




Speech By  
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**MEMBER FOR BONNEY**

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

 **Mr O'CONNOR** (Bonney—LNP) (4.25 pm): I begin by welcoming the new minister to the environment portfolio. After presiding over the youth crime crisis, I am sure that the minister was one of the happiest people following the recycling reshuffle last week. However, it hurt me greatly to see the environment portfolio tossed around like some sort of consolation-prize ministry. It shows how little Labor actually care about this portfolio. It is actually a really important portfolio, whether it is climate action, conservation or, as in the bill we are talking about, waste management. It really is important to the future of our state. By contrast, I cannot tell you how many of my colleagues on this side of the House tell me that they want my job. That is because the Liberal National Party—

**Honourable members** interjected.

**Mr ACTING SPEAKER:** Pause the clock. The House will come to order. Member, I bring you back to the long title of the bill.

**Mr O'CONNOR:** The Liberal National Party values the environment, which is why it sits alongside our innovation and youth portfolios. We still have a youth portfolio but, sadly, I do not have a youth minister to shadow. Like the Paralympic Games debacle where the Premier admitted she got it wrong, again they forgot to put the word 'youth' in someone's title. At the outset, I pass on my condolences to the Labor backbench members of parliament. It has to be really tough—

**Mr ACTING SPEAKER:** Pause the clock. Member, I have given a clear direction. I ask you to come back to the long title of the bill or I will sit you down.

**Mr O'CONNOR:** Our thoughts are with you all. As an incoming brief for the new minister, I thought I would run through the things that the former minister listed as her achievements in topics relevant to this legislation before the House. Instead of achievements, I think the better term for them would be announcements, because most of them are yet to be delivered.

Firstly, there is the \$1.1 billion Recycling and Jobs Fund, which the minister forgot to mention has seen only \$22 million spent in 18 months, that is, two per cent of the fund has been spent in the 18 months since it was announced. Expanding the Containers for Change scheme was done without genuine consultation with some of the people most impacted by the expansion. It also annoyed environment ministers in other states because of the lack of communication and planning, which is really important when you are talking about markets that cross borders.

I will table the five-year road map to ban single-use plastics, which I downloaded this morning. Members will note that it still has a 'draft' watermark across it and it uses the word 'possible' a lot. Not much within that road map has been confirmed. The word 'possible' appears 16 times. Road maps are meant to be clear outlines, especially for industry. This document gives very little certainty.

*Tabled paper:* Document, undated, titled 'Proposed five-year roadmap for action on single-use plastic items' [684](#).

The \$262½ million to expand and create new national parks is, again, an overdue announcement that looks good but more than half is not due to be spent until the final year, which is after the next election. None of that will go towards better management, which is really important when feral pigs and weeds are running rampant in our national parks.

Another achievement listed was rolling out the \$500 million Land Restoration Fund—again, at a very slow pace. It is sitting at around two per cent being spent by June this year, when that fund was announced in 2019. This Labor government is all about environmental announcements, not environmental outcomes. There are several aspects of this bill which clearly demonstrate this.

Most people do not like to think about their waste. We throw out what we throw out, we put it in the wheelie bin, we take it down to the street and then we do not think too much more about it. What happens to it afterwards and the impact it might have on our environment does not even cross the minds of most people. However, the impact of waste on our environment cannot be overstated. In the past financial year alone, 4.49 million tonnes of headline waste types went into landfill in our state—nearly 4½ million tonnes in a single year. It is an enormous amount of waste and we know that much of it will take years to break down. From households, half of our waste is organic, and that turns into methane in landfill. Methane is among the most dangerous climate change causing gases.

The bill has a number of policy objectives. It makes changes to the definition of ‘waste’, removes the automatic levy exemption for clean earth, bans the outdoor release of lighter-than-air balloons, makes amendments to suspending a resource recovery area declaration, makes changes to provisions around annual payments to local governments, brings the circular economy principle into legislation, changes the review date for the waste strategy from three to five years and provides an expiry of 31 December 2025 for the exemption from the ban on an otherwise banned single-use plastic item that is integral to a shelf-ready product. The LNP is supportive of practically all of this so we will not be opposing this legislation, but I will later move amendments to address two issues with what is before us. I acknowledge that the minister proposes one amendment that is the same as mine.

