

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

### Message from Governor

 Hon. LM ENOCH (Algester—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (11.15 am): I present a message from His Excellency the Governor.

**Mr SPEAKER:** The message from His Excellency recommends the Waste Reduction and Recycling (Waste Levy) 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 (WASTE LEVY) AND OTHER LEGISLATION AMENDMENT BILL 2018

*Constitution of Queensland 2001, section 68*

I, PAUL de JERSEY AC, Governor, recommend to the Legislative Assembly a Bill intituled—

A Bill for an Act to amend the City of Brisbane Act 2010, the Local Government Act 2009 and the Waste Reduction and Recycling Act 2011 for particular purposes

(sgd)

GOVERNOR

Date: 6 September 2018

*Tabled paper:* Message, dated 6 September 2018, from His Excellency the Governor recommending the Waste Reduction and Recycling (Waste Levy) and Other Legislation Amendment Bill.

### Introduction

Hon. LM ENOCH (Algester—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (11.15 am): I present a bill for an act to amend the City of Brisbane Act 2010, the Local Government Act 2009 and the Waste Reduction and Recycling Act 2011 for particular purposes. I table the bill and explanatory notes. I nominate the Innovation, Tourism Development and Environment Committee to consider the bill.

*Tabled paper:* Waste Reduction and Recycling (Waste Levy) and Other Legislation Amendment Bill 2018.

*Tabled paper:* Waste Reduction and Recycling (Waste Levy) and Other Legislation Amendment Bill 2018, explanatory notes.

I am pleased to introduce the Waste Reduction and Recycling (Waste Levy) and Other Legislation Amendment Bill 2018. This bill will amend the Waste Reduction and Recycling Act 2011 to modernise waste management in Queensland through the introduction of a waste disposal levy. It also makes minor transitional amendments to the City of Brisbane Act 2010 and the Local Government Act 2009.

When the former LNP government recklessly repealed the waste levy in 2012, they made Queensland a cheap place to dump interstate waste and robbed us of the opportunity to invest in the waste and recycling industry. The short-sighted decision of those opposite made Queensland the only mainland state in Australia without a waste levy. As a result, since 2012, over 2.3 million tonnes of waste has been trucked across the border into Queensland; international recycling markets have changed drastically and we have been unable to respond with the same agility as other levy states; and our waste and recycling industry has been deprived of investment opportunities.

Even in the face of the LNP's lack of vision, there is a groundswell of community support for alternatives to landfill. Changing how we manage waste in Queensland will create jobs and drive significant economic growth as we make better use of resources and develop new industries. Research indicates that, for every 10,000 tonnes of waste that are sent to landfill, fewer than three jobs are supported, but if that same amount of waste was recycled it would support more than nine jobs.

As I have announced previously, it is the government's intention that the waste levy will come into effect on 4 March 2019. The levy is an avoidable charge, but it will act as a price signal to reduce waste and find more productive and sustainable alternatives than sending waste to landfill. The government has made a clear commitment that, as a result of the waste levy, it will not cost Queenslanders more to put out their wheelie bin. We will deliver on this commitment by offsetting the cost of the levy on municipal solid waste. This can be seen in new section 73D inserted by clause 6,

which makes provision for the state government to provide annual advance payments to local councils which will cover the cost of the waste levy on municipal solid waste.

012 Municipal solid waste is considered to be leivable waste collected in residential red-top wheelie bins, self-hauled residential waste and kerbside-collected bulky waste as well as waste from public litter bins, park maintenance and street sweeping. As a result of this payment, the direct cost of the waste levy will not need to be passed on to households because councils will be provided 105 per cent of the cost of their previous year's tonnage of waste.

In addition, the bill allows for payments in future years to be tied to the way a council uses and describes the advance payments it receives. Importantly, the fact that councils are receiving over and above the cost of their municipal solid waste—105 per cent—means that this is an opportunity for them to invest surplus funds into new and innovative waste strategies. These payments will help councils to meet the Local Government Association of Queensland's own target of zero waste to landfill by 2028.

**Madam DEPUTY SPEAKER** (Ms Pugh): Sorry, Minister. There is far too much audible chatter in the chamber. I have given everyone a few minutes to settle. I expect the minister to be heard in silence. You can please take your conversations outside.

**Ms ENOCH:** Thank you, Madam Deputy Speaker. The amendments in the bill will change the way we manage waste in Queensland and this will have both economic and environmental benefits for our state. According to the most recent Australian National Waste Report, Queensland has the second lowest waste recovery rate of the states and territories. Only the Northern Territory is worse than us. This represents an enormous lost economic opportunity for Queensland. A levy on waste disposal to landfill will provide a long overdue incentive for change.

