



Office of the Information Commissioner
Queensland

Publishing information about waste management

Report No. 2 to the Queensland Legislative Assembly for 2022-23



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November 2022

Mr Peter Russo MP
Chair
Legal Affairs and Safety Committee
Parliament House
George Street
Brisbane QLD 4000

Dear Mr Russo

I am pleased to present '*Publishing information about waste management*'. This report is prepared under section 131 of the *Right to Information Act 2009* (Qld).

The report outlines what information Queensland Government departments must publish about their waste management strategies and plans, and whether that information has been published as required.

In accordance with subsection 184(5) of the *Right to Information Act 2009* (Qld), I request that you arrange for the report to be tabled in the Legislative Assembly.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rachael Rangihaeata'.

Rachael Rangihaeata
Information Commissioner



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Summary

Waste management is a key component of good environmental management and climate change mitigation. As this touches the community at large, business and government, waste management is also a topic that attracts significant public interest.

The Open Government Partnership organisation states:¹

The values of open government – transparency, public participation, and accountability – allow governments and citizens to see the true costs of pollution, discuss alternative approaches for development, and ensure there is adequate public oversight of government action.

Queenslanders want access to government information.² Three quarters of community survey respondents think it is important that the public can access information about decisions that affect the community.³ Transparency drives change.

In enacting the *Right to Information Act 2009* (Qld),⁴ the Queensland Parliament has recognised that, in a free and democratic society, openness enhances the accountability of government. It increases community participation in democratic processes leading to better informed decision-making. Easy access to timely and meaningful information means the community can contribute more effectively to the public debate.

The Queensland Government informs the community about how it intends to manage waste now and into the future to protect the environment through two overarching plans: *The Queensland Plan* and the *Waste Management and Resource Recovery Strategy*.

1 Available at <https://www.opengovpartnership.org/policy-area/environment-climate/>. The Open Government Partnership includes 77 countries and 106 local governments working to promote transparent, participatory, inclusive and accountable governance.

2 Cross Jurisdictional Information Access Study (Queensland), June 2021, Woolcott Research and Engagement and the Office of the Information Commissioner Queensland, survey respondents: 48% said it was very important and 38% said it was important, a total of 86% of respondents, page 4.

3 Cross Jurisdictional Information Access Study (Queensland), June 2021, Woolcott Research and Engagement and the Office of the Information Commissioner Queensland, 75% of respondents, page 13.

4 Available at <https://www.legislation.qld.gov.au>.

The *Waste Reduction and Recycling Act 2011*⁵ specifies the information departments must publish about waste management. This audit examines the legislated publication requirements and assesses whether departments meet these requirements:

two departments have leadership responsibilities to publish statewide strategies, plans and progress reports about waste management

all departments are responsible for publishing waste management plans.

We assessed whether the information is:

easy to find – on the website, and via the publication scheme

easy to use – in an accessible format and easy to read

up to date – published promptly and within legislated timeframes

useful – meaningful, explanatory and in compliance with the legislation.

We examined the published waste management plans of Queensland Government departments at two points in time – early and mid 2022 – and assessed their compliance with the legislative publication obligations. We did not check whether the published documents are complete or accurate.

Chapter 3 of this report presents the key findings across all departments. We will provide feedback to each department separately.

Conclusions

Disclosure of government-held information promotes open government, transparency and accountability. When the published information is easy to find, easy to use, meaningful and timely, it builds trust and confidence in government agencies. It also contributes to increased community participation and behavioural changes.

Overall, *The Queensland Plan*, the *Queensland Waste Management and Resource Recovery Strategy* and their associated reports are easy to find and use. However, the annual reports about the *Waste Management and Resource Recovery Strategy* are not published promptly, impeding community access to relevant, up to date information. They also miss some specific information required under the *Waste Reduction and Recycling Act 2011*. The Department of Environment and Science (DES) published the 2020-21 report during the audit and took this opportunity to address some of the deficiencies we observed in the reports from previous years.

⁵ Available at <https://www.legislation.qld.gov.au>.

The Queensland Plan, the *Queensland Waste Management and Resource Recovery Strategy* and their associated reports align at a high level. Despite their complementarity, they do not cross-reference each other. This can make it harder for the community to get a full picture of waste management planning and progress.

