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AGRICULTURE, RESOURCES AND ENVIRONMENT COMMITTEE

Report No. 17 on the

Waste Reduction and Recycling and Other Legislation Amendment Bill 2012

QUEENSLAND GOVERNMENT RESPONSE

INTRODUCTION

On 13 November 2012, the Honourable Andrew Powell MP, Minister for Environment and Heritage Protection, introduced the Waste Reduction and Recycling and Other Legislation Amendment Bill 2012 into the Legislative Assembly.

The Bill was subsequently referred to the Agriculture, Resources and Environment Committee (the Committee) for consideration and report to the Parliament by 21 February 2013.

On 23 February 2013, the Committee tabled its report (No. 17) about the Bill (the report).

The Queensland Government response to the Committee's recommendations as outlined in the report is provided below.

RESPONSE TO RECOMMENDATIONS:

The Queensland Government thanks the Committee for its detailed consideration of the Bill and its recommendations.

Recommendation 1 – The Committee recommends that the Minister for Environment and Heritage Protection report on a yearly basis to the Queensland Parliament, for the information of Queenslanders, the volumes of regulated waste transferred to and from Queensland.

Queensland Government response:

The Government supports the Committee's recommendation.

The Minister will provide an annual report to the Queensland Parliament to show the volumes of different types of wastes being disposed and recovered in Queensland, including regulated (or hazardous wastes).

Most types of regulated wastes are tracked by the Department of Environment and Heritage Protection as they move into, out of, and around Queensland. These figures will be included in the annual report.

It is noted the Committee invites the Minister to advise the House when the waste strategy will be finalised and what resources will be provided within his department to implement it.

The Minister has commenced consultations on the future of waste management in Queensland and has established a steering committee to progress the development of an industry-led waste strategy. The Minister anticipates release of a strategy discussion paper in October this year and the tabling in Parliament of the final strategy towards the end of 2014.

Recommendation 2 - The Committee recommends that clause 29(2), that seeks to reduce the period that operators must keep particular documents from five years to one year, not be agreed to.

Queensland Government response:

The Government supports the Committee's recommendation.

This section is proposed for omission as part of the amendments identified during the consideration in detail period.

This is because the necessity to retain documents under this section is – with the repeal of the levy – now solely for data purposes. Further, the documents that would be kept under this section relate to data that will have already been provided to the department under the requirements of section 52 of the Act. As such, it is not considered necessary to retain these records solely for data purposes.

Transitional provisions will ensure that any remaining levy-related documents are retained for at least 5 years should enforcement be necessary.

It is noted the Committee invites the Minister to clarify whether the information provided to the department by commercial operators in their waste returns will be protected as 'commercial in confidence.'

The Minister confirms that the waste information provided by commercial operators is considered as commercial in confidence, and any information used will be presented in aggregate form.

Recommendation 3 - The Committee recommends that the Waste Reduction and Recycling and Other Legislation Amendment Bill 2012 be passed with the exception of clause 29(2), and subject to the amendment proposed to clause 28.

Queensland Government response:

The Government supports the Committee's recommendation.

Recommendation 4 - The Committee recommends that clause 28 be amended to require that the operator of a waste disposal site must give the chief executive a return 'on or before' the due date.

Queensland Government response:

The Government supports the Committee's recommendation.

This amendment was included as part of the amendments identified during the consideration in detail period.

This amendment is consistent with other provisions where information is required by a certain time. This allows the operator of a waste disposal site to provide the waste data return up to and on the date that it is due without incurring a penalty. If left as it currently is, the site operator could potentially be penalised if the data was not provided before the due date.



Paper No.: 5413T2163
Date: 5-3-13
Member: Hon Powell

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