




Speech By  
**Hon. Leanne Linard**

**MEMBER FOR NUDGE**

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Record of Proceedings, 24 May 2023

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

 **Hon. LM LINARD** (Nudgee—ALP) (Minister for the Environment and the Great Barrier Reef, Minister for Science and Minister for Multicultural Affairs) (2.00 pm), in reply: First of all, I thank all honourable members for their participation in the debate on the Waste Reduction and Recycling and Other Legislation Amendment Bill. Before summing up the debate, I remind the House just how far Queensland has come since the dark days of the Newman LNP government when it comes to managing our waste and recovering the value from the waste we cannot avoid. Not only did Campbell Newman, David Crisafulli, Jarrod Bleijie and the rest of the LNP cabinet lack a vision in this important policy area; they introduced policies that set Queensland back. Their removal of the waste levy resulted in record levels of waste flowing across the border and being dumped here in Queensland, impacting communities and our beautiful environment. There was no incentive for the private sector to invest in the recycling facilities that a growing state needed and there was only a paltry government investment in new recycling infrastructure. The former LNP environment minister, the member for Glass House, backflipped on introducing a ban on harmful single-use plastic shopping bags—the same bags that have such devastating impacts on our wildlife and waterways.

The track record of the Palaszczuk government provides a clear contrast. Since we reintroduced the waste levy, the interstate transfer of waste is down 62 per cent and we are no longer a dumping ground for other states. The levy also sends a vital signal to encourage private investment in new recycling and remanufacturing capacity. Importantly, we have kept the commitments we made to Queenslanders when the levy was reintroduced. We made a commitment to reinvest at least 70 per cent of the levy revenue back into waste management and resource recovery initiatives and other environmental programs, and we committed to ensuring that there would be no direct cost to households as a result of the levy. We have done this through the annual payments to local governments so that households have not been impacted and we are working alongside industry and local governments to boost recycling.

Through the Resource Recovery Industry Development Program, 29 businesses and local government projects were supported with \$34 million worth of investment. An additional 1.34 million tonnes of waste will be diverted from landfill every year. The program has helped to attract \$193.8 million in private sector investment and create more than 360 jobs across Queensland. Our Food Waste for Healthy Soils Fund will support an additional 139,000 tonnes of organic waste to be processed each year, with 171 jobs created during the construction of new and expanded facilities and 33 jobs ongoing. Around 80,000 tonnes of additional recyclables were transported from regional and remote Queensland to processing facilities through the Regional Recycling Transport Assistance Package. That material might otherwise have ended up in landfill if not for this funding support.

The total volumes of both commercial and industrial waste recovered in Queensland improved ahead of our 2025 target trajectory over the first two years of the levy. However, our third year of data demonstrated a change in commercial and industrial waste that may be related to changed work and

consumption behaviours during the COVID response period. We know we need to do more, particularly around municipal solid waste and commercial and industrial waste. That is why we have worked closely with local governments across the state to develop regional waste plans. We will back the implementation of those plans through the \$1.1 billion Recycling and Jobs Fund and it does not stop there. So far, nearly eight billion containers have been collected through the container refund scheme. This is great for the environment and great for Queenslanders. Around \$620 million in refunds have been received by individual customers and more than \$10 million has gone to charities and community organisations. Local governments and material recovery facility operators share in the refund amount for containers that come through the kerbside collection system.

The WWF plastic scorecard already ranks Queensland second amongst states and territories in phasing out harmful single-use plastics. Our five-year road map and this legislation will see further bans introduced that will ensure we remain a leader in this space. We are acting, not dithering, and we are starting to see clear and measurable results. We are boosting resource recovery and helping to create new jobs and new opportunities for people to participate in recycling and the circular economy, not talking down Queenslanders' action on recycling.

The bill removes the automatic levy exemption for clean earth and subsequently removes the definition of 'clean earth', to take effect from 1 July. It bans the outdoor release of lighter-than-air balloons from 1 September and the amendments will also provide a head of power in the definition of 'waste' to enable a thing to be prescribed by regulation to not be a waste. Further, the bill outlines the issues to be considered before the minister can recommend the making of a regulation, including consultation on the proposed change, consideration of the results of consultation and whether the proposed changes achieve the objectives of the Waste Reduction and Recycling Act 2011 and the Environmental Protection Act 1994. The definition of 'waste' will be moved from the Environmental Protection Act to the Waste Reduction and Recycling Act.

This bill will include the circular economy principle as a principle under the Waste Reduction and Recycling Act and it will include the circular economy as a consideration in preparing a waste management strategy. Amendments in this bill will authorise the chief executive of the Department of Environment and Science to make a decision about amending or suspending a resource recovery area declaration and making a payment to a local government, including to mitigate the direct effects of the waste levy on households in a local government area. Under the bill, the review period for the state's waste management strategy will expand from three to five years. This bill will set an expiry date of 31 December 2025 for the exemption from the ban for a single-use plastic item that is an integral part of a shelf-ready product.

I will turn to some of the issues raised by members opposite. The member for Nanango pleaded for action in relation to solar panels, as did a number of other members. It would have been helpful if she had picked up the phone and pleaded with her federal LNP colleagues to act when they were in power. I will be clear: it was the federal LNP government, led by Scott Morrison, that did nothing to roll out a federal solar panel product stewardship program. In May 2018 there was an assessment of options to progress a national approach for PV systems in Australia.

We know that Queenslanders love the sunshine and have embraced solar. Per capita, Queensland has the highest installed panel capacity of all states and territories of Australia and in the world, including households, commercial premises and solar farms. The recovery and recycling of solar panels has been identified by the government and stakeholders, including local governments, as a priority end-of-life product. That is why the Palaszczuk government is working with industry to roll out a national first: a pilot solar panel product stewardship program led by industry. Once again, the LNP are so focused on whining that they miss the news and the real action that Queenslanders are taking.