Sixteen departments out of 20 have published a waste management plan on their websites. This means four departments do not comply with their legislated obligations.

All published plans are easy to read, but they are not necessarily up to date, easy to find or address the required inclusions. For example, almost half of the plans are out of date or expired in 2021. Most plans describe what the departments intend to do, but three do not include waste reduction and recycling targets for the department.

This means the community cannot easily and readily access timely information about what departments are proposing to do in the coming years, or have achieved, to generate less waste and increase resource recovery. This reduces their accountability and transparency.

We make recommendations to the two lead departments. They accept the recommendations. Their responses are attached in the appendices. We note the significant external impacts the departments faced over the last three years, including the introduction of a waste levy, an unprecedented pandemic (increasing medical and related wastes) and natural disasters which required re-prioritisation of departmental resources. The departments are committed to improving waste management, resource recovery and planning and reporting. They can now re-focus on meeting Queenslanders' information needs.

We also make five recommendations to all departments.

Key findings

Statewide plans and reports

Two overarching plans guide the way Queensland Government agencies plan and measure progress in reducing waste and increasing waste recycling and recovery. These are *The Queensland Plan* and the *Waste Management and Resource Recovery Strategy*.

The Queensland Plan is a 30 year vision for the state of Queensland. It is easy to find and up to date. It is useful, and includes information required by its legislation.

DES developed the *Waste Management and Resource Recovery Strategy*. The strategy is easy to use but it is not updated. The online pathway to the strategy could be clearer.

While the documents are consistent at a high level and present common goals, they do not align at a detailed level. Both documents would be more meaningful if they cross-referenced.

The Premier prepares and tables a report by 30 November each year on progress made to implement *The Queensland Plan*.

DES reports annually on progress against the strategy. However, publication of these reports has lagged for the last three years by at least five months past the legislated deadline of 31 December. The annual reports could also be improved to make sure they address all the legislative requirements set in the *Waste Reduction and Recycling Act 2011*.

Departmental waste management plans

Under the *Waste Reduction and Recycling Act 2011* departments must develop and publish waste management plans on their websites. Sixteen out of 20 departments publish a plan on their websites. The plans are all easy to use and 12 are easy to find.

Half of the plans are up to date. One is undated. The others expired in 2021 or are out of date.

Generally, the published plans contain most of the required information. Fifteen out of 16 plans include actions to improve waste reduction and recycling. While eight plans describe actions clearly, seven could have more detail about the actions the department has taken or intends to take and how it measures results. One plan has insufficient information to be meaningful.

Thirteen out of 16 plans include waste reduction and recycling targets. Having clear actions and targets is essential to meet other legislative requirements.

Seven describe how the department will monitor and manage its performance. One department mentions performance monitoring and management but does not describe a clear process. Eight plans state they address performance monitoring and management through annual reports to DES.

Recommendations

We recommend that within 12 months, the Department of Environment and Science:

1. simplifies and clarifies the pathway to the *Waste Management and Resource Recovery Strategy* so that the strategy is easier to find.
2. publishes information about the review of Queensland's waste management strategy as required by the *Waste Reduction and Recycling Act 2011*.
3. publishes the annual reports on waste disposal and recycling by 31 December each year, as required by the *Waste Reduction and Recycling Act 2011*.
4. includes all the information required by the *Waste Reduction and Recycling Act 2011* in the annual reports on waste disposal and recycling.

For alignment between *The Queensland Plan* and Queensland's *Waste Management and Resource Recovery Strategy*, we recommend that within 12 months:

5. the Department of the Premier and Cabinet cross-references from *The Queensland Plan* website to Queensland's *Waste Management and Resource Recovery Strategy* and its associated reports.
6. the Department of Environment and Science cross-references from Queensland's *Waste Management and Resource Recovery Strategy* and its associated reports to *The Queensland Plan*.

We recommend that within 12 months, all departments:

7. publish their waste reduction and recycling plans on their websites, or link to their plans from their websites.
8. ensure their waste reduction and recycling plans are easy to find, including from the publication scheme.
9. publish waste reduction and recycling plans that are up to date.
10. describe, in their plans, the actions they will take to improve waste reduction and recycling.
11. outline, in their plans, their waste reduction and recycling targets.



1. Context

Waste management is a topic with significant public interest. Australians are concerned about environmental management and sustainability. Waste management is a key part of environmental management and mitigation of climate change.