The definition of ‘waste’, while seemingly a pretty obvious thing, is important because it determines what we can recover and our overall perspective on that material or item. As we move to a more circular economy, the priority needs to be getting the most out of every material or item before it is disposed of. Moving the definition of ‘waste’ to the Waste Reduction and Recycling Act is designed to aid this perspective, and the additional mechanism to allow for a determination of waste is given in this bill. I find it disappointing to note the lack of consultation on this change with the Waste Recycling Industry Association of Queensland, WRIQ, as the peak body for the waste industry. The fact that their submission demonstrated so little engagement with them in this process of determining the definition or the new mechanism to prescribe through regulation that a thing is not a waste is concerning given how much of the waste and resource recovery industry they support and represent.

While transitioning to a circular economy is part of the Waste Management and Resource Recovery Strategy, the introduction of circular economy principles into legislation has not been included before this time. Clauses 7 and 8 of the bill put this into place. This signifies the different perspective on resources and waste that we need to have. Boomerang Alliance raised issues with the choice of the definition of the principle as it includes subjectivity and should outline more universally accepted principles. These definitions and principles are important to get right to ensure we treat what we see as resources rather than going straight to calling these items ‘waste’. It will enable us to substantially reduce our waste and therefore our impact on the environment.

We also need a government that can work with the waste industry to get the recycling and waste infrastructure that our state needs, but this government’s record has not been good so far. The Resource Recovery Industry Development Program was launched in September 2018. It was meant to be a \$100 million waste management revolution. It was to be made available over three years to develop a high-value resource recovery and recycling industry. That sounded promising; however, in July 2021 when the Recycling Modernisation Fund was proposed by the then federal government, things changed course. Despite that program having 289 applications, worth over \$811 million, looking for support from the state government, less than \$40 million was spent through the RRIDP. Some of that remaining RRIDP funding was recycled into the RMF, and the latest answer to a question on notice I asked about this fund shows that only \$13 million has actually been spent—almost half a decade from when it was launched. I take this chance to praise the former federal assistant minister for waste reduction and environmental management, Trevor Evans. He brought in the waste export bans and was central to the creation of this industry support fund. He saw the opportunities Australia has to grow our recycling industries, to manage our own waste here while creating jobs.

It was recently revealed that tens of millions of poppers Queenslanders have collected have been shipped overseas because the government failed to figure out how to recycle them here. The former environment minister said about this—

Why would anyone pay for these items, export them, just to send it to landfill?

This completely misses the point. The whole idea of the export ban is to manage our own waste and to establish industries here. Our recycling system should not rely on sending items overseas and hoping for the best. Queensland was the last state to sign up to the Recycling Modernisation Fund, and this massively held up this support flowing through for our recycling industry. It was delay after delay. The federal website has only just been updated to include Queensland projects—years after those in other states have started operating. Again, it goes to environmental announcements versus environmental outcomes. You cannot just announce a fund and say 'job done'; you have to actually make sure outcomes are being achieved.

The draft waste strategy review has shown that the government is on track to reach only two of its nine targets, but when it comes to explaining why all we get is excuse after excuse. We need a government that can take accountability. We can create the infrastructure we need either by getting it built ourselves or by working with industry to give them confidence to build it, but this government's answer is to just move the goalposts.

One of the remarkable things about the committee process for this bill was that it revealed the government is currently in violation of the current act. The minister was correct to say that the review was completed mid last year—and it was due to be completed by then—but there was also a requirement in the act to release it for consultation. That never happened. Clearly, with the numbers looking bad, the government waited for additional data in the hope that it would look better. When it did not, it went about bringing in these laws to change the act to push it out to five years. It was only after questioning from the opposition that we actually saw the draft strategy revealed and released. We can understand why they hid it, with only two of their nine targets on track to being met.

