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Committee Secretary

Innovation, Tourism Development and Environment Committee

Parliament House

George Street

Brisbane Qld 4000

**SUBMISSION TO; Waste Reduction and Recycling (Waste Levy)  
Amendment Regulation 2018**

Response to the draft Queensland Queensland's new resource recovery and waste strategy dated 20th March 2017.

I enter this submission as both a concerned citizen, and householder, a passionate participant in community affairs, a presenter who has addressed delegates from 200 countries at International Congress on recession-proofing economies in the wake of the global economic crisis, and a resident who has evidenced a legacy of the waste disposal practices of this state in experiencing heavily metal contamination, contaminated water aquifers, and environmental impact beyond the Brisbane River to Stradbroke island, as a result of the licence & neglect, permitted in Ipswich.

I welcome the opportunity to provide a submission, and contribute to the development of a relevant government policy and strategy, with a request to present to the Advisory Group with representatives at a later date.

Key principles Queensland's new waste management strategy will allegedly:

\* Attract industry investment and innovation

- \* Create new jobs for our communities
- \* Have no direct impact on Queensland households
- \* Deliver long-term value to our environment
- \* Move Queensland towards a circular economy

#### General

\* I recognise and understand the background to the development of the draft strategy and particularly that it is an “industry-led” document, however, I note a lack of synergy between this draft document, The Waste & Recycling Industry Association of Queensland Inc’s submission (WRIQ), and a regrettable absence of significant community input, and stakeholder and international authority review. Considering the non-traditional approach taken and the diversity of the steering group members, there is need for common ground achieved with a blended balance of drafting statements, principles and objectives.

\* It is noted to be a succinct high-level strategic document, with the “action” component being implemented at a later date through a mechanism of industry plans. This two-tier process offers the advantage that most of industry can choose the level of commitment, if any, that is appropriate to their business development. The disadvantage is that there is no clear line of sight to the action phase and therefore future uncertainty and inherent risks about the deliverability and overall success of the strategy. The exclusion of international best practice authority review, comprehensive stakeholder scrutinised input, and educational and transitioning strategies, could be alleged to undermine the draft bill’s integrity too.

\* Further to point 2, it is noted that the structural “gap” is compounded by the lack of clear incentives and disincentives (economic and otherwise) to encourage all sectors of industry to participate. Considering the language used e.g. “industry led” and “waste - everyone’s responsibility” this is a major flaw. To elaborate further:

\* A major sector of the industry, contributing almost two thirds of the annual tonnage (i.e. heavy industry) has no set improvement targets.

\* There is an unlevel “playing field” with local government and the State being required to develop statutory waste reduction and recycling plans under the Waste Reduction and Recycling Act 2011 (assumed to replace action plans) however these are voluntary for the rest of industry, requiring further verification. The WRIQ has referred to this “unlevel playing field” as susceptible to potential monopoly arrangements, which are not in the public’s interest, and can deny access to emerging innovation and technology that might improve yields, qualitative and

quantitative impacts, and introduce greater cost efficiencies at odds with commercial interests and associated revenue streams.

\* There is a concern that existing market forces are not large enough of an enabler to drive the quantum of change to meet the proposed targets. Whilst economic incentives are unpopular and can add to existing cost of living pressures, they do serve to make upstream resource recovery processes more viable compared to landfill. Even if individual Councils want to implement local landfill levies to support waste reduction measures they become anti-competitive against other external landfill operators.

\* There is a concern that Waste to commodity strategies capable of delivering public returns on investment with potential to reduce waste costs and landfill, revitalise contaminated sites, and reduce general economic pressures on households, have not been entertained in drafting this bill and establishing proposed levy rates.

\* Whilst it is recognised that action plans will be publicly recorded and championed (and therefore provide some inherent motivation), other suggestions for strengthening accountability are suggested as follows.

