




Speech By
Hon. Andrew Powell

MEMBER FOR GLASS HOUSE

**WASTE REDUCTION AND RECYCLING AND OTHER LEGISLATION
AMENDMENT BILL**

 **Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (7.40 pm), in reply: I thank all my colleagues who have taken part in today's debate on the Waste Reduction and Recycling and Other Legislation Amendment Bill. Before I go too much further and so I do not forget, I thank the EHP staff who participated in preparing the bill for our consideration this evening, particularly Elisa, Kylie, Kate and Laurie. To the team back at 400 George Street, thank you for your work as well. I thank the Agriculture, Resources and Environment Committee for its thorough consideration of the bill. Today, members on this side of the House—and I do note Katter's Australian Party as well—have stood in support of this bill that once and for all removes the inequitable waste levy of the past. This bill is good for business and industry, good for regulators and good for the environment. I hope that by commending this bill to the House, and in doing so delivering on the government's election commitment to remove the previous government's waste tax, we will now be able to get on with the job of developing an innovative and inclusive waste reform agenda in Queensland.

I think most members in the House today will agree with the words of the member for Maryborough that this levy was a blunt tool and that it is not the only or the best policy option available to us. There are plenty of opportunities for Queensland to now get the policy framework right, opportunities that we may have lost sight of or not fully explored if the levy was still in place. Fundamentally, many aspects of the Waste Reduction and Recycling Act 2011 are good. The act itself provides a solid platform from which we can achieve the best environmental, social and economic outcomes for waste management in Queensland. We now have the opportunity to think creatively and to be more sophisticated in the use of the policy tools available to us.

Today, by burying the waste levy of the past, we can lay solid foundations and begin to build a sustainable future of waste management and resource recovery in Queensland. This government is committed to working in partnership with industry to get the framework and policy settings right. The amendments in this bill are an important step in this direction. Not only do they remove some very prescriptive requirements, but also they allow for flexibility and a more streamlined approach to some activities. It is on that note that I start to reflect on some of the comments made by members in their contributions this evening.

In the spirit of streamlining arrangements, the member for Whitsunday spoke of the amendments to the Coastal Management and Protection Act to create self-assessable codes for minor developments under the integrated development assessment system, IDAS. Under this process, the coastal environment will still be protected through the use of acceptable outcomes in the codes. However, the process for the applicant will be faster and streamlined, and the costs will be reduced. I also thank the member for Whitsunday for sharing how repugnant the waste tax was for the people in Whitsunday. He mentioned walking the streets with the now Premier and hearing first-hand from businesses how despised this tax was and how much of an impost it was on their business.

The members for Pine Rivers, Logan and Dalrymple spoke of removing some of the more onerous requirements for operators of smaller waste disposal sites. These amendments provide more flexibility for operators to determine the best approach to managing their sites. Once again, it is not about government telling people how to run their businesses; it is about getting the best environmental and economic outcomes that we can and reducing the regulatory burden for people.

Now I turn to the comments of the member for South Brisbane. The member for South Brisbane suggested that a waste strategy was not a priority of this government—that we had rushed to remove the waste levy but had failed to get going on a strategy. That is absolutely ridiculous. At the same time last year that we initiated the regulatory changes to the waste tax, we initiated our discussions with the industry—and by ‘industry’ I do not mean just the waste industry but all the industries under construction, agriculture, resources and tourism, across-the-board—as to what an industry led waste strategy would look like. That has progressed, and had the member listened to my second reading speech she would have received an update on it.

The member for South Brisbane spoke about the data and said that it was an essential component of driving a waste strategy. I could not agree more, which is why we are leaving it in the act. It is a very important tool. I wish it had been in place before the previous government jumped to the conclusion of a waste tax. Had it been there, we may have had a more sensible and rational debate around policy options that could assist us in delivering waste strategies for this state.

