



HEALTH AND ENVIRONMENT COMMITTEE

Members present:

Mr AD Harper MP—Chair
Mr R Molhoek MP (virtual)
Mr SSJ Andrew MP (virtual)
Ms AB King MP (virtual)
Ms JE Pease MP
Mr ST O'Connor MP (virtual)

Staff present:

Ms R Easten—Committee Secretary
Ms R Duncan—Assistant Committee Secretary

PUBLIC BRIEFING—INQUIRY INTO THE WASTE REDUCTION AND RECYCLING AND OTHER LEGISLATION AMENDMENT BILL 2023

TRANSCRIPT OF PROCEEDINGS

Friday, 3 March 2023

Brisbane

FRIDAY, 3 MARCH 2023

The committee met at 3.01 pm.

CHAIR: Good afternoon. I declare open this public briefing of the Health and Environment Committee's inquiry into the Waste Reduction and Recycling and Other Legislation Amendment Bill 2023. I am Aaron Harper, the member for Thuringowa and chair of the committee. I would like to start by respectfully acknowledging the traditional custodians of the land on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander peoples, whose lands, winds and waters we all now share. With me today is Joan Pease, member for Lytton. Other members of the committee are participating via videoconference and teleconference this afternoon: Mr Rob Molhoek, member for Southport and deputy chair; Ms Ali King, member for Pumicestone; Mr Sam O'Connor, member for Bonney; and Mr Steven Andrew, member for Mirani.

On 22 February 2023, the Hon. Meaghan Scanlon, Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs, introduced the Waste Reduction and Recycling and Other Legislation Amendment Bill to the Queensland parliament and referred it to this committee for detailed consideration and report. This briefing today by officials from the Department of Environment and Science is to explain the policy objectives and key provisions of the bill. This briefing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders.

CONNOR, Mr Andrew, Executive Director, Office of Circular Economy, Environment and Heritage Policy and Programs, Department of Environment and Science

HUGHES, Ms Kylie, Office of Circular Economy, Environment and Heritage Policy and Programs, Department of Environment and Science

CHAIR: Thank you both for being here. Would you like to make an opening statement? Then we can move to some questions.

Mr Connor: Thank you for having us. We appreciate the opportunity to appear before the committee. Yes, I would love to make an opening statement. The Waste Reduction and Recycling and Other Legislation Amendment Bill 2023 amends the Waste Reduction and Recycling Act 2011 and the Environmental Protection Act 1994. The bill gives effect to a decision announced on 11 December 2021 to remove the automatic levy exemption for clean earth delivered to a leviable waste disposal site. It also gives effect to the announcement on 1 July 2022 to ban the release of lighter-than-air balloons to commence on 1 September 2023.

The clean earth levy exemption has been in place since 1 July 2019 when the disposal levy was reintroduced. Between 1 July 2019 and 1 July 2022, more than 3.9 million tonnes of clean earth was delivered to leviable waste disposal sites. Removing the general exemption incentivises the re-use of clean earth over disposal. It also brings Queensland's treatment of clean earth into line with levy frameworks in other states and territories. A landfill operator will be able to apply for an operational purposes exemption for using earthen material for things like landfill day cover without this earth attracting a levy liability.

For lighter-than-air balloons, the bill amends the Waste Reduction and Recycling Act to introduce a ban on the outdoor release of lighter-than-air balloons. On 1 July 2022, following community, industry and business consultation showing strong support to expand the ban of single-use plastics, a ban on the mass release of lighter-than-air balloons was announced to commence on 1 September 2023. Balloons have a significant impact in the environment, with wildlife potentially choking on balloons if eaten or becoming entangled in strings, ribbon or foil that might be attached to them. Releasing balloons is currently a littering offence; however, it is often unclear to people. Banning the outdoor release of lighter-than-air balloons makes it clear what the offence is and is a targeted, preventive measure to avoid this occurrence. The Department of Environment and Science will work with balloon suppliers, event organisers and local governments to ensure there is clear and widespread awareness of the ban.