\* Conduct a Clean Slate Approach for community collaboration and stakeholder scrutinised review with representation from International Best Practice Models, highlighting community education, economic resilience, emerging and best-of-breed technologies, change management strategies for technology transitioning, environmental threat impacts, cost-benefit analysis, and social venture versus public, commercial, and private partnership models. Having reviewed the alternatives both commercially offered and under-development in up to 40 countries, even I, as a consumer with no apparent expertise or specialisation in the subject, am aware and deeply concerned that neither this government, nor the community at large, have been exposed to the full gamut and associated cost benefits of alternatives available, and that in fact, many solutions have been directed to private interests to investigate instead of being openly evaluated and assessed to maximise public yields, and community resilience, and reduce consumer pressures.

\* Include targets for the number of action plans developed by industry type in a certain timeframe

\* Consider a mechanism for ongoing governance of the strategy implementation e.g. a continuation of the steering committee or State Government input to promote and encourage participation

\* Consider what regulatory safety net can be utilised under the Act, i.e. Chapter 6 part 4, to ensure the objectives of the Act to improve waste management at the business and industry level are enforced.

\* As the content of future action plans is unknown, there could be a range of implications for local government and others that are unassessed at this point in time. A suggestion is made that there should be a condition in the development of all action plans that:

\* The state establish a prescribed open tender process, in which community and industry partners collaboratively establish a prescribed best-practice standard solution at a fair, appropriate, reliable, accountable and universal rate of remuneration. Community stakeholders would then be enabled to select from waste operators who agreed to service the public on the prescribed terms and conditions – a community crowd-qualification exercise to competitively select a preferred choice of operators. This arrangement does not bind any party to restrictive practices or redundant technologies, and deters monopoly arrangements and corrupt and criminal practice. It creates an environment promoting healthy competition, a commitment to best practice, and a culture of creativity and innovation to introduce efficiencies as they emerge. Capacity driven licensing can also maximise and secure job vacancies as they occur, provide job and contract safety and security, and protect against insolvencies, accidents and bankruptcies which impose a greater exponential impact in local economies. Plan “boundaries” should not adversely impact on any other industry stakeholder.

\* The vision sounds good, but can only be substantiated with strong drivers, increased transparency and accountability measures, and extended reference to include authority and community stakeholder collaboration, ongoing.

\* It is well known that waste is being transported long distances into Queensland landfills from interstate. Whilst this is a lawful activity, it is seen to compromise the Act’s objective to minimise the disposal of waste, and undermines the draft vision wording to manage “all products and materials as valuable and finite resources”.

\* the centralisation of waste services as opposed to a regional response has not only demonstrated an adverse toxic effect and health impact potential to a host community, but has demonstrated the potential to contaminate surrounding eco-systems and economies across a considerable distance, representing an unacceptable unlimited liability of unknown term or measurable health or economic impact.

\* A localised strategy is recommended to maximise local jobs, minimise & limit contamination breaches and environmental impacts, and increase an area’s

resilience. Council community engagement on waste management is virtually non-existent. The engagement of community stakeholders is vital to the success of any waste management strategy. The evidence of repeat and entrenched disposal violations, and ignorance, by individuals, council resources and commercial entities, alleged monopoly practices and preferment without merit and sometimes appropriate qualification and experience, an increasing waste load, decreased water quality, impaired and poisoned water aquifers, and commercial and public arrangements that have adversely impacted and continue to threaten water, nature and food stock reserves and their associated commercial revenues and tax receipts, are overwhelming evidence that stakeholder scrutiny is both imperative, and has been largely ignored.

\* Adopting “prudent and efficient” resource recovery approaches is better supported rather than “innovative” approaches. Innovation can suggest higher order technology at higher cost to communities. Innovation without measurable and accountable parameters provides no environmental, economic, or yield maximisation guarantees. Conversely, too limited a reference, can prevent new paradigms from being considered, such as waste management as a wealth and community resilience strategy, with potential to deliver both social and economic benefits in commodities, intellectual property licencing, training & certification, cost offsets, and even rate rebates, instead of facilitating policy which in accordance with annual reports, are presenting some rather alarming commercial profits and dividends, suggesting that current public pricing and servicing arrangements are yet to adopt and practice some much needed economies that are enjoyed by communities elsewhere. Targets/measures for the strategy require further definition and refinement.