The member for South Brisbane spoke of some of the outcomes she has seen with us removing the waste levy. I will speak of some of the outcomes that I have seen because of the waste levy. Sunday was Clean Up Australia Day. Many of the members in this chamber would have participated in Clean Up Australia Day. I see a thumbs up from the member for Murrumba, who obviously attended something locally in his electorate, which is great to hear. I, too, attended a number of activities in my electorate, including with the great kids of year 6 and year 7 from Wamuran State School and also with our littering and illegal dumping unit and HQPlantations at the state forest. Later on I will give some details as to how much we found, but to give an indication: in 1.2 kilometres of one forestry track, some 26 one-tonne utes were filled. Everything from fridges to bicycles, washing machines to timber, and green waste to a bag full of used nappies was found in our state forests. Why? Because whilst we have done our job in removing this abhorrent tax, there are still fees on landfill put there by local council but more so by the carbon tax. I acknowledge the number of members who mentioned that this evening. The outcome of a levy is not necessarily good environmental outcomes. It includes illegal littering and dumping.

The member for South Brisbane mentioned that it was not designed to impact on domestic residents. That is simply not true. During the debate on the original bill and in my capacity as the shadow minister, one of the key areas that we were representing in our objection to the tax was the fact that a number of aged-care and retirement villages have their waste collected by a commercial operator and, by doing so, they had to pay a tax. The operators, owners and managers of those retirement villages say that they had no solution other than to pass that on to their residents. People who could potentially least afford to pay a tax of this nature were going to be paying it.

The member for South Brisbane mentioned that Labor is progressive. If Labor is progressive, its only solution is a tax, by the sounds of it. Every time they say, ‘We are being progressive,’ what the nation and the state end up with is yet another tax. As I said, it is a very blunt policy tool. It is not progressive at all. It was lambasted by absolutely everyone, as we saw when we considered the original bill when I was the shadow minister. It was flawed, as the member for Thuringowa rightly pointed out. It was draconian, as the member for Lytton rightly pointed out. It was an insidious rush job, as the Minister for Local Government, Community Recovery and Resilience spoke about. Because of his dealings with local government, no-one would know better than he how much of a rush job it was towards the end. It was not tax that local government wanted to receive or undertake to collect on behalf of the state government. Certainly it was not a tax that they wanted to administer.

The member for South Brisbane spoke about creating jobs in the waste industry. They would have come at the expense of jobs in other industries such as tourism, agriculture and construction for starters. I acknowledge the contributions of the member for Gladstone and the member for Lytton. In particular, it would have impacts on our significant industrial sectors such as in the electorates of Gladstone and Lytton—around the Port of Brisbane. Those businesses were going to be paying extraordinarily high levies to remove their waste.

Then of course we came back to the old chestnut of cross-border waste disposal. This was mentioned by the member for Dalrymple and the member for Maryborough. I thank the Maryborough for clarifying some of this, but I will go into it in a little more detail. We can go back to the debate on the original legislation. I as the shadow minister asked during consideration in detail of the legislation

what was occurring and no-one could give me data on this. No-one could tell me how much was coming across the border. Cross-border trade in waste is not illegal. It has actually been undertaken for some time in a regulated manner. The reality is that some states are predisposed to dispose of certain kinds of waste. Certain states have facilities designed to receive certain kinds of regulated waste. It has been occurring. We can certainly track that regulated waste.

We are always hearing anecdotal evidence of highways full of trucks bringing up waste from down south. When I have asked for concrete data no-one has been able to provide it to me. Does that mean that I put my head in the sand and do nothing about it? No, it does not. I do work with my colleagues down south, including the minister for environment in New South Wales. I come back to what the member for South Brisbane said herself: data is king. Where is the data to support this? If anyone has that data then I would love to see it.

Mr Rickuss: The transport costs are too high.

Mr POWELL: I take the interjection from the member for Lockyer. It is a commercial business decision, surely. Even at \$90 a tonne a company is not going to constantly truck waste from Sydney to Queensland on the basis that fuel—

Ms Trad: Where is your data for that assertion?

Mr Rickuss: \$120 a tonne.

Mr DEPUTY SPEAKER (Mr Berry): Order! Minister, take your seat for a moment. Member for South Brisbane, he is not taking your interjection. Allow him to continue. I call the minister.

Mr POWELL: Let me give the member for South Brisbane some data. The member for South Brisbane quoted in her speech recycling rates of 33 per cent. Those are 2007 figures. The 2011-12 waste data figures show that for municipal solid waste, MSW, we are now at a 40 per cent recovery rate, for commercial and industrial waste we are at 40 per cent, and for construction and demolition waste we are at 53 per cent. That is a total recovery rate of 42 per cent. In terms of our 2014 targets for commercial and industrial waste, we have met that target of 40 per cent already. We have met the target for construction and demolition waste of 50 per cent. We have already achieved the targets set for 2014.