The Australian Government recognises this:

The government recognises the importance of improving Australia's waste management and resource recovery capability to embrace processes that divert waste from landfill.⁶

The Council of Australian Governments agreed in 2019 to reform Australia's waste and recycling industry. Queensland and the Australian Government have settled a National Partnership Agreement, investing \$40 million in a Queensland Recycling Modernisation Fund. The fund supports *National Waste Policy Action Plan* targets, Queensland's waste diversion targets and the national ban on waste exports, commencing January 2021 through to July 2024.

In its report *Powering sustainable development with access to information: highlights from the 2019 UNESCO monitoring and reporting of SDG indicator 16.10.2*,⁷ UNESCO explains the critical role access to information plays in achieving the Sustainable Development Goals:

Through access to information, the public is empowered to make informed choices, effectively monitor and hold their government to account, and be able to know about decisions affecting their lives.

The Queensland Plan

The Department of the Premier and Cabinet (DPC) facilitated the development of *The Queensland Plan*⁸ under the *Queensland Plan Act 2014*. The Act seeks to establish a long-term vision for the future growth and prosperity of Queensland, reflecting the aspirations of the community, business and industry.

⁶ Australian Government response: Inquiry into Australia's Waste Management and Recycling Industries, 17 February 2022 to a report From Rubbish to Resources: Building a Circular Economy.

⁷ Available at <https://unesdoc.unesco.org/home>

⁸ The Queensland Plan available at <https://www.queenslandplan.qld.gov.au/>

The *Queensland Plan* describes a 30 year vision expressed in nine foundation areas. The 'environment' foundation area contains a section on waste management:

*Environmental management and protection is a collective responsibility. Individual, household and industry resource use and waste disposal can all impact on the quality of the local environment. This measure will demonstrate whether Queensland households and industries are choosing to lower their environmental footprint by reducing their energy and water use and waste disposal and recovery. The goal is to increase household and industrial use of responsible and sustainable solutions for energy, water and waste disposal and recovery, and decrease their consumption of Queensland's finite resources.*⁹

The Waste Management and Resource Recovery Strategy

Queensland's *Waste Reduction and Recycling Act 2011* legislates for a waste management strategy as a long-term strategy for –

*Reducing the climate change impacts of waste management and disposal.*¹⁰

The *Waste Management and Resource Recovery Strategy* is developed under the *Waste Reduction and Recycling Act 2011* by the Department of Environment and Science (DES). It is intended as a long term strategy for achieving waste avoidance and to secure continuous improvement in waste management and resource recovery practices.¹¹

Other stakeholders

Under the *Waste Reduction and Recycling Act 2011*, Queensland Government departments must have a comprehensive waste reduction and recycling plan and publish it on their websites. The plans must include a range of elements set in the legislation, including how the departments will monitor their performance.

Local governments in Queensland deal with waste management as a core function, and work with others to innovate and improve waste management. The Council of

⁹ The *Queensland Plan*, page 61

¹⁰ s14(2)(c) *Waste Reduction and Recycling Act 2011*

¹¹ s14(2) *Waste Reduction and Recycling Act 2011*

Mayors in South East Queensland publishes a collaborative waste management plan,¹² which the Queensland Government supports financially.¹³

It is not only governments which have a role to play. The community and industry are active participants in waste management. Queensland's *Waste Reduction and Recycling Act 2011* recognises this in its objects, which include ensuring shared responsibility between government, business and industry and the community in waste management and resource recovery.¹⁴

This cooperative approach works best when there is a free flow of information.

Information sharing is a feature of the *National Waste Policy Action Plan 2019*, which includes a target:

*Make comprehensive economy-wide and timely data publicly available to support better consumer, investment and policy decisions.*¹⁵

The Australian Government agrees transparency on the progress of waste management and recycling targets is important.¹⁶

This audit examines what information Queensland Government departments must publish online about waste management, including plans, strategies, standards, performance reports and other elements of a state-wide, long term waste management framework.

It is important to note the scope limitations of this audit:

We did not assess the published information for completeness or accuracy.

Any comment on published information is for illustrative purpose only.

The audit is about meeting the publication requirements, not identifying the root causes of publication decisions.

The appendices contain more detailed information about the audit scope.