\* It is necessary to have performance indicators to measure the success/areas for improvement, of the strategy. The targets as drafted seem to mainly focus on the middle range of the waste hierarchy. Whilst it is understood that targets have to be easily measured, targets should be developed across all 4 objectives.

\* Objective 1 - driving cultural change there could be a target for the number of partnerships, networks and programs focused on behavioural change as per one of the points in the priority areas wording.

\* Objective 2 - avoidance and minimisation, the existing target of 5% reduction in per capita generation is acknowledged to be ambitious but necessary. More clarity is required about what data is used to calculate this target.

\* Objective 3 - reuse, recovery and recycling, the targets for domestic waste are acceptable. Targets should be established for heavy industry (which could include neutralising waste or improving environmental management standards in addition to or instead of increasing recycling rates).

\* Objective 4 - management, treatment and disposal - targets could be set to ensure there is adequate licensed treatment and disposal capacity across the state for all waste types over a suitable planning horizon e.g. 25 years, with consideration for new and improved applications and cost efficiencies as they occur.

\* Objective 4 - We must learn from our mistakes in examining how 15,000 mining operations in Queensland have sensationally been able to evade their contractual obligation to revitalise mining sites and return these to the community in safe, secure and respectful condition. The ongoing, double digit deaths related to youths in particular, exposed to associated ground and water contamination is unacceptable, as is the ongoing unlimited public liability and authority negligence in the matter. The bonds applied to mining licensees continue to be hopelessly inadequate in covering either the repatriation costs, or the legal costs of prosecuting and enforcing penalties when breaches occur.

Waste Operators must be held to account for environmental violations and breaches, with appropriate bond, ongoing audit and prosecutions to eliminate public liability, proactively deter health and safety hazards, repatriate sites and recover costs.

The expectation that public should forever foot the bill for inadequate, irresponsible and commercial profiteering arrangements is as unacceptable as the behaviour of authorities who allow these practices to continue unabated and still expect authority salaries and bonuses, and annual increases irrespective of contractual compliance breaches, non-performance, penalty payments and cost over-runs, inferior materials and accelerated depreciation, suspected price gouging arrangements, and allegations of corrupt and criminal activity, amidst aggravated cost-of-living pressures, and a litany of unanswered complaints and back-logged CCC claims denied adequate & appropriate investigation, & prosecution.

(Reference QC and CCC Chair Allan MacSporran's Operation Belcarra Report admission of an inability to prosecute a history of breaches entrenched across 26 years. Ipswich was denied a corruption investigation despite 14 years of protests and evidence repeated in both Hansard and state criminal investigation reports).

\* Interim targets are suggested to be developed to coincide with the statutory review timeframes to allow for adequate assessment of performance.

\* Governance targets. The domestic targets are differentiated for regional and metropolitan areas. The draft strategy states that the metropolitan area covers local governments within south-east Queensland. For reasons of demographics, population and geography, councils may believe they are more suited to complying with the regional target than the metro target. The performance aspirations of individual Councils will either be made as a separate submission on the draft strategy or could be included within their waste reduction and recycling plans. The



merits of localised strategies and best practice examples on this basis have not been considered or assessed in relation to new, current, or emerging best practice and innovation and technologies. It is therefore considered important to allow some flexibility in defining the catchment basis of reporting on the metro target.

\* A “Clean Slate Review” would provide councils with a global scope and understanding of their waste challenges and solutions, and identify transitioning, professional development and upskilling opportunities for waste industry partners to provide best practice, globally competitive, and community resilient solutions, and attract additional training, certification, intellectual property research, development and licensing receipts in alignment with the “Beyond Zero Emissions” comprehensive technical/economic reports. These reports not only outline proven and recommended transition arrangements, but highlight a unique opportunity for Australia to establish itself as a “global clean energy super power (BZE.2016) (Reference: Ezanz International Pty Ltd Queensland Submission To Advancing Climate Action Paper 08.01.2016).