The bill amends the definition of 'waste'. Currently, the only way that a waste can be reclassified to not be a waste is when it becomes an end-of-waste resource through the development of an end-of-waste code or approval. The amendment provides another pathway for a thing to not be a waste by being able to prescribe something in regulation to not be. This is important for enabling the circulation of low-risk circular economy material feedstocks with reduced regulatory complexity. The bill also provides the matters that must be considered before the minister recommends the making of a regulation, including carrying out consultation on the proposed change.

The bill proposes to move the definition of 'waste' from the Environmental Protection Act to the Waste Reduction and Recycling Act. This provides a strengthened connection with and consideration of circular economy and product stewardship principles and resource recovery opportunities as well as environmental protection considerations when deciding to prescribe a thing not to be a waste in regulation.

In terms of chief executive decisions, the bill provides the ability for the chief executive to make decisions regarding resource recovery area declarations and payments to local governments. The Waste Reduction and Recycling Act currently allows the operator of a waste disposal site for which a resource recovery area has been declared to amend or cancel the area's declaration; however, the only action that is available to the chief executive to address regulatory issues is to revoke a declaration, the effect of which is to sterilise the use of a site for further recovery activities for 12 months. The proposed amendment in the bill provides the ability for the chief executive to initiate an amendment to or a suspension of the declaration to address regulatory issues, providing an escalation pathway for regulatory intervention and a decision point between doing nothing and a full revocation.

The current provisions of the Waste Reduction and Recycling Act allow for annual payments to local governments, with these payments to be used to ensure there are no direct costs to households as a result of the levy on household waste disposal. On 24 June 2022, 43 local governments eligible for annual payments received a four-year lump sum advance payment, with payments set by regulation. However, this has meant that, where councils may identify an underpayment across the four years, there is no mechanism to make an additional payment without amending the regulation each time an additional payment amount is confirmed. The proposed amendments will allow the chief executive to make a decision regarding an additional payment to a local government at the request of the local government and where satisfied that a payment is necessary.

In terms of circular economy principles, the Waste Reduction and Recycling Act currently contains the waste and resource recovery management hierarchy and various principles to support improved waste and resource recovery management. However, while the Waste Management and Resource Recovery Strategy outlines a strategic priority to transition to a circular economy, there is no corresponding reference in the Waste Reduction and Recycling Act. The proposed amendment provides for the inclusion of the circular economy principle to ensure that circular economy considerations form part of decision-making processes.

In terms of the change to the strategy review date, the Waste Management and Resource Recovery Strategy is currently required to be reviewed every three years. The bill proposes to change the review date for the strategy to five years to enable more time to collect data to evaluate the impact of policies and actions that are aimed at supporting implementation of the strategy and achieving its targets.

In terms of the expiry of the exemption of otherwise banned single-use plastic items, the current provisions provide an open-ended exemption for otherwise banned single-use plastic items that are integral to shelf-ready products. This includes items like plastic straws attached to a juice box or a plastic fork included in a pre-packaged, shelf-ready salad. The proposed amendments in the bill provide a time limited exemption for these items, with the exemption expiring on 31 December 2025, consistent with the time frame of the agreed national packaging targets that 100 per cent of all Australian packaging is re-usable, recyclable or compostable by 2025 and national work to phase out unnecessary and problematic plastics. The bill also makes consequential amendments to other legislation as a result of moving the 'waste' definition to the Waste Reduction and Recycling Act.

CHAIR: Thank you very much, Mr Connor.

Mr MOLHOEK: With regard to the plastics issue, from what I understand the object is that by 2025 all plastics must be recyclable or must be of a substance or composition that they can be re-used. What happens with imported items? A lot of vacuum packed products that come in from other countries have other packages inside of them that are often sealed in foil and plastic. Does this

legislation propose to deal with a lot of imported products that are clearly in breach of the intent of this legislation?

