

Committee Secretary  
Agriculture and Environment Committee  
Parliament House  
George Street  
Brisbane QLD 4000

**30 June 2017**

[aec@parliament.qld.gov.au](mailto:aec@parliament.qld.gov.au)

## **Re: Submission on the Waste Reduction and Recycling Amendment Bill 2017**

Dear Sir/Madam,

Thank you for the opportunity to provide our views on the Waste Reduction and Recycling Amendment Bill 2017 (The Bill).

Established in 1980, the Sunshine Coast Environment Council (SCEC) is the peak environmental advocacy organisation for the Sunshine Coast region. SCEC currently represents 65 member groups predominantly working in the areas of natural resource management, conservation, environmental restoration and protection and sustainability. This membership represents a collective of almost 10,000 individuals with a further 4000 people as SCEC supporters.

It is on behalf of our members, supporters and wider community with whom we engage that we submit the following comment for due consideration.

### **I. Executive Summary**

SCEC **strongly supports** the decision of the State Government to introduce a lightweight plastic shopping bag ban (the Ban). However, SCEC urges the following recommendations to be considered:

- Appropriate funding for individual, community and retailer education initiatives **prior to as well as during** implementation of the Ban. This is vital to achieve significant and appropriate uptake of the Ban within the community;
- An independent, funded task-force be implemented for monitoring and compliance of the ban;
- We strongly advocate that Section 99B (1) (a) (ii) be changed to 70 microns so that 'thicker' plastic bags (between 35-70 microns) are included concurrently in the Ban. Effectively classifying 'thicker' plastic bags as 'reusable' has not been shown to effectively work in Tasmania. Further, legislating to a 70 micron ban makes 'true biodegradable' and paper bag options more competitive and compelling.

- That Queensland uses this legislation as an opportunity to become the Nation's leader in banning the following identified problematic and unnecessary single-use plastics:
  - plastic and polystyrene packaging of fresh food and vegetables
  - LDPE Bait Bags
  - a statewide ban on Helium Balloon Releases, consistent with what is already in place in many councils and regions.

SCEC **strongly supports** the introduction of the Beverage Container Refund Scheme (the Scheme) for Queensland. However, SCEC makes the following recommendations:

- A comprehensive and transparent evaluation and review of the outcomes of the Scheme be conducted annually and results made available to the public;
- The Scheme extended to include the following containers which contribute significantly to Queensland's waste stream:
  - plastic milk containers up to 1 L in volume
  - glass wine bottles
- A 75% return rate within the first year of operation be established as a minimum benchmark of success (based on the South Australian scheme results);
- Queensland should aim to be a leader in sustainability and should progress towards operating with a recovery and recycling rate of **greater than 95%**.
- If there is evidence of a lack of compliance the deposit amount be reviewed and changed as appropriate;
- **Equal distribution** of funds between communities, retailers, councils and community organisations **and equal access** between communities to refund sites needs to be specifically considered and detailed.
- An education and compliance campaign targeted at **both retailers and consumers** should be established to increase compliance. Transparency and communication are vital to ensure widespread success.

SCEC further supports the amendment of provisions in relation to the End of Waste Codes to enable greater control over waste resources, reduce potential for environmental harm and streamline administrative arrangements for end of waste approvals. However, SCEC notes that a potential reduction in oversight may occur as the chief executive officer will be able to develop draft End of Waste Codes without first launching the public nomination process.

## II. Recommendations

### A. Banned Plastic Shopping Bags (Chapter 4 Part 3A)

#### 1. Effective Implementation

SCEC supports the Government's partnership with the National Retail Association to undertake retailer engagement prior to introduction of the ban on 1 July 2018 and the community messaging undertaken by the Department of Environment and Heritage Protection. SCEC believes that such engagement and education initiatives are critical to the success of the Ban. It is highlighted that retailer and consumer education is vital to ensure community acceptance. This is critical to the success of the initiative as, without effective community and retailer

acceptance, the Ban will not be able to provide the full environmental protection that needs to be achieved. The appropriate funding of education programmes for individuals, communities and retailers is necessary to achieve this. They should provide information regarding the core outcomes seeking to be achieved, why the ban has been initiated and the alternative practices to be followed. SCEC is willing to assist in the public education efforts and related actions in this regard.

