




Speech By
Hon. Leeanne Enoch

MEMBER FOR ALGESTER

Record of Proceedings, 14 February 2019

**WASTE REDUCTION AND RECYCLING (WASTE LEVY) AND OTHER
LEGISLATION AMENDMENT BILL**

 **Hon. LM ENOCH** (Algester—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (12.54 pm), in reply: I thank all honourable members for their participation in the debate on the Waste Reduction and Recycling (Waste Levy) and Other Legislation Amendment Bill 2018. As I said yesterday, there is an absolute groundswell of community support for improving how we manage waste. Queenslanders are increasingly conscious of waste as an economic and environmental issue.

Our kids get this. One only needs to go to any school in Queensland to find that our children already understand how important it is modernise our waste management systems. They understand the importance of recycling. They understand the issues around increasing waste to landfill, what it means for our environment and the actual inheritance they are receiving from us in terms of the way we manage waste in this state. They get it.

More and more Queenslanders are getting on board. That is why we have had this overwhelming response to the container refund scheme, for instance. That is why we have seen people become more conscious of the use of plastics and the use of plastics bags. We have seen some reports that there has been a 90 per cent reduction in plastic bags. Queenslanders get this and they want action from their government.

I reflect on the Treasurer's comments in her contribution to the debate that this is about the future. It is about what we are leaving our kids and their kids and what they will have to pay if we do not do something now. It is absolutely crucial and critical that we modernise the waste management system in Queensland and bring ourselves into line with the rest of the nation to ensure that we are not leaving a legacy for our kids that will put them even further behind their cousins in the other states and territories.

Quite frankly, households are telling all of us that they are willing to play their part in modernising waste management. The government will ensure they are protected from any direct impact of the levy through the annual payments to local governments. Enormous benefits will flow to the waste and recycling industry and local communities from this bill. The levy will stimulate investments in alternatives to landfill and fund the use of new technologies to sort and re-use materials and recycle waste.

The waste levy will encourage and support change by local governments as they consolidate waste disposal sites, convert ageing and inefficient landfills and meet community expectations. It will help local governments achieve the Local Government Association of Queensland's own ambiguous target of zero waste to landfill by 2035. This levy will assist our local governments with the target they have set themselves of zero waste to landfill by 2035. This will assist in terms of making sure that we have the right market drivers to assist in all of that.

Changes to waste management in Queensland are already beginning in anticipation of the levy. Some 34 councils were successful in their applications to the \$5 million 2018-19 Local Government Levy Ready Grants Program. These grants will assist councils get ready for the levy, but in many cases


will also fund progress towards their own long-term waste management strategies. Applications are also currently being considered for the first round of resource recovery grants under the Resource Recovery Industry Development Program, while expressions of interest and applications are being accepted under the two streams.

What we have heard from this side of the House is understanding of where Queenslanders are right now with regard to this issue. We know that Queenslanders are expecting their government to do something about waste management to reduce the amount of waste that we are seeing going to landfill and the amount of waste that we see in our environment. We know that the waste that ends up in landfill contributes to emissions. We want to be able to reduce that. Many Queenslanders at this time are absolutely tuned in to issues around climate change and the actions that we all need to take to be able to mitigate and reduce the risk of climate change and climate risk in everything that we do. It is timely that we are bringing this bill to the House so that we are able to give confidence to the industry and to Queenslanders that there is something that we can all do to secure the future of our kids.

What we heard from the opposition yesterday and much of today is a complete disconnection to what Queenslanders are wanting from their government. We have heard rubbish about dishonesty, rubbish about how Queensland does not need a waste levy and, worst of all, rubbish about how waste levy funds will be spent in our state. Mostly what we heard from the opposition sounded a lot like they were defending one of the worst decisions they made when they were in government. That is a big statement because there were a lot of terrible decisions made when they were in government. Quite frankly, this was one of the worst decisions they made. It is important to remember that the only reason Queensland is in the situation we are currently in, where we are on the receiving end of interstate dumping and interstate dumping is on the rise—

Mr DEPUTY SPEAKER (Dr Robinson): Minister, please move that the debate be now adjourned.

Debate, on motion of Ms Enoch, adjourned.

 **Hon. LM ENOCH** (Alger—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (4.00 pm), continuing in reply: It is important to remember that the only reason Queensland is in the situation we are currently in—where we are on the receiving end of interstate dumping, where we are so far behind the rest of the country in terms of recycling rates, where we could not respond quickly to China's decision to impose import restrictions like other states were able to—is that in 2012 the LNP recklessly repealed the waste levy we had in this state. What we have seen over the last few days is LNP member after LNP member stand and try to defend that terrible decision.