Queensland today is providing the global market with some exemplary talent, expertise and innovative solutions elsewhere. The bleed of this talent and intellectual property overseas is enough to prompt a review of how we commercialise, and screen waste and energy innovation here and why home grown solutions are accepted and commercially successful overseas, but denied commercial and public adoption in our own state. Perhaps a review of submissions, evaluation, transparency and accountability of government tendering, restrictive training and servicing arrangements are also overdue, with allegation that the misuse of NDA (non-disclosure arrangements) is also preventing equal consideration and review of competing alternatives.

\* There appears to be a lack of emphasis on the opportunity to design and make products that are easy to recover. There are still too many products and packaging that have mixed compositions which makes it difficult or costly to avoid landfill, e.g. buildings with polystyrene walls. This could be an additional priority area in objective 2.

\* Managers of waste have to deal with the variety of end-products from manufacturing that they have no current control over. In addition, there is no ability to forecast what types of waste will be received in the future from new products or processes, particularly where these are imported. This is a risk to scoping new infrastructure investment. There is an opportunity to work with importers of products, and local and international authority expertise towards an improved outcome, with potential to establish a model of resilience and sustainability that could be a source of additional revenue receipts in launching and licensing intellectual property solutions globally.

\* There is an opportunity for the state to take a lead role in the development of common key educational messages that can be adopted by all stakeholders in their community engagement activities. Water efficiency is an example of a successful state led education campaign in relation to a headline issue. This will avoid widespread duplication of effort and enhance business efficiency.

\* Other priority wastes include biosolids, timber, polystyrene and glass. It is considered there could be a stronger emphasis placed on developing local markets for various materials to enhance the viability of their recovery.

\* Mattresses should not be a stand-alone waste type as it is inconsistent with the other dot points and they can be included in the list of waste with regional impacts.

\* The fact that agricultural and mining wastes are listed as a priority waste reinforces the need for targets for those waste types as per comments above. For objective 3, the priority areas should include “service expansion” e.g. for growth in take-up of voluntary green waste collection service.

\* The biggest tool is accountability as per point 4. Better defining shared responsibility would also assist all industry sectors. i.e. Who writes the community stakeholder action plan? What are the needs for data collection and reporting?

\* The calculation of future waste generation is very simplistic, based only on predicted population growth, failing to counter with natural attrition and redundancies (e.g. Queensland Treasury Reports indicating Redland City population in 2031 will equal half 2011 figures due to the demise of its aged population). Consideration should be given to modelling that incorporates economic and social factors. Also, the waste figures rely on solid waste data from councils and private landfill operators which represents only one third of the waste stream.

Citizens are annoyed with the government (and with their local councils) that has charged them on waste just to see the results of their efforts burned, and recycling efforts directed to landfill. Our recycling system is consumer financed through a fee that is put on the price of groceries, and excessive packaging, which means that they are forced to subsidise a fossil-based energy production, and accept duplicated expense for corporate profit, against their will. It is MADNESS to increase CO2 emissions, and accept adverse environmental & health impacts and liabilities through the burning of plastic trash. These plastics are made of raw oil that should be returned to their molecular structure and recycled. The toxicity of environments exposed to an ever-increasing flood of newly produced plastics, while our government is looking the other way is reducing community and environmental resilience at an accelerating cost. In conclusion, it seems apparent that our



recycling system has been corrupted by lobbyists and by politicians on their pay roll. It is the consumers as well as future generations who are paying the bill.

Several other points in this new Waste Reduction and Recycling (Waste Levy) Amendment Regulation 2018 that need to be addressed urgently:

The reason for this levy was to stop transport of waste from interstate to Queensland. This bill does not capture this objective.