I also want to address specific questions asked by the member for Bonney about clean earth. Yes, clean earth can be used for resource recovery activities. We want to see the recovery and re-use of clean earth maximised, and that is the core intent of placing a levy on disposal. Clean earth can also be used operationally, specifically at landfill sites where it can be used without the levy being incurred when the operator holds an operational purpose exemption. Landfill operators do not need to remove stockpiles of clean earth by 1 July and may continue to receive and use clean earth without paying a levy where an operational purpose exemption is held from 1 July onwards. I assure the House that clean earth material bought for use as a resource is not a waste. Additionally, I will be clear that, as was the case before the bill, the use of clean earth for fill at any location where no other wastes are included does not constitute a waste disposal activity by virtue of the existing definitions within the Environmental Protection Regulation 2019.

On the issue of waste targets, the member for Moggill claimed that Queensland has gone backwards, but the real question is: from where exactly? Members of the LNP have such short memories—or maybe they just hope that we do. Let me recap. Between 2014-15—the final year of the

Newman government—and 2021-22—the latest publicly reported data—commercial and industrial recovery rates went up eight per cent, to 49 per cent, and construction and demolition recovery rates were up 22 per cent, to 78 per cent. It is only through the Palaszczuk government's actions, including the reintroduction of the waste levy, that we have seen the very significant improvement in C&I recycling rates and C&D recycling rates that have already exceeded the 2025 target.

We have once again heard from LNP members that the draft strategy review report was hidden to keep quiet the story about Queensland's progress towards its targets. This is rubbish. Having completed its annual recycling and waste report on time and published it in December 2022, it is a nonsense to claim that the department was hiding data from the public. The department could have done the easy thing and published the report with just two years data showing we were largely on track for 2025 targets apart from municipal solid waste. Instead, it was more accountable and transparent by taking the time to revise the report to ensure it reflects the story that the third year of data tells. This forms the basis of the proposed amendment in this bill to change the strategy review period from three years to five—not to hide the data but to tell the full story and ensure it is meaningful.

I also note that the shadow minister has been circulating amendments to the bill, one of which I have mentioned in my speech already and which the government will be moving and another which we will not be supporting. To be clear, this bill does not in any way censor local government. For the LNP to suggest this is a disgrace. Annual payments are directly linked with households. In fact, the Queensland government is the only state to pay councils these annual payments. The purpose of the annual payment is to mitigate the impact of the levy on households. Like all disputed administrative decisions, should a council wish to dispute the decision it can request a review, go to a judicial review and complain of course to the Ombudsman.

In respect of consultation with the LGAQ, a number of comments were made by members. In addition to the standing monthly waste and resource recovery working group meeting that LGAQ, WRIQ and WMRR are attending, I would like to commend DES for delivering the following consultation activities with those three bodies, including the LGAQ. The first is the resource recovery round table. Standing up this ministerial round table brought together 17 critical stakeholders across industry, retailers, councils and ENGOs. This group has met three times with stakeholders connecting from across the country. The most recent meeting was only a few weeks ago.

I acknowledge and commend DES for using this forum to engage with stakeholders. I take on the feedback from others where it was raised that that has not been occurring. It is important that there is ongoing consultation with these important groups. It is an expectation I have of the department, as I know the previous minister did. I commend DES for using the forum to engage with stakeholders. Stakeholders were notified of the levy efficacy review and invited to provide formal feedback through written submissions. They were also offered the opportunity to attend an information session on the review. Three peak bodies and their members attended the information sessions.

In respect of the clean earth process consultation, the LGAQ stood up with the previous minister in regard to this in December 2021. Stakeholders including the mayors were briefed on the announcement by the previous minister. The same key stakeholders were invited to attend a briefing regarding the proposed regulatory changes including the removal of the clean earth levy exemption. A further workshop was delivered and attended by the same three peak bodies on 5 December 2022. On 22 February this year, immediately following introduction of the bill, key stakeholders were contacted by the department and verbally briefed on the bill. That consultation has been ongoing, so I reject the comments that there has not been any discussion among the department and those important key bodies.

The Waste Reduction and Recycling Act provides a contemporary legislative framework for waste management and resource recovery in Queensland. The act provides for: consideration of the waste and resource management hierarchy and user-pays and polluter-pays principles; introduces a framework whereby waste can become an end-of-waste resource; allows for the development of product stewardship arrangements; introduces a ban on single-use plastic items including lightweight single-use shopping bags; and introduces the container refund scheme. Queenslanders have been at the forefront of change, directly benefiting from initiatives like the container refund scheme and Containers for Change and have welcomed bans on single-use plastic items.

Amendments proposed in this bill continue to strengthen the waste management legislative framework and to move towards a circular economy. Incorporating circular economy principles in the act will provide consistency with Queensland's Waste Management and Resource Recovery Strategy but also embed circular economy considerations as part of decision-making processes. Diverting clean earth from disposal by removing the levy exemption encourages alternative beneficial uses. The ban on the release of lighter-than-air balloons will prevent further harm to animals, particularly marine life.

Avoiding, re-using and recycling waste to the greatest extent possible brings many opportunities for Queenslanders and Queensland businesses through jobs and more industries while reducing our impact on the environment.

In closing, I thank officers from the Office of Circular Economy in the Department of Environment and Science for their work in developing this bill. I would also again like to thank the chair, the member for Thuringowa, and members of the Health and Environment Committee for their consideration of the bill and thank all submitters to the bill inquiry. Again, I acknowledge the former minister's leadership with regard to the amendments in the bill before the House. I commend the bill to the House.