SCEC highlights the critical importance of providing retailers with knowledge regarding the requirements stipulated under the ban - especially their obligation not to supply a banned plastic shopping bag. Transparent and clear communication is important for retailer and consumer knowledge and compliance. Further, government collaboration and involvement with major plastic bag suppliers is critical and should outline mechanisms for phasing out banned plastic bags, the likely impacts on business and alternative products. The dismantling of the supply chain of plastics must be done with vigour to ensure success and with understanding of the considerations affecting suppliers and retailers. We would also like to see the government work with businesses and suppliers to source alternative products and innovative ways in reducing community expectation for supplied bags.

## 2. Funded Task Force

SCEC is concerned with issues relating to monitoring the compliance and success of the proposed ban. SCEC notes that the Minister must review the effectiveness of the operation no later than three months after 1 July 2020.<sup>1</sup> However, SCEC strongly recommends the establishment of a funded independent taskforce to measure compliance. The taskforce should be established prior to the introduction of the plastic bag ban and, once in operation, should report annually to State Government. This would allow comprehensive measures of the Ban's efficacy by providing accurate data. It is suggested that progression towards inter-jurisdictional alliance with other task forces would be effective. Compliance could be measured through established systems such as the National Litter Index to quantify the efficacy of the initiatives. The taskforce should identify key areas of improvement and key areas of success. Further, SCEC highlights the integral importance of public and retail education to increase understanding and acceptance, which will likely increase policy compliance. The communication of these results, particularly as they are likely to be extremely positive, would serve as an excellent community education and awareness mechanism. Accordingly, this would likely further assist compliance levels and would assist the Minister in conducting a comprehensive and accurate review of the operation.

## 3. Thicker Plastic Bags

A 'Banned Plastic Bag' is defined to include bags made of a thickness **less than** 35 microns.<sup>2</sup> SCEC recognises that the Bill allows a regulation to prescribe different thickness or types of plastic bag as a 'Banned Bag'. This will allow for thicker single-use bags to be banned in the event that they are provided as alternatives to single use lightweight bags and for future

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<sup>1</sup> Waste Reduction and Recycling Amendment Bill 2017 s 99G.

<sup>2</sup> Waste Reduction and Recycling Amendment Bill 2017 s 99B.

changes in technology. However, SCEC **strongly submits** that the definition be broadened to include thicker plastic bags in light of their large presence in the waste stream. SCEC recognises that the banning of plastic bags (35 microns and below) is consistent with existing bans (that excludes biodegradables) imposed by other jurisdictions (SA, NT, ACT and Tasmania). However, while SCEC supports that the amendments are consistent with the plastic bag legislation in other jurisdictions, it **strongly supports** the inclusion of degradable and biodegradable plastic shopping bags. Such bags have a higher propensity to be littered (due to misconceptions of these products) and devastating environmental impacts when this occurs.

Further, SCEC **strongly recommends** the inclusion of department store plastic bags (commonly LDPE) which have been identified as representing up to 38% of plastic bag litter (National Litter Index). This critically high presence in the litter stream suggests that voluntary measures have been and continue to be vastly insufficient to alleviate this issue. Accordingly, SCEC recommends that LDPE bags be included concurrently in the Ban.

SCEC believes that Queensland should aim to be at the forefront of encouraging industry and consumers to stop using plastic bags in any form. SCEC refers to the Boomerang Alliance 2016 *'Position on Plastic Packaging Report'* which calls for a ban on **all single use plastic bags up to 70 microns**. This would assist in the vision for Queensland to be at the forefront of a plastic-responsible society.

In summary, this extended definition would fulfil the objects of the Bill in a more direct way and would prove to be more efficient at reducing significantly more plastic bags from the environment, which otherwise cause environmental devastation. More importantly, a ban of bags at **70 microns** would likely encourage consumers and retailers to develop good practices by using alternative shopping bags, thus demonstrably supporting the objects of the Bill. It is envisioned that this would also assist in minimising confusion by retailers and consumers as to what constitutes a 'Banned Plastic Bag', and ultimately non-compliance. In this way, extending the Ban would support effective implementation through increased understanding and compliance as well as changing community behaviours and expectations. Consequently, this would improve Queensland's position towards becoming a leader in sustainability.

