



Queensland Greens submission on *Waste Reduction and Recycling Bill 2011*

22 August 2011

Mr Rob Hansen
The Research Director
Environment, Agriculture, Environment, Resources and Energy Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Hansen

Queensland Greens submission on *Waste Reduction and Recycling Bill 2011*

Thank you for the opportunity to respond to the Queensland Government *Waste Reduction and Recycling Bill 2011*.

The Queensland Greens strongly support the Bill's focus on principles of waste avoidance and promoting resource recovery, with waste disposal as a last resort.

The Greens support the main objectives of the bill to:

- Promote waste avoidance and reduction, and resource recovery and efficiency actions;
- Reduce the consumption of natural resources and minimise the disposal of waste by encouraging waste avoidance and the recovery, re-use and recycling of waste;
- Minimise the overall impact of waste generation and disposal;
- Ensure a shared responsibility between government, business and industry and the community in waste management and resource recovery; and
- Support and implement national frameworks, objectives and priorities for waste management and resource recovery.

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The Greens support the proposed waste levy, both as a means of internalising the true environmental cost of waste disposal and as a way to finance the transition to sustainable recycling and materials recovery.

However this is a missed opportunity to include Container Deposit legislation as part of these waste reforms to bring Queensland in line with South Australia, and also with the Northern Territory which recently adopted container deposit legislation.

A recent Victorian study¹ provides evidence that CDL would be largely beneficial environmentally, financially and socially, particularly to local governments and their communities.

The principal way in which CDL will affect Councils is through financial impacts resultant from changes in the waste management behaviours of their constituents. Consumer behaviour in reaction to CDL is likely to produce environmental outcomes which are, on the whole, not only more sustainable, but more cost effective for local governments.

Some changes that can be expected should CDL be implemented include a reduction in litter, better home separation of recyclables, as well as better use of landfill space and improved resource recovery rates.

All of these have the net outcome of diminishing waste management costs to Queensland local government.

There are a number of other impacts CDL will have for individuals and communities. A deposit scheme will be valuable for low income earners and school age children as a source of income, as well as being a realistic way for community, scout, environmental and sports groups to raise funds.

There are many flow-on impacts from the effects of CDL on waste management behaviour that also have desirable social and environmental consequences, such as improved amenity of public places as a result of less litter, and increased awareness in recycling and/or waste management issues as a result of improved source separation.

SPECIFIC ISSUES WITH THE BILL

Based on the information available, this response highlights some of the possible issues and impacts of this Bill.

Section 27: Application for declaration of waste as exempt waste – Item 2 (b)

This section refers to waste collected by members of the community in the course of an organised event. Generally, the community is assisting in the cleanup of litter or illegal dumping.

This essentially means that all rubbish and illegally dumped material collected on days such as 'Cleanup Australia Day' would be automatically subject to the waste levy unless an exempt waste application was submitted (item 3 [c]) accompanied by the fee prescribed under a regulation.

It is the Green's opinion that this is contrary to the spirit in which these days are held, where the general public give up some of their leisure time to improve the amenity of their community. Waste

¹ **It Makes Cents: A Report into the Impacts of Container Deposit Legislation on Victorian Local Government**

Ashleigh Kemp

Victoria University

Victorian Parliamentary Internship Report

collected by the community during organised cleanup events should be automatically exempt and not require the organiser to lodge an application and pay a fee.

Section 83 – Prohibition of supply of plastic shopping bag

The Bill provides for a new regulatory provision effectively allowing a ban on retail establishments supplying plastic shopping bags to consumers for the holding or carrying of goods.

The Bill has not proposed penalty amounts for offences relating to supply of plastic shopping bags.

The Bill is silent on the enforcement of the provision related to shopping bags. If local governments are required to enforce this, the State must provide resources to successfully investigate and enforce the provisions.

As a minimum indication of resourcing requirements, there are a significant number of shopping centre precincts and smaller food retailers across the city currently supplying the plastic shopping bags. Further, the inability to differentiate between bio-degradable and degradable bags will impact the effectiveness of this section and add to the enforcement complexity.

Section 100 – Public reporting of vehicle littering or illegal dumping offence

- The Bill provides for the general public to make a “report” of observed incidences where illegal dumping or littering has occurred.
- It is unclear as to whether the administrative provisions of this form of public reporting will be devolved to local governments to administer. Councils will be significantly impacted in time and resources if so required.
- If local governments are devolved responsibility, the intent of a consistent State legislation will conflict with local government boundaries issues and will also need to be clarified.

In Victoria, where similar legislation exists, the enforcement of this activity is undertaken by the State Government.

Section 253 – Omission of S369 *Environmental Protection Act 1994* (Waste Management Works)

- The Bill proposes the removal s369 of the Environmental Protection Act 1994 where persons or entities performing waste management works were required to obtain a permit from the local Council.
- s369 allows councils to regulate nuisance impacts of waste collection and transport such as noise, especially where BCC does not have a contract to regulate hours.
- Some councils also use the provision to regulate temporary chemical toilets for public events.

Given the proposed removal of permits, matters resulting from complaints regarding waste management works will now default to the general nuisance provisions contained in the *Environmental Protection Act 1994*.

The time and costs associated with lengthy investigations and evidence gathering processes will require additional resource allocation. The repeal of s369 is a significant retrograde step for local government ability to specify collection times to reduce environmental nuisance and also to recover the cost of regulating complaints.

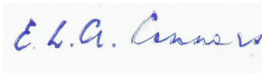
CONCLUSION

The Queensland Green supports the waste avoidance and resource recovery principles evident in the Bill, and the general introduction of the Bill to strengthen Queensland's legislative framework for waste management.

However the Greens would like to see Container Deposit Legislation as part of Queensland's Waste Management Strategy.

I hope the above feedback proves beneficial and ask it receives the necessary consideration to ensure the most effective application of the Bill.

Yours sincerely

A handwritten signature in blue ink that reads "E.L.G. Connors".

Libby Connors
State spokesperson