



Victoria Government Gazette

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Subordinate Legislation Act 1994

NOTICE OF PREPARATION OF IMPACT ASSESSMENT

In accordance with section 11 of the **Subordinate Legislation Act 1994**, I, The Hon. Lily D'Ambrosio, Minister for Energy, Environment and Climate Change, and the Minister responsible for administering the **Environment Protection Act 2017**, give notice of the preparation of an impact assessment in relation to the proposed Environment Protection Amendment (Banning Single-Use Plastic Items) Regulations 2022.

Notice is given in accordance with section 11 of the **Subordinate Legislation Act 1994** that a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Environment Protection Amendment (Banning Single-Use Plastic Items) Regulations 2022.

The reason for the proposed Environment Protection Amendment (Banning Single-Use Plastic Items) Regulations 2022 is to enact the ban on single-use plastic drinking straws, plates, drink stirrers, cutlery and expanded polystyrene cups and containers and cotton bud sticks, proposed to commence on 1 February 2023.

The proposed Environment Protection Amendment (Banning Single-Use Plastic Items) Regulations 2022 seeks to achieve this by setting offences for selling, supplying, distributing or providing banned single-use plastic items and providing false or misleading information about banned single-use items.

The objective of the proposed Environment Protection Amendment (Banning Single-Use Plastic Items) Regulations 2022 is to encourage persons and entities to reduce the overall use of certain single-use plastic items, by banning the sale, supply, distribution or provision of those items.

The RIS tested two options against the base case:

- Option 1: Banned items, with an exemption for 'integrated items' until 31 December 2025.
- Option 2: Banned items, with no exemption for 'integrated items.'

Integrated items are single-use plastics items integrated into food/drink packaging (such as straws on juice boxes, cutlery attached included in single-serve food packaging) by a machine automated process.

The impact analysis quantified a positive Benefit Cost Ratio of 6.51 and Net Present Value of \$13.04 million over 10 years for both Option 1 and 2. The difference between Option 1 and 2 was not quantified in dollar terms but assessed qualitatively. The RIS found there would be challenges in implementing Option 2 by February 2023 due to the time needed to change packaging design and manufacturing processes to remove banned items or replace them with non-plastic alternatives, and could result in these products being removed from sale in Victoria. The RIS found Option 1 to be the preferred option.

Copies of the RIS and proposed Regulations can be obtained at <https://engage.vic.gov.au/SUP-ban-regulations> or by emailing SUP.policy@delwp.vic.gov.au

Public comments and submissions are invited on the RIS and the exposure draft of the Environment Protection Amendment (Banning Single Use Plastic Items) Regulations 2022.

Written comments and submissions must be received no later than 11.59 pm on 15 May 2022, being 32 days after the date of this notice. Written comments and submissions can be sent: by email to: SUP.policy@delwp.vic.gov.au; or via Engage Vic website at: <https://engage.vic.gov.au/SUP-ban-regulations>; or by post to: Attention: Waste and Recycling Division, Department of Environment Land Water and Planning, PO Box 500, East Melbourne, Victoria 8002.

All comments and submissions will be treated as public documents and may be published on Engage Victoria's website, www.engage.vic.gov.au unless the comment or submission clearly indicates that the comment or submission is confidential.

HON. LILY D'AMBROSIO
Minister for Energy, Environment and Climate Change

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