#### 4. Plastic Pollution Reduction Plan

SCEC commends the introduction of the Plastic Bag Ban and the Beverage Container Refund Scheme in addressing the critical issue of plastic pollution in Queensland. However, SCEC considers this as merely **one of the necessary required steps** to alleviate the critical issue of plastics pollution. SCEC acknowledges this is an important and critical first step towards a more comprehensive 'plastic pollution reduction plan'.

The Boomerang Alliance has identified that **90,000 – 120,000 tonnes of plastic pollution enter the Australian environment annually**. These statistics call for urgent comprehensive measures to reduce plastic pollution. SCEC refers to the draft Boomerang Alliance Threat Abatement Plan 'Marine Plastic Pollution' (November 2016) (the Plan) which identifies the principal sources of Marine Plastic Pollution and the most concerning single-use problematic plastics with a recommended framework for action. *The Great Barrier Reef Outlook Report 2014*

highlights that between 2008 and 2014, approximately 683,000 individual items of marine debris were collected from beaches in the reef region, with plastic the most common item. Further, CSIRO research indicates that by 2050, 95% of sea birds will have plastic inside their gut. With regards to these alarming statistics, SCEC highlights that a comprehensive ban would reduce environmental and ecological devastation, lessening Australia's current \$17 billion annual cost resulting from environmental and marine ecosystem damage.<sup>3</sup> With regards to Queensland's economic reliance on tourism, this reduction in environmental damage is particularly vital. SCEC feels that there is **strong and compelling evidence** to expand the scope of the proposed ban and to progressively ban **all other problematic single-use plastics**.

#### a) Excessive Plastic Wrapping on Fresh Food and Vegetables

SCEC notes that the issue of unnecessary plastic food packaging is a key community concern, the subject of numerous petitions and news reports in Australia. The New South Wales (NSW) Environment Protection Authority 2016 report found over 230 tonnes of plastic film and wrap were disposed of annually from supermarkets in NSW. SCEC recognises the multiple drivers of plastic packaging and the role it plays in the supply chain of goods and shelf life of some produce. However, SCEC emphasises its devastating environmental impact and often unnecessary use in terms of application and volume. SCEC strongly urges legislative changes to govern excess and unnecessary plastic packaging in addition to package recycling schemes.

SCEC submits that the proposed legislative changes should include stronger guidelines to limit excessive packaging of supermarket food. Supermarkets cannot justify this excessive use in the name of 'cosmetics' and customer demand or preference. The proposed changes would be the most effective way to reduce the excessive packaging in circulation. Further, any allowed packaging should be partnered with a comprehensive recycling programme for eligible packaging statewide. It is recommended that a 'Packaging Recycling Scheme' could be adopted concurrently with the Bill to achieve this.

#### b) Bait Bags

Bait bags have been identified as a major source of plastic pollution, particularly in recreational fishing areas.<sup>4</sup> Mr Brad Warren, executive chair of Oceanwatch Australia, has told the Committee that Australia has approximately five million recreational fishers, many of which use plastic fishing items including bait bags. Mr Warren expressed serious concern of the amount that is lost or disposed of at sea.<sup>5</sup> Further, in just 20 days in April 2013, Keep Australia Beautiful conducted a cleanup in two suburbs in Redland City and Brisbane City, recovering over 208 bait bag items. This demonstrates the urgent need for the implementation of strong policies.

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<sup>3</sup> Boomerang Alliance 'Turn back the Toxic Tide' UNEP 'Valuing Plastics: The Business Case for Measuring Managing and Disclosing Plastic Use in the Consumer Goods Industry' 2014.

<sup>4</sup> The Senate, Environment and Communications References Committee 'Toxic Tide: The Threat of Marine Plastic Pollution in Australia', Commonwealth of Australia, April 2016.

<sup>5</sup> Mr Brad Warren, OceanWatch Australia, *Committee Hansard*, 18 February 2016, page 61.

