

**LITTER AMENDMENT (BALLOONS) BILL 2018**

*Introduction and First Reading*

Bill introduced, on motion by **Hon Robin Chapple**, and read a first time.

*Second Reading*

**HON ROBIN CHAPPLE (Mining and Pastoral)** [10.29 am]: I move —

That the bill be now read a second time.

This bill seeks to prohibit inflating or having or releasing an inflated party balloon outdoors. The term “party balloon” includes, but is not limited to, a balloon used for the purpose of celebration, decoration, commiseration or remembrance. Any person who inflates a party balloon outdoors or has an inflated party balloon outdoors or releases an inflated party balloon outdoors or causes an inflated party balloon to be released outdoors commits an offence. The penalty for an individual is a fine of \$5 000 for each offence, and, for a body corporate, a fine of \$10 000 for each offence.

The Litter Act 1979 defines an item as “litter” when it is deposited on land or waters. Therefore, under this law, the action of releasing balloons is not an offence. However, when a balloon lands on land, littering subsequently occurs. Under the Litter Act 1979, this is a very difficult offence to substantiate and there is currently no other legislation in Western Australia—besides the Town of Cottesloe’s proposed ban—that addresses these acts of illegal dumping.

Marine debris is a globally recognised environmental issue of increasing concern. Marine debris comes from both land and sea-based sources and can travel immense distances. It can pose a navigational hazard, smother coral reefs, transport invasive species and negatively affect tourism. It also injures and kills wildlife, has the potential to transport chemical contaminants, and may pose a threat to human health. “Marine debris” is defined as any persistent solid material that is manufactured or processed and is directly or indirectly, intentionally or unintentionally, disposed of or abandoned into the marine environment. Party balloons are marine debris—a wasteful, single-use product that quickly becomes trash. Litter impacts wildlife directly through entanglement and ingestion, and indirectly through chemical effects. As the quantity of debris in the marine environment increases, so does the likelihood of impact from debris on marine animals. The most effective way to reduce and mitigate the harmful effects of marine debris is to prevent it from entering the marine environment in the first place.

Cemeteries, schools, parklands and beaches are popular spaces for mass helium balloon releases to occur. In addition, many outdoor events either give away or decorate with helium or air-inflated party balloons, which end up released or simply lost and blow away. The environmental impacts of released balloons are widespread and can be catastrophic. Not only is helium a finite resource, but also a single balloon, even one made from natural latex to the highest industry standards, can take at least five years to break down. In the years that the balloon, or fragments thereof, exists in our ecosystems, land and marine life are put in danger. This is the case especially for birds and marine animals. Fish, birds, turtles and other animals are often found dead with balloon remnants in their bodies. The string attached to a balloon can also be fatal, wrapping around the limbs, necks and beaks of birds and the shells of turtles. Given the known impacts of balloons on our marine life, we must act immediately to curtail this reckless environmental vandalism.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and I table the explanatory memorandum.

[See paper 1202.]

Debate adjourned, pursuant to standing orders.