12 SEQ Waste Management Plan available at <https://seqmayors.qld.gov.au/>

13 SEQ Mayors welcome \$2.1billion State funding package for waste and recycling

14 s3 *Waste Reduction and Recycling Act 2011*.

15 National Waste Policy Action Plan 2019, p2, available at <https://www.dcceew.gov.au/>

16 Government response to Recommendation 5 of From Rubbish to Resources: Building a Circular Economy, in Australian Government response: Inquiry into Australia's Waste Management and Recycling Industries.

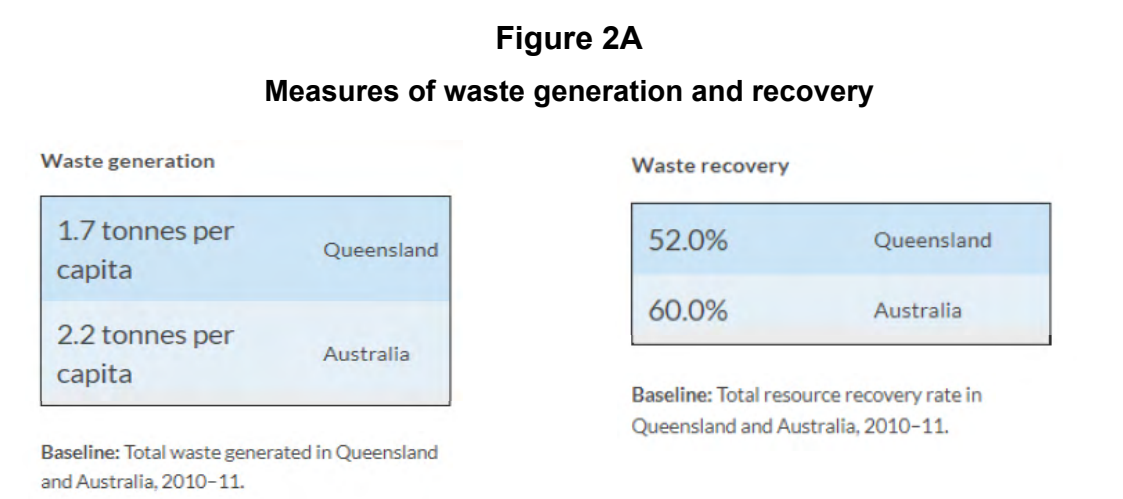


2. Statewide plans and reports

Introduction

There are two overarching plans guiding the way Queensland Government agencies plan and measure progress in reducing waste and increasing waste recycling and recovery. These are *The Queensland Plan* and the *Waste Management and Resource Recovery Strategy*.

The Queensland Plan is a 30-year document spanning 2014 to 2044. It describes baseline measures of waste generation and recovery for Queensland and Australia. Figure 2A extracts the relevant measures.



Source: *The Queensland Plan*

Under the *Queensland Plan Act 2014*¹⁷ DPC must publish *The Queensland Plan* on a government website. The Premier must table a report in Parliament each year by 30 November on progress made to implement *The Queensland Plan*.¹⁸ The legislation specifies the types of information *The Queensland Plan* must include, and how it must enable monitoring and reporting.

Under the *Waste Reduction and Recycling Act 2011* DES must publish the waste management strategy in full on the department’s website, after a consultative process. The legislation specifies what the strategy may include.

17 s7(a) *Queensland Plan Act 2014*

18 s12 *Queensland Plan Act 2014*

The department must also publish an annual report on waste disposal and recycling. The *Waste Reduction and Recycling Act 2011* prescribes what information must be in the report.

The *Waste Management and Resource Recovery Strategy*¹⁹ describes Queensland's waste diversion targets, reproduced in Figure 2B.

Figure 2B
Waste diversion targets



Source: *Waste Management and Resource Recovery Strategy*

We considered the publication requirements under four headings. We assessed whether information was:

easy to find – on the website, and via the publication scheme

easy to use – in an accessible format and easy to read

up to date – published promptly and within legislated timeframes

useful – meaningful, explanatory and in compliance with the legislation.

Conclusion

Queensland has captured big-picture aspirations for waste management and recovery in its key plans and strategies. *The Queensland Plan* and the *Waste Management and Resource Recovery Strategy* and their associated reports outline strategic aims and describe progress.