I will come back to the container deposit legislation later. A number of members have mentioned that. If members bear with me, I will come back to that.

I will now move to the comments made by the member for Gladstone. The member for Gladstone is right that there are other ways to create incentives in this industry. There are other ways that we can drive policy change and drive industry change in terms of waste. We certainly will be doing that by working with councils, not against them. I am very happy to talk to the mayor of the Gladstone Regional Council—I have spoken to her about a number of matters—about this issue as well. I also note that the member for Gladstone and a number of other members mentioned the flooding impacts. I certainly take those comments on board as well.

We are responsible for and we do need to get smarter around how we manage waste. I acknowledge the work that we have been able to do with organisations like Keep Australia Beautiful Queensland and the Australian Packaging Covenant, particularly the rollout of the Queensland bin network. We have successfully trained people—many of the people in this room included—to recycle their home waste, their municipal solid waste. Everyone has become used to having a yellow bin and having it collected every second week or every week if you are lucky.

The problem is that when people go out into public spaces they look for those recycling bins. They look for an opportunity to put their can or bottle or newspaper into a recycling bin and they are not there. We have started to see them in the Queen Street mall. We have a commitment from the Australian Packaging Covenant to roll that out across the state. We are starting with a couple of key locations, particularly shopping centres, entertainment venues and sporting stadiums. They are some of the innovative ways that we are looking at doing this.

The member for Gladstone in particular looked at the container deposit legislation. I need to update her on a recent development in this field. The beverage industry—Coca-Cola Amatil, Schweppes and Lion Nathan—challenged the introduction of container deposit legislation in the Northern Territory's environment protection beverage containers act. They did that on the basis of inconsistency with the Mutual Recognition Act. The Federal Court has recently found that the legislation is inconsistent with the Mutual Recognition Act. The court found that the differential labelling provisions in the Northern Territory legislation were contrary to the MR Act. Costs were awarded.

This finding does not affect the operation of the South Australian scheme, which has been grandfathered under the Mutual Recognition Act, but it does have quite serious potential implications for the independent introduction of container deposit schemes in each state or territory jurisdiction. It makes it unlikely that anything other than a national scheme would be introduced with any degree of certainty. Member for Gladstone, what has occurred is a ruling by the Federal Court on the Northern Territory legislation. It has meant that, given the provisions of the Mutual Recognition Act, a state is very unlikely to succeed in implementing its own container deposit legislation. This means that it would have to be a national system if there is a system at all. I will acknowledge that the Northern Territory government has stated that they intend to appeal the findings if there are sufficient grounds.

In terms of a national scheme, there have been a number of RISs, regulatory impact statements, undertaken. A decision RIS is currently being prepared for consideration later this year. To date, the outcomes of the cost-benefit analysis in the consultation RIS indicated that container deposit legislation is not the most effective option to implement at a national level. It actually recommends other options, including strengthening the packaging, covenant, product stewardship framework. That would provide greater benefits to the community than CDL.

We are now in a situation where it is only likely that other states will gain a CDL if the federal government implements one, but that is looking increasingly unlikely given that the documents going out in terms of the impact on the community show that it is the most costly option, not the one that will produce necessarily the best outcomes. I am happy to talk to the member for Gladstone in more detail about that at some other time.

I must at this point acknowledge that the member for Condamine has also suddenly come on board as a CDL fan. It is interesting that it is not something I ever heard in my time in our shared party room. He must be a new convert to the idea of CDL. But I do thank him for his party's support of this bill this evening.

The member for Lockyer talked about considering new strategies because we are a decentralised state. He rightly pointed out, as a number of members did, that ultimately this levy was all about a tax on the people of Queensland.

I mention the member for Condamine again. I thank him for welcoming this cut in the cost of living for Queenslanders. He, too, picked up on the point about illegal dumping and spoke about some of the back roads out his way.

Mr Johnson interjected.

Mr POWELL: You are seeing some of that, member for Gregory. As I said earlier, I am seeing that all over my patch.

