because it does not limit a human right.

MEAGHAN SCANLON
MINISTER FOR THE ENVIRONMENT AND THE GREAT BARRIER REEF AND
MINISTER FOR SCIENCE AND YOUTH AFFAIRS

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