Let us look at one of those more carefully: municipal solid waste, or household waste. It was given a diversion target of 55 per cent by 2025 in the 2019 strategy. The target was established with a baseline figure of 32 per cent diversion for Queensland in 2018. Since then, what has been the progress? Are we halfway there? Are we at 43 per cent diversion from landfill? Are we at 40 per cent? No, we are not. It is not even the government's usual snail's pace of less than a per cent or something like that; we have actually gone backwards. For all of the government's talk, we are now back to only 27 per cent of Queensland household waste being diverted. The chance of achieving a target of 55 per cent in just two years is completely out of reach. That is especially likely when we do not have a clear pathway forward. If we had a clear organic strategy for when we will see kerbside organic bins taking this waste, even just in the south-east, then we might have more of a chance but, once again, this government has dragged its feet and been more interested in announcements than action. The government was hiding from this reality in delaying the review. Now that we have it, we can see just how off track Labor is when it comes to recycling.

Given that the bill now pushes the review requirement out to five years, it is only logical to extend this same time frame to local governments. We have heard time and time again that if something is good enough for councils and councillors then it is good enough for state MPs and the state government. There should be consistency across the board. If the government is genuine about the fact that longer review periods allow for more analysis of the impact of the strategy, it should extend that to local governments. As I mentioned, the LNP will be moving two amendments to this bill. The first covers that issue—the minister has flagged that as well—and the second seeks to amend section 126 of the act. I table those amendments.

*Tabled paper:* Waste Reduction and Recycling and Other Legislation Amendment Bill 2023, amendments to be moved by Mr Sam O'Connor MP [685](#).

*Tabled paper:* Waste Reduction and Recycling and Other Legislation Amendment Bill 2023, explanatory notes to Mr Sam O'Connor's amendments [686](#).

When it comes to the removal of the automatic clean earth exemption, we have again seen failures of this government to work with industry and to simply communicate. Even with submissions from the Waste Management and Resource Recovery Association of Australia, the Waste Recycling Industry Association Queensland, Cleanaway Waste Management Ltd, LGAQ and the South-East Queensland division of the Environment Institute of Australia and New Zealand all raising the issue of the clean earth exemption and how the removal of the automatic exemption will work back in March this year, months later the government still has not resolved the issue. It still appears that many of these stakeholders have not felt communicated with. We are weeks away from this being in operation, and landfill operators are still getting mixed messages on what this will mean and how it will work.

There are still questions being raised and I ask the minister in her response to clarify whether: clean earth can be used for resource recovery activities; clean earth can be used operationally; operators need to remove stockpiles of clean earth by 1 July; and if operators need to purchase clean earth for their project, will it be considered a waste? I understand the department has confirmed that removing the exemption is not intended to penalise operators of leviable waste disposal sites who use clean earth for operational activities; however, the message is clearly not getting through and there is still clarity needed on other operational matters. If people on the ground do not know all the answers to these questions then the government has not done its job properly. The government cannot just get up and say that they are sorting this; they need to lead.

Queensland has the lowest recycling rates of any state in the nation. Industry is crying out to work with the government on these issues and yet they are constantly left wanting. Waste Management and Resource Recovery Association Australia said in its submission—

... WMRR is compelled to address the comments in the Explanatory Notes that there has been consultation on a number of the aspects of the Bill. Regrettably WMRR must refute this statement, particularly in relation to the provisions that relate to clean earth. The reality is that since 2020, and the implementation of the waste levy, WMRR has been at pains to have the Department of Environment and Science, work collaboratively with industry (operators and local government) to address the numerous concerns held about clean earth management in Queensland, including classification and levy liability. To date these issues, remain largely unresolved, and industry was completely unaware of the proposals contained in this Bill until its tabling which is greatly disappointing for all those impacted.