Mr Connor: Probably the best way to answer that is to clarify the reference to the national packaging targets. There are obviously national-level targets that are associated with seeing all Australian packaging being re-usable, recyclable or compostable. The inclusion of the expiry date within this bill relates to an alignment associated with single-use plastic items that are integrated into those types of products such as the juice boxes, salads et cetera. In the context of the national approach and looking at items being imported into Australia, there is certainly work occurring across jurisdictions that is aimed towards harmonisation. There are objectives, both nationally and internationally, around reducing plastic pollution. I think we can certainly expect to see imported products being held to the same standards to which we are holding Australian packaged goods.

Mr MOLHOEK: The example you give is a juice box with a straw stuck on it, and there are many of those made in Australia. Then there are also a lot of milk products, like Sustagen and Sanitarium products, that are made here. There are also a lot of imported products that are very similar. Is there a risk that we will put Australian manufacturers' packages at a disadvantage because they will be required to meet a higher standard but there will still be floods of foreign-made products coming into the country that are not subject to those standards?

Mr Connor: Not in the context of the ban as it applies to the point of sale. If I use the example around the straws attached to juice boxes, plastic single-use straws are banned already. This is really removing the open-ended exemption around plastic straws attached through the integrated packaging to align with the national packaging targets and that objective of 100 per cent achievement of re-usable, recyclable or compostable by 2025.

CHAIR: With regard to the circular economy principle you spoke to, what strategies does the department intend to use to promote waste-avoidant behaviours in line with the circular economy principle?

Mr Connor: At the top of strategies is our Waste Management and Resource Recovery Strategy, and that outlines a number of objectives strategically around the transition to circular economy, which is really aimed at improving the recognition of the value of materials within our economy, keeping products and materials at their highest possible value within our circulating economy for the longest possible time. It draws in concepts like repair and refurbishment to prolong the life of products, right through to ensuring that materials in products at end of life can be circulated within the economy and then used for remanufacture of goods or for other beneficial purposes.

At a department level, we have a number of strategies already in place. Last year we released the organics strategy and action plan, which really does drive a focus into all areas associated with the elimination of waste—waste avoidance—but also the capture, circulation and beneficial use of organics. Right now we are working with local governments right across Queensland in terms of plans to transform the way that Queensland manages its waste and kerbside collections, and we are looking at the introduction of things like organics bins over the next few years. This will obviously result in a nice circulating cycle for organic waste that would otherwise go to landfill and eventuate in beneficial products like compost and fertiliser.

CHAIR: I acknowledge some people in the public gallery. It is nice to have some people observing. Thank you for your attendance today. Mr Connor, in your opening statement you spoke about feedstock as well. Taking up the point you just raised on organics, I was at a different forum yesterday in Townsville and some people who are already doing the clean earth work—I think they are putting in a submission—raised with me the banana industry and where it is at in the circular economy. I think there is some regulation there that prohibits or limits the amount they can contribute. Could you take that on notice and provide us with more information? I would like to be able to open that up to a response as well for the ag industry.

Mr Connor: To clarify in terms of the limit, are you referencing a limit to fertiliser application?

CHAIR: No, the actual waste. Once you have taken your stock, it is what is on the floor; they want to re-use that. Is there any limitation to that at all?

Mr Connor: There are no limitations, but there certainly would be a shared objective. Waste elimination is ultimately around maximising the use of available resources. It entirely aligns with the principles of the circular economy that we are including in the bill to maximise a beneficial use of bananas that otherwise may have been wasted for a productive use.

CHAIR: Does that go into that feedstock arena?

Mr Connor: Yes, it links to feedstock and it will depend on the nature of bananas. I guess there is exploration around the quality of those bananas that might be in question around what edible or food products that might be suitable for putting into, but if it relates to material that could not be used for that purpose then there is certainly a rich supply of organic material that links to those kinds of strategies for producing compost which will be incorporated back into earth and provide a beneficial outcome for further banana production.

CHAIR: We will wait for the submission, and if we have any further questions we will get them to you.

Mr O'CONNOR: The Waste Management and Resource Recovery Strategy was released in 2019. When was the previous review due?

Mr Connor: Three years post that, so 2022.

Mr O'CONNOR: Was that review completed?