While the documents are consistent at a high level and present common goals, they do not align at a detailed level. Cross-referencing *The Queensland Plan* and Queensland's *Waste Management and Resource Recovery Strategy* and their associated annual reports would help the community understand waste management planning and progress.

¹⁹ Waste Management and Resource Recovery Strategy available at <https://www.qld.gov.au/environment/management/waste/recovery/strategy>

The Queensland Plan is easy to find and use. While the *Waste Management and Resource Recovery Strategy* is accessible from DES's publication scheme, the online pathway to it could be clearer. The strategy is due for a legislative review.

DES reports annually on progress against the strategy. Publication of these reports has lagged for the last three years by at least five months past the legislated deadline of 31 December. The annual reports could also be improved to make sure they address all the legislative requirements, like the number of local governments that have reported on a waste reduction and recycling plan.

Findings

***The Queensland Plan* and annual reports**

Appendix 2 lists the legislated requirements for *The Queensland Plan* and annual reports.

Easy to find

The Queensland Plan has its own dedicated website.²⁰ DPC's website links to *The Queensland Plan* website from its publication scheme. *The Queensland Plan* is easy to find.

Easy to use

The Queensland Plan is available in PDF format and easy to read.

Given its scope and scale, it is inherently a complex document. However, *The Queensland Plan* explains how to read and use the plan, to help a reader to understand what each element means, how the elements interact and how the elements work together to tell a story.

The plan is organised with nine different elements:

- Foundation areas

- Goals

- Success factors

- Targets

- Primary measures

- Secondary measures

- Baseline

²⁰ <https://www.queenslandplan.qld.gov.au>

Cross references

Infographics.

Up to date

The Premier is required to prepare and table a report by 30 November each year on progress made to implement *The Queensland Plan*.

We found this requirement is met. There was a short delay in tabling the 2020-21 report but the reports for the three previous financial years were generally published on time.

Useful

The *Queensland Plan Act 2014* sets mandatory elements²¹ and a list of principles²² for *the Queensland Plan*.

The Queensland Plan must establish a long-term vision, position the State to respond effectively and strategically to issues and provide a strategic approach to planning for the future of Queensland.

We note that *The Queensland Plan* contains a long term vision. The other aspects of this section are beyond the scope of this audit.

The Queensland Plan must outline the strategic direction for key areas. We note that the plan provides for each key area suggested in the Act, labelled ‘foundation areas’ in the plan. It describes success factors, targets, primary measures and secondary measures for each foundation area.

The Queensland Plan must set targets and include measures for the key areas. Schedule 1 of the *Queensland Plan Act 2014* states:

*The targets and measures included in the Queensland Plan for the key areas under the plan **must** enable the following matters to be monitored and reported on—*

- (a) progress in relation to the targets for the key areas;*
- (b) whether the targets for the key areas are achievable.*

[emphasis added]

21 s5(3) *Queensland Plan Act 2014*

22 Schedule 1 *Queensland Plan Act 2014*

The Queensland Plan contains targets for the foundation areas. Figure 2C shows the targets for the environment.



Source: *The Queensland Plan*

These are targets for environmental management, as required by the legislation. *The Queensland Plan* reports on departmental initiatives addressing these targets, which satisfies the legislative requirement for reporting on progress.

Queensland's *Waste Management Strategy* and annual reports

Appendix 3 lists the legislated requirements for the *Waste Management Strategy* and annual reports.

Easy to find

Under the *Waste Reduction and Recycling Act 2011* DES must publish Queensland's waste management strategy on the department's website. DES's website links to a whole of government webpage called *Queensland's waste strategy* where one can find the *Waste Management and Resource Recovery Strategy*. The strategy is also accessible from DES's publication scheme.

DES's website's pathway to the strategy is through five webpages with these headings:

1. Homepage >
2. Environment: Management and regulation >
3. Waste >
4. Development of Queensland's waste and recycling strategy >

5. Queensland's waste strategy (a whole of Queensland Government website) > which has a link to the *Waste Management and Resource Recovery Strategy*

It would be easier to find the strategy if it was linked directly from the main 'Waste' webpage rather than through a signpost about the strategy's development process.

We recommend that:

1. Within 12 months, the Department of Environment and Science simplifies and clarifies the pathway to the *Waste Management and Resource Recovery Strategy* so that the strategy is easier to find.

