

3 July 2017

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

And by email: aec@parliament.qld.gov.au

Dear Sir or Madam

Waste Reduction and Recycling Amendment Bill 2017

Thank you for the opportunity to comment on the above Bill regarding the introduction of a container refund scheme in Queensland.

The Shopping Centre Council of Australia (SCCA) has engaged with the Queensland Government during the consultation phase following the release of *Implementing Queensland's Container Refund Scheme: Discussion Paper*, and are part of the Beverage and Retail Industry Working Group.

As stated in our submission to the Discussion Paper, it would be beneficial to see the Queensland and NSW schemes operation being as closely aligned as possible to maximise scheme efficiency and to avoid administrative duplication.

In achieving this, we are keen to ensure the container refund scheme does not impose any obligation on shopping centre owners in terms of their property, operations, or relationships with their retailers and customers, or seek to limit their commercial arrangements. This could include leases made under the *Retail Shop Leases Act 1994*.

As stated previously, we support shopping centre participation on an 'opt-in' basis.

We draw the Committee's attention to clause 99ZA *Container collection agreements* subclause (1)(a)(iii) in relation to provisions to be included in a container collection agreement, including that access by the public to a container refund point must be ensured, including 'by operating the container refund point at particular times'.

As stated above, we seek to ensure that the scheme, or a container collection agreement, does not impose any obligations on a shopping centre landlord's existing commercial or other arrangements.

In this regard, the Bill, or association explanatory or guidance material, should acknowledge the nature of defined 'opening hours', which are prescribed under the *Trading (Allowable Hours) Act 1990*, and that the legislation has no effect on a lessor's relationship with their tenants or other commercial arrangements, including 'core trading hours' and disclosure statements under the *Retail Shop Leases Act 1994*.

We recommend that the Committee gives consideration to the current operation of these existing pieces of legislation, and recommends that the Bill, or related material, including possible future regulations, ensure that the a 'container collection agreement' is not inconsistent with prevailing legislation and existing agreements.

Please do not hesitate to contact Erin Clout, our Policy Adviser, on [REDACTED] if you wish to discuss this submission.

Yours sincerely



Kristin Pryce
Deputy Director