SCEC recommends the introduction of a 'buy back' or 'take back' scheme as an effective and cost efficient measure to reduce this issue. Such a ban could be included concurrently with the proposed plastic bag ban, an efficacious solution. Moreover, the substitution of bait bags for reusable bait containers that are provided by customers would be a cost effective solution. SCEC recommends these proposals in lieu of a biodegradable bait bag scheme due to the environmental harm that biodegradable bags can cause, and their higher propensity to be littered. This is particularly significant due to the high likelihood of direct impact on marine ecosystems. SCEC refers again to the Boomerang Alliance statements in their 2016 *'Position on Plastic Packaging Report'* which calls for a ban on **all plastic bags of significant environmental risk**, which notably includes bait bags.

### c) A Ban on Helium Balloon Releases

The release of helium balloons has been shown to have a devastating environmental impact, particularly on bird and marine life. SCEC strongly recommends a ban on the release of helium balloons be included concurrently under the Bill. We note that the Sunshine Coast Council has had a ban on helium balloon releases under Local Law #3 since 2011, the State Government has an administrative ban on mass releases at any government associated event and that Ipswich City Council has considered a region-wide ban. SCEC highlights the prevalent community support regarding a ban on helium balloon releases. Recently, Retail First Pty Ltd., a manager of over 20 shopping centres across South East Queensland, introduced a 'no helium balloon policy' after evidence showed branded balloons were killing wildlife.<sup>6</sup> A community poll identified an overwhelming **80% public support for the ban of balloons**. The increasing community support raises expectations regarding a balloon ban. Research has shown the risk balloons pose to wildlife where marine turtles were found to have a preference for floating rubber debris of which 78% was identified as balloons.<sup>7</sup> SCEC highlights that the release of helium balloons is considered to be an act of littering in other jurisdictions and, in light of strong community support, a ban concurrent with the proposed plastic bag ban would be an efficacious solution.

## B. Beverage Container Refund Scheme (Chapter 4 Part 3B)

SCEC **strongly supports** the Beverage Container Refund Scheme (the Scheme) provided for in the Bill. The Scheme has been held as the most significant policy on litter reduction in a generation, predicted to likely reduce litter volume and in particularly plastic litter by at least 50% in Queensland (Toby Hutcheon-Queensland Manager, Boomerang Alliance). SCEC supports Boomerang Alliances' view and **strongly supports** this initiative. SCEC is of the view that this scheme is an excellent step in advancing Queensland from one of the most littered

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<sup>6</sup> Helen Spelitis, 'Group Calls for Total Ban on Helium Balloons' *Daily Mercury* 28 April 2017  
<<https://www.dailymercury.com.au/news/group-calls-total-ban-helium-balloons/3171841/#/0>>.

<sup>7</sup> See Schuyler Q, Hardesty BD, Wilcox C, Townsend K (2012) Correction: To Eat or Not to Eat? Debris Selectivity by Marine Turtles. *PLOS ONE* 7(10): 10.1371/annotation/0215f07d-0265-485c-966f-ae192a18313.  
<<https://doi.org/10.1371/annotation/0215f07d-0265-485c-966f-ae192a18313>>.

states towards a healthy and resilient state. The Scheme will likely significantly improve recycling rates, reduce litter in the environment and increase manufacturer responsibility. Further, the Scheme provides opportunity for social enterprise, community benefit and employment opportunities in waste recycling sectors. SCEC strongly supports the establishment of the Product Responsibility Organisation to administer the scheme. Effective oversight and monitoring is key to successful implementation and the ongoing success of the Scheme. However, SCEC highlights that care should be taken to ensure equal community access to refund container points. Further, care should be taken to ensure that monopolisation of the scheme by large corporations does not occur. Further, collection points need to be located in convenient locations such as retail outlets. Accordingly, the involvement of supermarkets above a certain size should be mandated. However, the Product Responsibility Organisation should ensure that monopolisation by large corporations does not occur.