Most submitters made it clear that they were not against the removal of the automatic exemption. All they wanted to know was how it would work. Clean earth is an important part of best practice management of landfills to provide daily cover and building infrastructure. The Waste Recycling Industry Association of Queensland has described it as 'critically important for good environmental outcomes such as controlling odour, vector attraction and litter, as well as legal compliance with the conditions imposed on environmental authorities'. I will say it again: all we need is better or some communication and education about how this is going to work and a reasonable approach to ensure landfill operators are not unduly burdened. The committee report noted—

The explanatory notes advise that, 'discussions with impacted sectors will continue to ensure a smooth transmission and minimal disruption up to and following the removal of the exemption'. This is clearly not the case and I ask the new minister to urgently follow this up to ensure operators are clear about the new guidelines.

The mass release of lighter-than-air balloons can have lethal consequences for our wildlife. The LNP supports the ban on these releases, but again we urge the government to do more to educate the community on this change. It is worth acknowledging that, in large part, many of these releases happen at events of mourning and are designed to bring hope to a family or a community that is grieving. I do not think anyone wants to see these items end up in a litter stream or doing damage to our environment so careful communication on this issue is required to ensure there is clarity in the community about what is permitted and what is not permitted, particularly in such emotional situations.

When the single-use plastic ban came in there were some items that required single-use plastics like straws on poppers, forks in salad bowls and other similar things. These items were exempt to allow industry to come up with viable alternatives. This bill brings in an expiry of this exemption by 31 December 2025. This should allow ample time for industry to plan and eliminate these items without crippling their processes.

The amendments to section 73 of the bill concern annual payments to local governments. These are important administrative matters, including mechanisms for local governments to identify where there has been an underpayment and to have additional payments made without regulation and clarification that councils must use these annual payments to mitigate any direct impact on households. These are necessary and important changes. I have spoken to a number of local governments that have received underpayments and are looking forward to this simplified process.

However, the amendments to section 73DE go too far and they endanger genuine partnerships between these two levels of government. The amendment of this section was not communicated to the sector before the introduction of this bill. The need for this change was also not communicated in the explanatory notes. The government tried to sneak this in, to further silence mayors and councillors and they have been caught out. It is understandable, given this, that the LGAQ have had the reaction they did. I will read from their submission, which states—

Local government, as the level of government closest to the community and the level of government responsible for imposing the State's waste levy on its behalf, has been keen to ensure this commitment is met, particularly as the State moves to reduce the amount of advance payments to councils over the next decade, starting from June 30, in exchange for promised funding to build the industry and infrastructure needed to ensure households have access to the options they need to reduce the amount of waste going into landfill.

The LGAQ rejects any attempts to censor councils from making public any concerns about potential impacts as the sector and the State navigate the revised advance payment trajectory. This submission requests that this amendment therefore does not proceed.

As the annual payments decrease, it is on the assumption that there will be better infrastructure and higher rates of recycling. There is a huge amount of work for councils to do to achieve this. There is also a massive requirement on the state government. We have seen how lax they have been in achieving the outcomes they set out in their own waste strategy since its introduction, so I understand the concerns that councils have with what will happen in the future.

Misinformation is one thing, but an elected representative should not feel muzzled from calling out the government of a different level where they feel they are not getting a fair share for their area. It is vitally important for our democracy. I want to be clear: we are in no way advocating for misinformation to be distributed. However, when it comes to the waste levy and what costs filter through to households, it is not straightforward and there is uncertainty about what the next decade will look like. Councillors should be free to express their frustration or to call on the government to act if they feel it is necessary or even if it is uncomfortable. They should never feel muzzled. As now tabled, the LNP will also be moving an amendment to omit this change to that section of the bill and restore it to the definition of misinformation that currently stands.

To wrap up, getting waste management right in our state is incredibly important to protect our environment because when we get it wrong the impacts are substantial and long-lasting. It can also create jobs and opportunities across Queensland and our state should be leading in this space. We need a government capable of doing more than just announcing things. The Recycling and Jobs Fund is only as good as how much is actually spent. To have that amount sitting at just two per cent after 18 months is a clear failure. The LNP will not be opposing this bill, but I will be moving the amendments I outlined to protect free speech for councillors and to ensure their review obligations do not differ from those the state government sets for itself.