The member for Broadwater declared that the opposition would not be supporting this bill, but what he did not say was whether the LNP would once again repeal the levy if they were elected to government in the future, sending Queensland backward once again. He has refused to give industry and communities the certainty of investment and job opportunities that we know will come with the waste levy. I think it is high time the LNP came clean and declared whether they would repeal the waste levy given half the chance.

The member for Broadwater also made some extraordinary claims about how the government will spend waste levy funds. He said that 90 per cent of the waste levy money would return to the government. What rubbish. Apparently, the member for Broadwater has lost his copy of the budget papers because in the 2018-19 budget papers it clearly says right there in black and white that 70 per cent of levy funds will be allocated to industry, councils, scheme start-up and environmental priorities. I am advised that there is no other state in the nation that has hypothecated that same percentage of their waste levy to these causes. I do not know why it is so hard for members opposite to get their heads around this. Frankly, I support the call by the member for Jordan, who was a member of the parliamentary committee that considered this bill, that if the member for Broadwater is going to continue making that false claim he should table his maths.

I also want to reiterate our government's commitment to Queenslanders. It will not cost more to put out your wheelie bin. We are providing local councils with 105 per cent of the cost of municipal solid waste—that is above the cost to send municipal solid waste to landfill—which is designed to incentivise further innovation in their waste management approaches. We have enshrined that in this legislation. Our commitment is rock solid. I am advised that no other state in the nation has a similar commitment.

The member for Broadwater mentioned in his speech households living in retirement villages and other places that have commercial waste management agreements. Let me be very clear again that these Queenslanders are also covered by our commitment. I have instructed the Department of Environment and Science to develop a model for entering into arrangements with waste contractors, business operators and households to ensure there is no direct impact on any resident caused by the introduction of the levy.

Those opposite have also persisted in their scare campaign about the cost of building a new home. There have been claims made in the past that the waste levy will add \$1,500 to the price of a new house. For this to be true, every newly constructed house would have to see around 20 tonnes of materials end up in landfill. Surely we can do better than that. That would mean that right now people who are building their properties would be seeing 20 tonnes of materials go straight to the tip. We know that much of this waste, including any clean earth excavated from the site, is recyclable. Once again, the LNP members have their numbers wrong, but they are not letting the facts get in the way of demonstrating how out of step they are with Queenslanders and their expectations.

It is true though that, as the Minister for Housing pointed out in his contribution, estimates show that overordering concrete on the average four-bedroom home currently costs almost an extra \$1,000. Obviously, careful ordering would save the home owner and reduce waste. The truth is that this government is committed to working with the construction sector to ensure they can play their part in waste minimisation, recovery and recycling. The Master Builders Association and HIA have been members of the government's waste advisory group. As I announced yesterday, the government has committed \$2 million to support waste solutions for the construction and demolition industry.

Long-term waste minimisation will save money in construction, and the industry is aware of that. As the housing minister also pointed out, some of Queensland's largest builders are already doing the work to reduce overordering to reduce costs for their clients. The incentive of a waste levy will support them to do that. Companies like Mirvac, which have diverted 95 per cent of building waste from their developments from landfill in 2017, should be congratulated for the progress they are making. Further, as we have heard, Master Builders has also produced a guide outlining the benefits of waste reduction. There is room for improvement in the construction industry, but by working together I am confident we can reduce waste that is going to landfill.

Members opposite also raised issues about illegal dumping. Let me again inform the House, as I did yesterday, that the government is investing \$25.9 million of levy funds for compliance work to reduce the risk of litter and illegal dumping. We know this action is critically important; that is why we are doing it. We are also taking steps in this bill to look after councils in the non-levy zone by ensuring waste transported in the zone is notified 24 hours in advance and there is a penalty provision if 24 hours notice is not provided for. The purpose of providing 24 hours notice is so that the landfill operator can decide whether they want to accept the leviable waste.

During my second reading speech, I announced that I would be moving amendments to commence the levy on 1 July 2019. This is in response to concerns raised by local government and other stakeholders that commencement of the levy should be aligned with the start of the financial year. The government's willingness to make this change demonstrates its intent to ensure administration of the levy is as simple as possible for local government and private industry and it is further evidence of our collaborative approach to these reforms. We should be clear about this: collaboration is absolutely critical with the multiple initiatives introduced by this government to modernise the way we manage waste and to help us all look at waste in a different way. We have to ensure that we are all working together on this. That is why this collaborative style has been absolutely critical in ensuring that we have a bill now before the House that has had all stakeholders engaged.

A number of the amendments to bill will be required as a consequence of deferring the commencement of the waste levy. For example, the bill no longer needs to amend the City of Brisbane Act and Local Government Act because all the details of the levy will be available in time for council budget meetings for 2019-20 that will set charges for waste management.