While welcoming the Scheme with **strong support**, SCEC urges that the following recommendations are considered:

## 1. Other Beverage Containers

SCEC would like to see the Scheme progressively extended to include other beverage containers that are not currently nominated within the scheme. SCEC submits that milk bottles up to 1L and glass wine bottles in particular should be considered, as they represent a significant proportion of discarded waste and there is little justification to exclude them from the scheme. SCEC would like to see the proposed Scheme extended so that these items are eligible immediately. Further, care should be taken to ensure that exemptions for certain containers do not occur through regulation.<sup>8</sup>

## 2. Monitoring and Review

SCEC is of the view that comprehensive, transparent and ongoing evaluation and review is imperative to the Scheme's success. Results from the South Australian scheme show that administration by an independent body, as opposed to industry stakeholders, is likely to be more efficient. Accordingly, SCEC supports the implementation of the Product Responsibility Organisation (the Organisation) to administer the Scheme.<sup>9</sup> SCEC is supportive that the Organisation is to be a not-for profit company with nine directors at all times,<sup>10</sup> and cannot accept dividends, profits or assets of the company.<sup>11</sup> SCEC strongly supports that the Organisation must have an independent chair and directors who represent various stakeholders.<sup>12</sup> This will likely assist to avoid conflict of commercial interests which could undermine the Scheme's integrity. SCEC strongly supports the prescribed quarterly and annual reporting of the Organisation.<sup>13</sup> This is likely to increase the Scheme's success and improve the

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<sup>8</sup> Waste Reduction and Recycling Amendment Bill 2017 s 99M (2).

<sup>9</sup> Waste Reduction and Recycling Amendment Bill 2017 s 99I.

<sup>10</sup> Waste Reduction and Recycling Amendment Bill 2017 s 102B (1) (c) (i).

<sup>11</sup> Waste Reduction and Recycling Amendment Bill 2017 s 102B (1)(c)ii).

<sup>12</sup> Waste Reduction and Recycling Amendment Bill 2017 s 102B (2).

<sup>13</sup> Waste Reduction and Recycling Amendment Bill 2017 s 102ZI.

ability to respond to issues and address them as they arise. SCEC highlights the importance of transparency regarding the Scheme's overall success including production, consumption and recovery rates and fund distribution. SCEC would like to see 75% return rate within the first year of operation as a minimum benchmark of success (based on the South Australian scheme results). After this, the Scheme should aim to operate with a recovery and recycling rate of 95%, assisting Queensland's position towards becoming a national leader in sustainability. If a lack of compliance is evidenced, SCEC recommends that a review of the deposit amount and other contributing factors should be conducted.

### 3. Equal Distribution of Funds and Access

SCEC supports the establishment of container refund points in the aim that all communities have reasonable access.<sup>14</sup> SCEC highlights that equal access to container refund points is **critical** to ensure equal distribution of financial benefits between communities, retailers, councils and community organisations as well as compliance with the program. SCEC is particularly concerned with the equal distribution of funds between urban and rural communities. In this regard, the ongoing evaluation of engagement across all sectors groups, stakeholders and geographic location is vital. SCEC believes that a minimum of 90% accessibility (determined through public survey and geographic indicators (<20 minute commutes) should be achieved within 2-3 years from the scheme's implementation.

### 4. Refund Payments and Responsibility

SCEC supports the flexible options for refund payments by cash, electronic funds transfer or voucher.<sup>15</sup> This accommodates differing community needs and expectations which may otherwise affect participation. Further, it allows for greater viability through reduced safety risks for staff at collection sites and increased viability of collection points. Further, SCEC supports the restriction on manufacturer's sale of beverage products, which requires a container recovery agreement to be in force, the container to be registered with the Scheme and display the refund marking and a barcode.<sup>16</sup> SCEC supports increased manufacturer's product responsibility and monetary contribution which is likely to reduce the production of unapproved containers. This will likely contribute to the Scheme's success. SCEC supports that the Organisation must keep up to date registers of approved containers available on a public register.<sup>17</sup> SCEC believes that transparency and communication are vital to ensure widespread manufacturer, retailer and consumer understanding. This is likely to increase compliance. SCEC supports that the involvement of large retail outlets (above a certain size) should be mandated, however urges that measures be taken to ensure that the monopolisation of the Scheme does not occur by large corporations. To assist in this regard, the Product Responsibility Organisation should maintain equal representation between small, medium and large manufacturers.