Mr Connor: The review has been undertaken. One of the issues that has been experienced in terms of conducting a review in that three-year period is in the context of the data collection and cycle. We have ultimately struggled to have more than two years worth of data to inform the evaluation. We have still completed a review. We have held stakeholder sessions around the review of the strategy. We prepared reports at the end of last year. We have also been able to access a further year of data, which is quite useful in terms of considering what trends we are actually seeing. When you just compare one year beside another, it is really challenging to know if you are looking at a trend or just seeing an anomaly that might be associated with things like disasters and those kinds of things that can impact material flows through waste chains. Yes, work has definitely been done to review it. We have not released the strategy review report as yet.

Mr O'CONNOR: The current act requires the draft to be publicly released and then it has a minimum consultation period.

Mr Connor: Yes.

Mr O'CONNOR: Do you have a date for when that will occur?

Mr Connor: I will have to take that on notice.

Mr O'CONNOR: Does that mean the department is currently in violation of the current act by not completing the review within the three-year time limit?

CHAIR: I think I know where you are going with this, member for Bonney.

Ms PEASE: Chair, I raise a point of order. This is outside of the scope of the bill that we are looking at today.

Mr O'CONNOR: No, it is completely within the bill. We were just talking about bananas. The bill amends the review requirement; I am asking about the current review requirement.

CHAIR: Let's not get into arguing. Rephrase the question, member for Bonney.

Mr O'CONNOR: The department was required to release a review last year and the department did not achieve that; is that correct?

Mr Connor: The department was required to complete the review last year. We did complete a review. We did not publish the review report for the 28-day period and accept that that is a necessary part of the process, but we did have the opportunity to obtain a third year's worth of data, which we saw as being important to make an informed evaluation about the strategy settings, so we are taking an opportunity to revise our initial report prior to publishing for a 28-day period.

Mr O'CONNOR: You have taken on notice the date that will be released?

Mr Connor: Yes.

Mr O'CONNOR: Thank you.

CHAIR: I think that has been articulated in your previous answer as well—the data collection.

Ms PEASE: Many of the questions that I had people have already asked, but I would like to talk a little more about the circular economy and, at the end of a waste's life, what it looks like. Has there been a lot of consultation from stakeholders with regard to that and what that looks like?

Mr Connor: Yes. There are a lot of different stakeholders interested in the circular economy and the opportunities it will bring to a Queensland context. We have engaged into, I think, practically every sector of the economy. The opportunities around circular economy and materials are really

broad, because there is such a variety of different types of materials that can be used in different ways. There is a lot of innovation that sits around ideas in the circular economy space.

Ms PEASE: That is one of the reasons I raised it. In my electorate of Lytton, ResourceCo has recently started a waste-to-energy facility where they are using clean waste to produce feedstock. They will eventually be able to build their own kiln to be able to generate energy or perhaps sell it into the SAF system. That might be interesting as well.

Mr Connor: Yes.

Ms PEASE: In terms of the other areas, particularly the feedback around the levy that is going to be introduced for clean fill, unless they re-use it, have the stakeholders been supportive of that move?

Mr Connor: There has definitely been a lot of stakeholder interest in the announced position. We have been working with stakeholders around a variety of issues associated with clean fill. The levy setting is just one of them. There have been conversations and considerations around how clean earth is defined, which is really important for our stakeholders, and we do continue to work on that. In the context of this bill, the removal of the general levy for clean earth and the definition of 'clean earth' in effect provides a bit of a simplified framework in terms of considering the levy liability and being able to work out what is showing up at a landfill gate, for example. There are elements of engagement that we are continuing with with stakeholder sets around perceived barriers for re-using, which is ultimately what we are looking to drive, and we are actively involved in that. I think some of the provisions in the bill provide us with opportunity to give absolute certainty.

Ms PEASE: What opportunities are out there for people to use the clean fill and who determines that? Is it determined by the person delivering it or by when they get to the dump gate?

Mr Connor: Yes.

Ms PEASE: Is it self-determination or is it determined by where it is being dropped off?