The annual reports are easy to find. The main 'Waste' webpage links directly to them from a clear label of '*Recycling and waste in Queensland report*'.

Easy to use

The *Waste Management and Resource Recovery Strategy* and the annual reports are downloadable in PDF format and easy to read.

Up to date

The *Waste Management and Resource Recovery Strategy* is undated. It cites data from 2017-18. DES advised it published the strategy in 2019.

DES's chief executive officer must publish a review of the waste management strategy on the department's website. The directions paper *Transforming Queensland's Recycling and Waste Industry* dated 2018 and available on the whole of government webpage *Queensland's waste strategy*, states:

In 2017, the department conducted a review of the current Queensland Waste Avoidance and Resource Productivity Strategy (2014-2024) as required every three years under the Act.²³

A review was due by 1 July 2022.²⁴ Public notification is part of the review process, with 28 days for public submissions.²⁵ At the time of the audit, DES advised that it will shortly publish a draft review report of the *Waste Management and Resource Recovery Strategy*.

²³ Transforming Queensland's Recycling and Waste Industry: Directions Paper, Page 15, accessible from Queensland's waste strategy webpage available at <https://www.qld.gov.au/>.

²⁴ s20(1)(b) *Waste Reduction and Recycling Act 2011*

²⁵ s21(1) *Waste Reduction and Recycling Act 2011*

Specific requirements of the *Waste Reduction and Recycling Act 2011* apply. For example, the Act requires the chief executive to prepare a review report in draft form and give the public notice of the draft on DES's website.

DES must invite written public submissions on the draft review report. The chief executive must publish a final report of the review within a reasonable time after the period for receiving written submissions on the draft review report has ended.

We recommend that:

2. Within 12 months, the Department of Environment and Science publishes information about the review of Queensland's waste management strategy as required by the *Waste Reduction and Recycling Act 2011*.

DES must by 31 December each year, prepare and make publicly available a report that summarises the amounts of waste and recycling reported in the most recently completed financial year.

DES did not meet this timeframe in the last three years. It advised that it usually submits the report for approval early in the following calendar year and publishes in the middle of the next year. Figure 2D depicts DES's publication timelines for the last three years.

Figure 2D

Publication timelines for waste and recycling report

Report due 31 December	Submitted to executive	Director-General approval	Publication online
2021	28/3/2022	11/4/2022	Webpage updated with 2020/21 information, annotated ' <i>Last updated:</i> <i>16 June 2022</i> '
2020	14/2/2021	25/2/2021	30/7/2021
2019	7/2/2020	13/2/2020	18/8/2020

Source: The Department of Environment and Science

DES is aware of the need to improve the quality and timeliness of the annual report. It has developed a new, more dynamic approach, which it hopes will result in more timely reporting.

In 2022, the development of the new process has itself resulted in delays:

This year (for the 2020-21 reporting year), it is taking more time because of the changing approach, and the consequential need to approve the new approach as well as develop the new web-based format itself.

The legislation requires publication by 31 December each year. Delays in publication prevent the community from accessing timely information and data. This diminishes the community's ability to participate in public debate.

We recommend that:

3. Within 12 months, the Department of Environment and Science publishes the annual reports on waste disposal and recycling by 31 December each year, as required by the *Waste Reduction and Recycling Act 2011*.

Useful

Section 15 of the *Waste Reduction and Recycling Act 2011* lists what the *Waste Management and Resource Recovery Strategy* may include. The strategy includes all these items except for explicit use of the terms 'priority products' or 'priority waste'.²⁶

The *Waste Management and Resource Recovery Strategy* has targets for 2050:

25% reduction in household waste

90% of waste is recovered and does not go to landfill

75% recycling rates across all waste types.

Section 154 of the Act requires DES to report annually on progress, summarising the amounts of waste and recycling reported to DES in the most recently completed financial year. The section itemises the information that the report must include, and states that if appropriate the report should include an evaluation of the information.

At the time of the audit, the latest report was for 2020-21. This report includes 12 of the 15 required items as described in the legislation, and partially addresses the other three items. DES improved its process during this audit and the 2021 report now contains most of the information required by the Act.

It states that Queensland has achieved a 56% overall recovery rate for headline wastes, a 2.1% increase from the previous year. This figure directly reflects on the

²⁶ s15(g) *Waste Reduction and Recycling Act 2011*

primary measure in *The Queensland Plan* which describes high level aspirations for waste management.