The 2017 Investigation into the Transport of Waste into Queensland by the Hon. Peter Lyons found that the absence of a waste levy encouraged the movement of waste to Queensland. That is why the first recommendation of the investigation was to implement a general levy on all waste disposed of at landfill. It is important to point out that the levy is, as I have said, an avoidable charge. It will make landfill a less attractive option compared to more productive and job-creating uses of waste.

The waste levy established by this bill is part of a broader suite of initiatives to stimulate jobs and growth in the waste industry. Government and industry are co-designing an overarching waste strategy. This will provide certainty about the state's priorities for waste management, which is crucial to industry's willingness to invest. The levy will also create a funding source for programs to assist local government, business and industry to establish better resource recovery practices, improve overall waste management performance and sustain Queensland's natural environment.

The government has already announced in the 2018-19 budget a \$100 million Resource Recovery Industry Development Program. The waste strategy will help guide further investments, funded by the levy, which will be announced over coming months. In addition, the government is providing \$5 million in grants to councils through the Local Government Levy Ready Grants Program to assist them in undertaking infrastructure works at waste disposal facilities. As a package, the waste levy and associated funding is an important opportunity for local councils to meet their zero waste to landfill targets.

The bill provides for the levy to be paid on waste delivered to waste disposal sites in a levy zone covering local government areas prescribed in regulation. The government has announced that this will cover the more populous local government areas of the state. The rest of the state will comprise the 'non-levy zone'. To ensure that residents in remote parts of the state are not unnecessarily affected, a levy is not payable on waste disposed of in the non-levy zone unless the waste was generated elsewhere, including from interstate. This is to ensure that there is no incentive to transport waste into these areas to avoid the levy.

A number of levy exemptions will be available. For example, waste resulting from declared disasters will be exempt. Registered recycling charities will be able to apply for an exemption for unusable donations. Community groups running events such as Clean Up Australia Day will also be able to apply for an exemption for disposing of the litter and illegally dumped waste they collect.

The government is committed to assisting with the levy transition for existing recovery and recycling entities, including those affected by China's decision earlier this year to tighten import quality standards for recycling. Until 2022, a transitional exemption will be available, on application, for residue waste from sorting mixed recyclables collected, for example, in yellow-top bins. Existing recyclers of other types facing hardship and the Bedminster facility in Cairns could also apply for this exemption. Downstream recyclers will also be able to apply for a discount where this will ensure the establishment

or continuation of essential reprocessing and recycling capacity. Operations such as paper and cardboard remanufacturers are making Queensland more self-sufficient when it comes to waste management as well as generating jobs and economic growth for Queenslanders. These discounts will help attract much-needed recycling capacity to Queensland.

To facilitate recovery and recycling, waste disposal site operators will be able to establish a resource recovery area at their site where waste can be sorted without paying the levy. Industry operators have advised they prefer the simplicity of this approach over complicated levy rebates which are provided in other states.

The bill requires weighbridges to be used to measure waste at large sites initially and then at all sites in the levy zone within five years except at very small existing sites, which can apply for an exemption from this requirement for up to 10 years under a transitional arrangement. The bill requires site operators to provide the state with monthly data on the amount of waste which has been delivered to the site. These data returns will be used to calculate the levy.

Persons delivering waste to a leviable waste disposal site will need to give the operator of the site sufficient information to enable them to record the data required so that the correct levy can be charged. At least 24 hours notice will be required if a commercial quantity of waste generated in the levy zone or interstate is being delivered to a facility in the non-levy zone.

The bill also includes provisions requiring operators to charge the maximum levy on mixed waste delivered to a landfill site. This will act as a disincentive for people who attempt to hide leviable waste in loads of exempt waste. The amendments in the bill include heavy penalties for levy evasion, including up to two years imprisonment, or twice the amount of levy and interest that the operator was trying to evade. In order to ensure that operators do the right thing, the bill will also provide for the maximum penalty for illegal dumping of waste to be twice the amount of the levy payable for that waste. If the chief executive reasonably believes that the site operator is not complying with their levy payment or data supply obligations, the chief executive will be able to require the monitoring of onsite movement of waste by closed circuit television or another method.

The government will report annually on the operation of the levy, and the bill will also require a review of the efficacy of the levy within three years of its commencement. The government has also listened to feedback from local councils, and the bill therefore makes minor amendments to the City of Brisbane Act and the Local Government Act to allow local governments to amend, by resolution, charges for commercial waste management in the 2018-19 financial year.

I also table a consultation draft of the Waste Reduction and Recycling (Waste Levy) Amendment Regulation 2018.

