




Speech By
Hon. Meaghan Scanlon

MEMBER FOR GAVEN

Record of Proceedings, 22 February 2023

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

Message from Governor

 **Hon. MAJ SCANLON** (Gaven—ALP) (Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs) (2.00 pm): I present a message from Her Excellency the Governor.

Mr DEPUTY SPEAKER (Mr Lister): The message from Her Excellency recommends the Waste Reduction and Recycling and Other Legislation Amendment Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

WASTE REDUCTION AND RECYCLING AND OTHER LEGISLATION AMENDMENT BILL 2023

Constitution of Queensland 2001, section 68

I, DR JEANNETTE ROSITA YOUNG AC PSM, Governor, recommend to the Legislative Assembly a Bill intituled—


A Bill for an Act to amend the *Environmental Protection Act 1994*, the *Waste Reduction and Recycling Act 2011* and the legislation mentioned in schedule 1 for particular purposes

GOVERNOR

Date: 21 February 2023

Tabled paper: Message, dated 21 February 2023, from Her Excellency the Governor recommending the Waste Reduction and Recycling and Other Legislation Amendment Bill 2023 [179](#).

Introduction

 **Hon. MAJ SCANLON** (Gaven—ALP) (Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs) (2.00 pm): I present a bill for an act to amend the Environmental Protection Act 1994, the Waste Reduction and Recycling Act 2011 and the legislation mentioned in schedule 1 for particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights. I nominate the Health and Environment Committee to consider the bill.

Tabled paper: Waste Reduction and Recycling and Other Legislation Amendment Bill 2023 [180](#).

Tabled paper: Waste Reduction and Recycling and Other Legislation Amendment Bill 2023, explanatory notes [181](#).

Tabled paper: Waste Reduction and Recycling and Other Legislation Amendment Bill 2023, statement of compatibility with human rights [182](#).

I am pleased to rise to introduce the Waste Reduction and Recycling and Other Legislation Amendment Bill 2023. The Palaszczuk government is focused on reducing the amount of waste that goes to landfill while bringing down greenhouse gas emissions and creating more jobs in Queensland's

recycling and resource recovery industry. This is an industry that already contributes \$1.5 billion to the state's economy each year and supports 12,000 jobs, and we want that to grow. We have set an ambitious but achievable target to halve our food waste, to stop 80 per cent of material from ending up in landfill and to recycle 65 per cent of our rubbish by 2030. That is why our \$1.1 billion Recycling and Jobs Fund will be investing in new green bins for households, rolling out statewide behaviour change campaigns and co-investing with councils and industry to deliver even more recycling infrastructure across the state, because when a product is no longer useful or required for its initial purpose we want it to be re-used, recycled or remanufactured right here in Queensland.

Beyond our investment though, we know that to shift the dial we need to get the policy settings right. That is why this bill is so important. These amendments will embed circular economy principles into our Waste Reduction and Recycling Act because the current 'take-make-dispose' approach is not sustainable. By embedding these principles across all aspects of the products that we design, manufacture and use we will enable improved resource recovery and reduce the long-term environmental impacts of these products.

This bill also enacts the Palaszczuk government's 2021 announcement that we would remove the automatic levy exemption for clean earth delivered to a leviabale waste disposal site. It will also fulfil Labor's 2022 commitment to ban the release of lighter-than-air balloons from 1 September this year as part of our five-year action plan on single-use plastics.

The amendments proposed in this bill will, firstly, provide a head of power in the definition of 'waste' to prescribe through regulation that a thing is not a waste and move the definition of 'waste' from the Environmental Protection Act 1994 to the Waste Reduction and Recycling Act 2011. This is a technical amendment, but what it will deliver is security for those wanting to invest in circular economy products, ensuring that valuable materials are not classed as waste materials, meaning that they can be more readily remanufactured or repurposed—for example, using tyre crumb from end-of-life tyres for road construction or turning glass containers like those collected through Containers for Change into new glass bottles. This change will complement Queensland's existing end-of-waste framework and will send a strong signal to industry that it can invest in Queensland with confidence.