I will pick up on the member for Condamine's suggestion that we have no long-term strategy. As I have said before, we have been at it from day one. But, as I said, it is also going to be industry driven. I am very much working with industry, with local government, and with both waste generators and waste receivers and recyclers to come up with the best outcome. We will have something out for consultation later this year. My intention is to deliver it as soon as possible.

I agree with the member for Condamine that we need to look at waste not as waste but as a resource. I think one of the most exciting opportunities that we could explore as a government is the idea of an industrial ecological precinct where one industry's output in terms of waste becomes the raw materials for a neighbouring industry's product and subsequently the waste that comes from that industry gets passed onto a neighbouring industry that needs that waste as its raw product. In the end you end up recycling each of the wastes along the way and reducing the need for landfill.

Somewhere along the line the member for Condamine started to get on his old hobbyhorse of coal seam gas. I think he was getting his bills mixed up. His suggestion that water was a waste again belies the work that we have been doing around beneficial re-use of the water from the coal seam gas industry. Again, it does not surprise me that we went down that track. I do agree with the member for Condamine that it is about education as well. Many members here would well remember the 'Do the right thing' campaign. It has been at least a generation, if not longer, since we have had a public-wide campaign around doing the right thing. I am working with Keep Australia Beautiful Queensland around options there and will continue to look at ways that we can educate both the next generation, our school students, and those in the current generation who have forgotten what it is to do the right thing.

I thank the member for Logan for his contribution. He is right: we cannot control all the gate fees, as we have said. Unfortunately, while we took away a state levy, the federal government imposed the carbon tax, and that was also mentioned by the members for Albert and Lytton. The members for Albert and Maryborough also talked about the fact that without the waste levy they are

seeing some recycling industries in their parts of the world that are absolutely booming. So the idea that you need a price trigger to initiate these things and sustain them is absolutely ridiculous.

The member for Lytton also talked about reducing the administrative burden, and that is what this bill that we are debating this evening is all about. The member for Mundingburra succinctly summed up the impacts on local governments. We were talking to a number of them about this when it was first introduced by those opposite and we have certainly been talking to them since.

The Newman government has undertaken to develop a new industry led waste strategy for Queensland. I have said that on a number of occasions. This strategy is about the industry's issues as a whole, not the government's issues. This is what an inclusive, industry led strategy is all about, and by 'industry' I mean everyone who has a stake in waste management, including the community, businesses, local governments and the waste sector. The government wants to make sure that it is focusing on the right areas and delivering what Queensland needs and wants. I would like to take this opportunity to acknowledge and thank all of the industry representatives who have participated in the waste forums I have held to date. Some excellent issues and opportunities have been raised in these forums.

The Queensland government values the economic contribution the waste and resource recovery sector makes to Queensland and its genuine efforts in diverting valuable resources from becoming waste. Together we can create a strong waste and resource recovery sector which will provide the building blocks for the implementation of innovative, cost-effective and efficient solutions to help us minimise our waste, increase our recycling and reduce unnecessary disposal in the longer term.

I particularly see this government's role as giving industry an environment of certainty and security with respect to the policy settings. This government's role extends to removing regulatory barriers to ensure we are growing a strong, sustainable industry and not just rewarding lowest common denominator practices. We see this as the best opportunity we have ever had to get the regulatory framework right. This bill is the start of that process.

By getting the policy settings right we can provide the certainty that will attract more investment into Queensland's resource recovery industry. The Queensland government also acknowledges that avoiding producing waste in the first place is a sign of efficient business practices. That is why this government will be working with businesses and waste generators to help improve waste avoidance and increase resource productivity.

We need to start thinking about wastes as resources, as I said previously, and looking for opportunities to keep these materials in the economy for as long as possible. We need to start looking to Queenslanders for the solutions, locally and regionally, and not rely on interstate or overseas markets and processes in quite the same way. This is the way we can maintain and build jobs, skills and investment in Queensland.

Just before I conclude, I look to the gallery and would like to welcome some people who potentially in the very near future will be assisting us in coming up with great solutions for our waste industry here in Queensland, and they are the Young LNP clubs of UQ, QUT and Griffith University. I welcome them to the chamber this evening.

We have an opportunity now to change the past and focus on the future. I commend the bill to the House.