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<sup>14</sup> Waste Reduction and Recycling Amendment Bill 2017 s 99J (2) (b), s 102ZM (2).

<sup>15</sup> Waste Reduction and Recycling Amendment Bill 2017 s 99V.

<sup>16</sup> Waste Reduction and Recycling Amendment Bill 2017 s 99P (2).

<sup>17</sup> Waste Reduction and Recycling Amendment Bill 2017s 99ZM (1), (5).



## C. End of Waste Approvals

SCEC supports the amendments which provide that an end of waste code determines the point at which a particular waste stops being a waste and becomes a resource.<sup>18</sup> Further, SCEC supports the changes to a 'resource user' that create stricter liability for non-compliant individuals for waste-related offences and seek to reduce the intentional misuse of waste codes or approvals.<sup>19</sup> SCEC further supports the increased liability of registered resource producers in the event of failure to comply with end of waste codes, regardless of how the resource is subsequently handled.<sup>20</sup> The introduction of end of waste approval application provides opportunity for approval classification if that resource can be used without environmental harm.<sup>21</sup> SCEC believes these provisions will likely improve the chance that appropriate waste items are used as a resource, and that improper use of waste will be reduced through exposure to harsh penalties for non-compliance with waste codes.

SCEC's only concern is a potential reduction in oversight as the chief executive officer will be able to develop draft end of waste codes without first launching the public nomination process.<sup>22</sup> However, it is recognised that these concerns may be alleviated by the ability of stakeholders to provide submissions in relation to the end of waste codes when they are at a draft stage.<sup>23</sup>

## III. Conclusion

SCEC believes that the proposed ban on lightweight single-use plastic bags and the Beverage Container Deposit Scheme is likely to make significant positive changes by reducing the circulation of plastics. This is likely to significantly reduce incidences of plastic pollution in Queensland. SCEC **strongly supports** the proposed legislative changes, however **urges** that recommended problematic single-use plastics be included **concurrently** in the ban. SCEC would like to see the ban on plastic bags extended to include bags up to **70 microns** in size so that significant other litter sources are taken out of the waste stream while making paper bags and other more environmentally friendly options more competitive. Further, SCEC urges the Beverage Container Refund Scheme be extended to include milk bottles of up to 1L as well as glass wine bottles.

SCEC is confident that the ban (especially if extended to cover all problematic plastics) and the Beverage Container Deposit Scheme (especially if extended to include milk and wine bottles) will provide a strong supportive legislative framework for sustainability. This is a major step forward for Queensland. This will likely improve environmental health and provide economic benefit to the state by reducing current and future environmental damage. SCEC highlights the

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<sup>18</sup> Waste Reduction and Recycling Amendment Bill 2017 s 155.

<sup>19</sup> Waste Reduction and Recycling Amendment Bill 2017 s 155.

<sup>20</sup> Waste Reduction and Recycling Amendment Bill 2017 s 158.

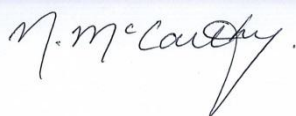
<sup>21</sup> Waste Reduction and Recycling Amendment Bill 2017 s 173I.

<sup>22</sup> Waste Reduction and Recycling Amendment Bill 2017 s 159A.

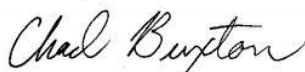
<sup>23</sup> Waste Reduction and Recycling Amendment Bill 2017 s 159B.

importance of education and transparency regarding plastic pollution issues. This will enhance the role of the proposed measures and assist Queensland's progression towards becoming a national leader in sustainability. SCEC **strongly supports** the introduction of the plastic bag ban and the Beverage Container Refund Scheme and believes the measures are an **excellent first step** in reducing Queensland's shameful litter reputation. It is highlighted that these measures, especially if the proposed recommendations are applied, will have a significant positive impact on plastic pollution and assist Queensland to move forward as a healthy and resilient state.

Yours sincerely,



**Narelle McCarthy**  
Liaison & Advocacy



**Chad Buxton**  
Volunteer Campaigner



**Liliaana Moran**  
Volunteer Campaigner