Mr Connor: It is ultimately for clean earth associated with project sites where there are excavations and there is material being moved around. There are myriad opportunities for re-use inside of project sites or on alternative project sites. There is no shortage of project developments that are looking to change a land form level, and clean fill is a really suitable material for that. Depending on the quality of material, there are opportunities in terms of soil conditioning and blending. I am aware of well-established soil logistics industries in other jurisdictions where there are not blanket levies for clean earth as well. I think this is an important step towards providing a clearer framework for how a levy is applied to earthen material generally. As for any of the other resources that can be re-used into circular economy applications, the provision to prescribe something to not be a waste could be an important thing to remove barriers or perceived barriers.

Ms PEASE: Have the penalties for people who do not fulfil their obligations increased or do they remain static?

Mr Connor: There is no increase in penalty associated with the clean earth elements of the bill. There are penalty provisions within the bill that apply to the release of balloons and the associated ban.

Ms PEASE: My electorate borders Moreton Bay, so I am very supportive of no release of lighter-than-air balloons. It is not banning the use of them; it is just the release of them?

Mr Connor: Just their outdoor release into the environment, yes.

Ms KING: I am struggling to hear the evidence, but I will be able to scrutinise the transcript when it becomes available. My question is about the release of lighter-than-air balloons. Can you provide more detail about what we know about the number of lighter-than-air balloons likely to be released each year or if there is any data about the number that wash up or the harms they are doing at present without the formalisation of a ban on the release of lighter-than-air-balloons?

Mr Connor: I apologise. I did hear parts of that associated with data on the number of balloons released—

CHAIR: Washing up, affecting the environment. We might take some of that question on notice.

Mr Connor: I do not have detailed data that I have brought into the briefing this afternoon, but it is certainly something we could take on notice and return with.

CHAIR: Member for Pumicestone, did you have a supplementary question?

Ms KING: I am sorry, Chair; it is quite difficult to hear.

CHAIR: Did you have a supplementary question?

Ms KING: No, not at this stage.

CHAIR: We will place that question on notice.

Mr ANDREW: We banned single-use plastic bags. You are saying there is a ban on single-use plastic by 2025. There are plastic bags that are heavier than the original plastic bags that were banned. Are they going to be banned in the future as well?

Mr Connor: In terms of heavyweight shopping bags, when the announcement was made last year around the ban of the release of lighter-than-air-balloons, associated with that was the publishing of a five-year road map for proposed action and future action for single-use plastics. Within that, in a Queensland context, we have forecast a future ban of single-use heavyweight shopping bags but combined with work we have been progressing around a re-usability standard for plastic bags. Recognising that plastic bags are a viable product for shopping ventures et cetera, incorporating minimum recycled content into heavyweight bags that meet a re-usability standard is a strategy that we are pursuing.

Mr MOLHOEK: Does removing this automatic exemption open the way to introducing a new levy or tax on certain categories of clean earth? Is that the intention?

Mr Connor: The intent is to incentivise the re-use of clean earth as a beneficial resource. The levy will only apply to clean earth that has been presented at a landfill for disposal. In the context of landfill operators, we do recognise that earthen materials is an important product as well for the good operation of the landfill; it is really important for day cover et cetera. The framework provides for an operational purposes levy exemption that can be applied for with respect to earthen material that is used for an operational purpose. The levy will not apply in that context; the amendment is about incentivising not disposing of clean earth into a hole but actually using it for productive purposes within the economy.

Mr MOLHOEK: If somebody has a legitimate re-use for that clean earth within their site or elsewhere, are they going to have to make a formal application and seek a level of approval for that re-use, or can they automatically go ahead and re-use it within their site and operations?

Mr Connor: It is totally legitimate to re-use the material within a project site. Through the course of the variety of issues that have been discussed with stakeholders about clean earth there have been some complex lines of inquiry. I know at some points there have been perceptions that people operating project sites are going to have to apply for an environmental authority to dispose of clean earth waste, and that is just not true. It is not true at all. The levy will only apply to clean earth that has been taken from a project site to a landfill. We are encouraging the re-use of clean earthen material within project sites but also trying to remove any perceived barriers around how clean earth is managed so we can maximise its re-use in other sites where there is a demand for clean fill material.