1) The levy is for transport of waste. That will disadvantage local communities and councils. Councils such as Mt Isa have to transport waste longer distances and this levy would cost Mt Isa council \$2.5 million a year. The North West Star published that Mount Isa is likely to be slapped with a new waste levy forcing council to fork out millions of dollars more each year. The Waste Levy Bill, before state parliament this month is aimed at curbing the flow of New South Wales trucks driving across the border to dump trash in Queensland landfills. The \$70 per tonne levy is slated for 38 Qld councils including Mount Isa. Mount Isa City Council has been hounding MP Robbie Katter to lobby against the proposed legislation. (<https://www.northweststar.com.au/story/5603655/new-waste-levy-could-cost-council-millions/>)

2) The levy will not stop the transport of waste, as waste is a billion dollar business. Queensland Times revealed that the Ipswich City Council's 2017-2018 budget shows revenue from the council's waste service was \$35.5 million. Expenditure totalled \$24.3 million - resulting in a net operating surplus of \$11.274 million. Does this council profit represent a potential conflict-of-interest with civic responsibilities? An article by IBIS World called Waste Treatment and disposal Services - Australia Market Research Report - tells us The Waste Treatment and Disposal Services industry has benefited from increased household, construction and commercial waste generation over the past five years. Though greater volumes of waste have driven industry expansion, the diversion of recyclable and recoverable waste materials has increased, which has constrained revenue growth. Government regulations that encourage recycling and have raised landfill disposal costs have further constrained demand growth for industry treatment and disposal services over the past five years. However, industry firms continue to treat and dispose of a large proportion of waste generated by households and businesses. Industry revenue is \$3 billion with an annual growth from 13-18 of 0.3%. (<https://www.ibisworld.com.au/industry-trends/market-research-reports/electricity-gas-water-waste-services/waste-treatment-disposal-services.html>)

There are certainly a lot of companies - 663 companies - that have a EO permit (ERA 57 - Regulated Waste Transport 2: Transporting regulated waste, other than tyres) to transport waste to Swanbank.

Section 28 relates to Not For Profit companies being exempt. The LGAQ is a registered not for profit company and was a consultant in the drafting of the Bill. It is clear that they had a vested interest and relating to the Waste To Energy have proposed the introduction of 8 incinerators for local councils where they would return a profit to their own company Peak Services. This section needs to be revised so as that a Not-For-Profit cannot create or be a partner in a joint venture where its partners or subsidiary companies can circumvent the Waste Act. It is also imperative that commercial contracts be subject to authority scrutiny before and after payment, to deter corrupt and criminal practice, and enable prosecution when this this unfortunately occurs.

Australia is signatory to the Stockholm Convention on Persistent Organic Pollutants with aims to protect human health through the reduction and elimination of intentional and unintentional Persistent Organic Pollutants (POPs /UPOPs). Waste to Energy incinerators are recognised as a primary source of POPs and UPOPs generation. There is therefore a compelling obligation on all Australian states to pursue the safest waste disposal options available to avoid the generation of POPs, which, once released, remain in the environment for very long periods contaminating the food chain and building to dangerous levels in humans and other biota.

Gasification offers superior solution, and is compliant with climate change targets in delivering minimal and lower emissions with greater public yield and economy, without adverse health and environmental impacts.

Australia is not immune from the long-term impacts of POPs pollution in the environment with recent biomonitoring of Swan River dolphins in Western Australia revealing they had the highest body burden of POPs, such as PCBs, HCB and dieldrin of any cetaceans worldwide. It would be a retrograde step to invest in new sources of POPs contamination, such as incinerators, as it undermines our obligations under the Stockholm Convention. Australia therefore needs to set its policy drivers towards Zero Waste and increased recycling and composting prior, rather than introducing the waste to energy incineration industry.”

At no time was the CCC consulted in the drafting of the Waste Levy Bill, yet it would most likely be the regulatory authority charged with regulating the Act.

This shows how hard it will be to regulate this levy and to make sure people abide by the bill. As there is no criminal offence attached to the bill, the CCC will not be able to investigate. We are back at breaches of a bill and no real power to regulate same, as we have seen with councillors breaching the local government act. Nothing has been done in that regards and no punishment followed breaches. There is no criminal offences hence there is no deterrent to not breach the levy.

Yours sincerely

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