Secondly, this bill will introduce circular economy principles within the Waste Reduction and Recycling Act. By embedding these principles into the legislation, we are making it clear what our intentions are and that where waste can be diverted from landfill it should be. Next, this bill will change the review date for the waste strategy to five years. All levels of government are working together as we strive to increase resource recovery and reduce our waste and its impact on our environment. Making this amendment gives us better flexibility to deploy resources to on-ground action as well as to better assess performance against those targets. This is about getting things done, not just talking about them.

This bill will also remove the automatic levy exemption from clean earth and the subsequent removal of the definition of 'clean earth'. Clean earth is a valuable product important for things like building retaining walls, filling construction sites and other construction uses like landscaping. Through this change, we are incentivising its re-use. As announced in December 2021, the removal of the clean earth levy exemption will commence on 1 July 2023 and will bring Queensland in line with other states including New South Wales, Victoria and South Australia where the waste levy applies to any clean earth disposed of in a landfill or waste facility. This does not prevent project operators or landfill operators from using clean earth beneficially as an alternative to disposal at a waste facility. Additionally, landfill operators can apply for an operational purpose exemption where clean earth that is delivered to a leviabale waste disposal site is used for good operation and maintenance of the site. Where this applies, the clean earth does not attract a leviabale liability and provides a pathway to the beneficial use of clean earth. Other jurisdictions have similar mechanisms to enable beneficial use of clean earth at landfills.

This bill will also provide the ability for the chief executive to make a decision about amending or suspending a resource recovery area declaration. The current legislation only permits the chief executive to revoke a resource recovery area in response to identified compliance issues. Once a resource recovery area has been revoked under current legislation, the area is quarantined for 12 months before a resource recovery area can be declared. There is no current escalation pathway for enforcement to remedy compliance matters beyond the revocation power. The benefit of the chief executive being able to make a decision about amending or suspending a resource recovery area is that it provides greater flexibility and enforcement escalation pathways in dealing with investigations of activities on resource recovery areas. For example, if the chief executive decided to amend or suspend a resource recovery area to undertake an investigation of activities on the site, where the chief executive decides not to take further action following the investigation the resource recovery area can continue to

operate. It is a better outcome for industry and the community, ensuring we can more easily take compliance action where facilities may have done the wrong thing while ensuring we do not have an unintended consequence of rolling back recycling. Additionally, the chief executive will also be given the ability to make an annual waste levy payment to a local government if satisfied that the payment is necessary.

Last year I launched our five-year road map to phase out problematic single-use plastics and this bill is a part of that, providing a head of power for a ban on the outdoor release of lighter-than-air balloons. Although balloon releases are currently considered to be littering under the littering provisions of the Waste Reduction and Recycling Act, the introduction of a ban on the release of lighter-than-air balloons provides clarity and certainty and is a preventative measure to avoid the action that leads to littering. In the lead-up to the commencement of the ban, extensive information will be provided to assist with this understanding. This ban is intended to commence from 1 September 2023.

Finally, this bill will provide an expiry of 31 December 2025 for the exemption from the ban for an otherwise banned single-use plastic item that is integral to shelf-ready products. This amendment will provide a time limited exemption for items that would otherwise be banned unless they are integral to a shelf-ready product like a plastic straw attached to a popper. The expiry of 2025 is consistent with the national packaging target that 100 per cent of all Australian packaging is re-useable, recyclable or compostable by 2025. While many of these changes proposed in the bill are technical in nature, they take us another step forward to a zero-waste Queensland.

In conclusion, I wanted to reflect on how important taking serious action on waste is for the economy because for every job in the landfill sector there are three times as many jobs in recycling; for the environment to stop pollution going into our waterways and protected areas and to reduce greenhouse gas emissions; and for communities across the state. Unlike the opposition, which repealed the waste levy and made Queensland the dumping ground of the country, we are prepared to do the hard work to shift the dial—to make the reforms that deliver change, to roll out infrastructure we need, to deliver on our targets. This bill is the next step in our transition to a circular economy.

First Reading

Hon. MAJ SCANLON (Gaven—ALP) (Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs) (2.09 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Health and Environment Committee

Mr DEPUTY SPEAKER (Mr Lister): In accordance with standing order 131, the bill is now referred to the Health and Environment Committee.