Mr MOLHOEK: With regard to dredge spoil that is taken from the Broadwater and run through the dredge spoil facility at Coomera and then its re-use—it actually goes into potting mix and fertilisers—does this proposed change accidentally or unintentionally capture something like that—

Mr Connor: No.

Mr MOLHOEK:—or is that completely outside the scope of this?

Mr Connor: Yes, it would be outside the scope of this.

Mr MOLHOEK: In respect of mine sites and regenerative works or overburden that is removed and then re-used later to regenerate the site, would that be exempt from something like this?

Mr Connor: It will not apply to a mine site situation. It is only applying to material that is taken from the site and transported to a landfill facility.

CHAIR: There is separate legislation for mines in terms of revegetation. Would I be correct in saying there is an incentive for operators at a project site to separate their waste?

Mr Connor: Yes, absolutely.

Ms PEASE: Do you have any information regarding other jurisdictions and what they do? Has there been any evidence of people coming over the border to dump clean waste and fill into our clean fill sites because it does not cost anything?

Mr Connor: We are monitoring the transport of waste between jurisdictions regularly. With respect to the clean earthen material, I will have to take on notice whether we have any recent data around the movement of that specific material interstate. I can say that this amendment brings

Queensland's framework into a far greater level of consistency with the other jurisdictions. The clean earthen material is called something different in New South Wales, for example. I think it is called 'virgin natural material' or something of that nature. It does have a levy that is applied to it when it is taken to a landfill site.

I am not aware of any large-scale evidence suggesting that we have a lot of clean earth coming over the border. Most of the information I have looked at recently around waste that does come over the border does appear to be quite regionalised in terms of cross-border communities.

Mr O'CONNOR: To continue the questions on the clean earth energy exemption, of the 3.9 million tonnes that was referred to in the briefing paper which was over a two- or three-year period, how much does the department estimate will fall under this category that you think can be diverted or should be diverted from landfill? Do you have any data on that?

Mr Connor: That is a very good question. When we look at the data of clean earth that has been delivered to a landfill site over the last three years, there has been a massive variation. Through the course of consultation I know we have had good landfill operators saying to us, 'We would never dispose of clean earth within a landfill because the airspace within a landfill is valuable.' In terms of the clean earth that was delivered to a landfill last financial year, it was about 50 per cent of the level of clean earth that was delivered to landfill sites two years previously. From an evidence perspective, it would suggest there has been more material taken to landfill sites over time than is needed for operational purpose. The change to this framework will approve the accountability around that. In the current framework we have no way of saying what the clean earth was actually used for. It is just captured as delivered to the site. By enabling the use of it at a landfill facility through an operational purpose exemption, we will be able to quantify what clean earth has been used for those operational purposes as opposed to the total amount delivered to a site and subsequently that portion that has been disposed of.

Mr O'CONNOR: It is going in the right direction in terms of the fact that the most recent data was 50 per cent less than previously. In terms of the impact on the construction sector or on major infrastructure projects, which are under a lot of pressure right now, is there any quantifiable data that the department has to assess that? Is that factored in with this decision?

Mr Connor: The engagement we have had indicates to us, through the peak organisations representing civil contractors et cetera, that they want to be able to re-use material without constraints and barriers associated with how clean earth is defined. In some respects, the definition of 'clean earth' that was brought in with the broad-level exemption and the need to clearly distinguish between clean earth and other general earthen material has probably made a bit of a complication in that space. This is an opportunity to clean that up and make a clearer framework that enables re-use within those sites, which we know they want to do.

CHAIR: For a great example of that in Townsville, member for Bonney, you could drive along the ring-road and see—

Ms PEASE: What ring-road would that be?

CHAIR: No, it is not Riverway Drive. As a good example of that, just to put that in context, the Townsville Ring Road is being redeveloped and the contractors have rehabilitated—they needed to—an area set aside for birds, and they use that clean earth in revegetation. It is quite impressive.

Mr O'CONNOR: I think I drove on it to go to JCU yesterday. Would that have been the one?