*Tabled paper:* Consultation draft Waste Reduction and Recycling (Waste Levy) Amendment Regulation 2018.

The amendment in the draft regulation will support the amendments in the bill. The draft regulation includes the proposed levy rates, which will increase by \$5 on 1 January each year until 2022. It also includes application assessment criteria and fees for levy exemptions and for a 50 per cent discount on recycling residue waste as well as the formula for calculating the annual advance payment to local governments to ensure the levy has no direct impact on households. I am releasing this consultation draft now so that the parliament, the waste and recycling industry, councils, and the community can consider the full package of proposed amendments to legislation to implement the waste levy. Information about consultation will be provided on the Department of Environment and Science's website.

Since March this year, when the government announced our intention to accept the recommendation of the Lyons report and introduce a waste levy to underpin our waste strategy, we have been undertaking comprehensive consultation with a range of stakeholders to ensure we hear everyone's voices. I look forward to continuing consultation as the bill progresses through parliament, and as the regulations are discussed.

Queenslanders are increasingly conscious of waste as an economic and environmental issue. This bill delivers a key enabler of change. The waste levy will provide an incentive for people to reduce the waste they create and find more productive and job-creating uses for their waste. Importantly, the bill also ensures that it will not cost Queenslanders any more to put out their wheelie bin. It is not hard to see the long-term economic and environmental benefits that this levy will bring to Queensland. Through the introduction of a waste levy and a new waste strategy, we can work towards a more sustainable future for generations of Queenslanders to come. I commend the bill to the House.

## First Reading

**Hon. LM ENOCH** (Algester—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (11.29 am): 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.

## Innovation, Tourism Development and Environment Committee

**Madam DEPUTY SPEAKER** (Ms Pugh): Order! In accordance with standing order 131, the bill is now referred to the Innovation, Tourism Development and Environment Committee.

## ~~ADDRESS IN REPLY~~

~~Resumed from 5 September (see p. 2349).~~

~~**Madam DEPUTY SPEAKER:** Before I call the member for Miller, I will take this opportunity to welcome to the House this morning students from the Bouldercombe State School, which is in the electorate of Stephen Andrew, the member for Mirani.~~

~~I will read out the list of warnings for this morning: the member for Toowoomba South, the member for Cooper, the member for Maroochydore, the member for Capalaba, the member for Kawana, the member for Everton, the member for Glass House, the member for Waterford, the member for Nanango, the member for Nicklin and the member for McConnel.~~

~~**Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (11.31 am), continuing: This has been a government of social reform. We believe in acting on climate change. We believe in keeping the ‘great’ in the Great Barrier Reef through renewable energy, electric vehicles and reducing emissions. We are getting ready for the wave of technological change that is coming.~~

~~After the previous LNP government did nothing, we acted on the tow truck sharks and passed legislation. This government has been pro jobs, pro environment, pro Barrier Reef, pro social reform, pro infrastructure, pro education and pro health because we have had strong leadership from the Premier and Deputy Premier. Fifty per cent of our cabinet and party room are women, which is reflective of the population. I am very proud to be in a government that reflects our community in that way. We have been a balanced government at a time when women in the Liberal Party are losing preselection to the federal parliament.~~

~~We have also been a government that is keen on dealing with the massive disruptions that are happening in various markets. We have seen a massive explosion in information technology capacity through supercomputing and the cloud. We are seeing massive changes in energy through technological change. Autonomous vehicles are developing very rapidly. You have to be interested in technology if you are serious about the economy. This government has done that and it continues to do that. I am very proud to play a role in that.~~

~~One thing you do not do is let extremists in the tent if you are serious about the economy and jobs. One of the great failures of the opposition was to flirt with One Nation at the last election. Queenslanders do not respect weak leadership, and that is what we got from those opposite. I acknowledge the defeat of the member for Hinchinbrook, who paid the price for flirting with One Nation. Queenslanders did not back the weak leadership they were getting from the member for Clayfield. I note that the member for Clayfield melted down three times last week on MF radio and morning TV as pressure mounted about flirting with those extremists, One Nation. That is weak leadership. All they got from Labor was strong leadership on the economy, jobs and keeping that sort of thing out. The people of Queensland backed us for it.~~

~~We also have the Marine Infrastructure Fund. With so much coastline in Queensland, boat ramps and marine infrastructure are very important. We have been happy to play a role in that. Since then we have launched the War on Wrecks task force with the member for Redlands as the chair. I look forward to working with her to get those environmental cyesores and threats out of our waterways right up the coast. I am very proud of the rail trail program that I brought in last year. The rail trail presents many opportunities for redundant rail lines right up the coast, which I think is a tremendous economic opportunity for this state.~~