During my second reading speech, I also mentioned that I propose to move amendments to the bill to address specific circumstances raised during consultation on the bill and how it will be implemented. The amendments proposed will ease the levy transition for particular circumstances, including by exempting certain waste and waste facilities and particular circumstances at some landfill sites. They will also clarify some provisions.

Many councils advise that they waive landfill gate fees so that residents and businesses can clean up after a serious local event such as a storm or flood, even when it has not been declared a disaster under the Disaster Management Act 2003. A number of amendments to clauses 6 and 20 of the bill will allow for the levy to be waived in similar circumstances. The exemption does not require an application but is subject to notification requirements, and the chief executive may declare limits on the exemption. There are also limits on the period of the exemption, but an application may be made for the waste to be declared exempt for a further period if the need exceeds these limits. This is, of course, further to the provisions related to clean up post a declared disaster.

An amendment to clause 6 is proposed to exempt litter and illegal dumping of waste collected by or for a plantation licensee required to maintain public access to the plantation licence area for recreational purposes, and I thank HQPlantations for raising this concern. Small, remote and unmanned

disposal sites will struggle to meet requirements to record leviable waste delivered to the site. An amendment to clause 6 will exclude sites in the non-levy zone authorised to receive 5,000 tonnes or less of waste in a year from those requirements if they have taken all reasonably practical steps to ensure that leviable waste from outside the non-levy zone cannot be lawfully delivered to the site.

Several councils, including the Rockhampton Regional Council and Townsville City Council, identified that at some landfill sites householders deliver certain waste, typically recyclables, to collection points before reaching a point where waste deliveries are recorded. I thank these councils for drawing the attention of the Department of Environment and Science to this arrangement. Rather than forcing these councils to rearrange their sites, an amendment to clause 6 will provide flexibility by removing the requirement to measure waste delivered to a resource recovery area in a small vehicle.

An amendment to clause 6 also clarifies how requirements apply to mixed loads of waste that include exempt waste. This closes a loophole for potential levy evasion. Another amendment to clause 6 clarifies that applications for a bad debt credit are allowed for deliveries to a resource recovery area at a waste disposal site. Orora Limited, Seqwater, Glencore Limited and Queensland Resources Council assisted the department in identifying particular landfills where it would be inappropriate to charge the levy.

Amendments to clause 6 and clause 20 will exclude landfills from the definition of waste facility if they are operating only to support resource activities and the disposal of waste to remediate contamination generated by activities prior to becoming environmentally relevant activities in certain circumstances. The exclusion will be conditional on waste only being generated by the relevant activity. For historic waste, it would be dependent on the activity now being properly licensed and operated, substantially the same as the previous activity and being conducted in the same place. The amendments will also exclude from the definition of 'waste disposal' site facilities that only receive specific types of exempt waste that will be prescribed by regulation.

Following representations from Cairns Regional Council, I will also move an amendment to clause 20 to ensure virgin soils and sediments in parts of Queensland where there are acid sulphate soils are exempt from the levy whilst also ensuring potential harm from these soils has been appropriately dealt with as prescribed by regulation. I thank the Cairns Regional Council and members of the Legislation Technical Working Group for assisting in the development of a practical solution to this issue.

A bill does not reach this point without considerable work from many people, both within and beyond government. The key features of the levy were proposed in a directions paper released in June 2018 to which there were over 100 submissions. These submissions in turn informed the development of the bill, and I thank all those who took the time to make those submissions. I also thank all those who met with the department to discuss the development of the bill, including peak body representatives that participated in the Recycling and Waste Management Stakeholder Advisory Group. I especially want to acknowledge members of the Legislation Technical Working Group who volunteered their valuable time in contributing to meaningful discussions on several drafts of the bill before it was finalised for introduction.

I thank the Innovation, Tourism Development and Environment Committee for their inquiry and committee staff who assisted with the inquiry. I would also like to acknowledge the 37 peak waste and recycling representative bodies, other industry representative organisations, businesses, local governments and members of the public who made submissions to the committee inquiry. I would also like to thank the 27 submitters who made submissions on the consultation draft of the regulation. Valuable information provided during consultation resulted in a range of adjustments to the regulation. Notably, the Goondiwindi Regional Council local government area will be included in the waste levy zone. There will also be a temporary three-year exemption for road scrapings, or road planings as they are also known, for regional councils outside South-East Queensland.

I would like to thank staff in the Department of Environment and Science who have worked tirelessly in the development of this legislation, in particular Tony Roberts, Adrian Jeffreys, Victoria Hutchinson, Karalyn Herse, Ashley Bunce, Ariane Milinovich, Jodie Collins and Matthew English. The bill will provide an incentive for people to reduce the waste they create and find more productive and job-creating uses for their waste. This is good for Queensland, it is good for the economy and it is good for the environment. I commend the bill to the House.