CHAIR: That would have been it.

Mr O'CONNOR: I have a question on the local government advance payments. This will allow the director-general to rectify any situations of underpayments; is that a correct understanding?

CHAIR: It is the chief executive, not the director-general.

Mr O'CONNOR: Director-general, chief executive—whatever. Is there any data on underpayments that exist to local governments? I know that they had the four-yearly payments paid last year. Is there any data available on where the situations of underpayments are? Is that what this is trying to resolve, or is it pre-emptive of that happening?

Mr Connor: When those advance payments were made, we made a commitment to the local governments at the time that four years of advance payments provides a significant ability to access capital and consider investments into reducing MSW to landfill and align with the planning and strategies that we have through the Recycling and Jobs Fund to invest into better management of waste through Queensland. Because we have provided four years in advance, we said that there is the need to be monitoring what that MSW and levy liability is at a council level across the four-year

period so that we have a process of acquitting and making sure we are maintaining that commitment not to impose the costs of the levy on households. Part of it is anticipating it, but part of it is that we have had a small number of councils reach out with inquiries so it has pushed us to contemplate how we would approach it, and this is a vehicle to enable it.

Mr O'CONNOR: So there is no quantifiable data on the underpayments? It is just queries and you want to have the ability to rectify it if it comes up?

Mr Connor: That is right. We are not through the first financial year yet. There are four years of payments that have been made at once. We are about to enter that first cycle of acquitting against the year. When the data is available, towards the end of this calendar year in particular, is when we will have full sets of data so, yes, we are preparing to be able to address issues in the event they are raised.

Mr MOLHOEK: With regard to the ban on single-use plastics, the supermarkets have moved to this kind of re-usable plastic—

CHAIR: Are you using a prop?

Ms PEASE: Are you going to table that?

Mr MOLHOEK: I will drop it into your office, Chair. My observation is that people are simply buying these re-usable bags and then taking them home and just shoving them in the bin or using them as bin liners, and this product, because it is more robust and it is designed for re-use, is probably causing more issues for us in landfill than the old cornstarch bags that were going in by the thousands. Has there been any consideration given to that as an issue and what can be done to address the fact that the unintended consequence of the ban is that now we are developing all these multi-use products and people are still using them as bin liners?

Mr Connor: Thank you for the question. It is a good, insightful question. Yes, we have certainly been considering that in the context of the engagement that we have with the stakeholder advisory group around single-use plastics and work that we have been engaging in with the National Retail Association around development of re-usability standards. We have put a lot of effort into looking abroad in terms of what standards are successful. What has led to the style of bag that you have just held up: we have drawn a lot of inspiration from Californian standards around re-usability. There are elements associated in that in the context of making sure that the bags are durable enough to be re-used; hence you see a heavier style bag. There are the elements around the re-use and the incorporation of minimum recycled content requirements which enable that circularity for soft plastics to be put back into beneficial products.

In the context of them turning into just another single-use item, while nothing is settled as yet, there are certainly options to be considered in terms of what price you put on the purchase of heavyweight re-usable bags, because if you put a value on something then they are less likely to be discarded. Those types of things are covered within that Californian standard. We have been looking at that and considering what re-usability standards would look like in a Queensland context which would be for future consideration.

Mr MOLHOEK: It would be interesting to see if there is any data available from the big retailers as to how many bags they used to go through in the cornstarch days—or the other bags that used to break down quickly with UV—and the current sales of these sorts of bags. I almost feel like it has become a self-defeating policy. We need to have a good look at it, because a lot of people just do not seem to be getting the message about re-use.

CHAIR: We will take that as a comment. If you are like me, Rob, I just keep forgetting to put them in the car.

Mr MOLHOEK: I always keep a supply in the car, Chair.

CHAIR: With that, I thank the departmental representatives for being here. We have had some questions taken on notice. If we could have responses back by close of business on 10 March, that would be appreciated. It has been very informative. Thank you for being here today. Thank you to all members, the secretariat and Hansard. I now declare this public briefing closed.

The committee adjourned at 3.50 pm.