Three items are partially covered in the 2020-21 report.

1. It describes local council collection of waste, recycling, recovery and diversion. It reports on the amounts and types of waste on which the waste levy was paid to the state for disposed waste. It does not identify *'the amounts and types of waste disposed of by local governments'*
2. It does not describe *'the amounts and types of waste reported as being disposed of by reporting entities'*.
3. The 2020-21 report also states the number of local governments that self-report having a plan. It does not confirm this number or advise how many local governments reported on the plan.

DES explains that types of waste disposal are difficult to itemise because disposed waste is mixed and not separated on receipt. The report itemises recycled waste because local governments and reporting entities separate recycled waste by type when they receive it. DES is reluctant to report on entities in a way that might identify individual businesses.

DES should report as required by the legislation. If it has a reason for not addressing a legislative requirement, the annual report should explain the non-compliance.

We recommend that:

4. Within 12 months, the Department of Environment and Science includes all the information required by the *Waste Reduction and Recycling Act 2011* in the annual reports on waste disposal and recycling.

Alignment between *The Queensland Plan* and Queensland's *Waste Management Strategy*

The Queensland Plan and Queensland's *Waste Management Strategy* align at a high level and present common goals. For example, they promote waste reduction and increased waste recovery.

The Queensland Plan lists baseline measures for waste generation and waste recovery. The section describing the primary measure of 'environmental footprint' suggests implied targets for households and industries to:

- increase use of responsible and sustainable solutions for waste disposal and recovery – this means waste recovery per capita goes up
- decrease consumption of Queensland's finite resources – this means waste generation goes down.

Measures like this are reported in the *Waste Management and Resource Recovery Strategy* which turns *The Queensland Plan*'s high-level aspirations into plans, actions, targets and reports.

These two documents complement each other qualitatively, for example, for biofuel initiatives. *The Queensland Plan*'s 'protecting the environment' webpage lists departmental initiatives like a discussion paper on biofuels and bio-manufacturing. However, it does not reference Queensland's *Waste Management and Resource Recovery Strategy*, which discusses biofuel initiatives in more detail.

Queensland's *Waste Management and Resource Recovery Strategy* describes a \$5 million Waste to Biofutures fund, a Queensland Biofutures 10 Year Roadmap and Action Plan, and includes biogas and biochemical feedstock as elements in the circular economy.²⁷

Despite their complementarity, *The Queensland Plan* and the *Waste Management and Resource Recovery Strategy* do not cross-reference each other.

From the perspective of a member of the community seeking to understand waste management planning and progress in Queensland, it would be useful to connect or cross-reference *The Queensland Plan* and Queensland's *Waste Management and Resource Recovery Strategy* and their associated annual reports.

²⁷ Waste Management and Resource Recovery Strategy, pages 6 and 9. The 'circular economy' is based on designing products and materials to minimise waste and maximise re-use, keeping products and materials circulating within the economy as long as possible, and even enabling new economic benefits, for example by remanufacturing products or materials.

If *The Queensland Plan* website linked to Queensland's *Waste Management and Resource Recovery Strategy* and its associated reports, detailed information would support the high-level case studies. The link would make it easier for members of the community to find and understand information about waste reduction and recovery and make use of it.

Conversely, if the *Waste Management and Resource Recovery Strategy* and associated reports referenced *The Queensland Plan*, Queenslanders would be able to see how achievements in waste management contribute to environmental management.

Cross-referencing would improve the meaningfulness of the documents and assist the public to make use of the reports.

We recommend that:

5. Within 12 months, the Department of the Premier and Cabinet cross-references from *The Queensland Plan* website to Queensland's *Waste Management and Resource Recovery Strategy* and its associated reports.

We recommend that:

6. Within 12 months, the Department of Environment and Science cross-references from Queensland's *Waste Management and Resource Recovery Strategy* and its associated reports to *The Queensland Plan*.



3. Departments' waste management plans

Introduction

The *Waste Reduction and Recycling Act 2011* places obligations generally on government agencies and industry to make waste reduction and recycling plans and report on progress. In this audit, we focus on departments; they must develop and publish waste management plans on their websites.

The legislation outlines the plans' content and their duration. DES has a role in collating and reporting information about departmental progress against their plans.

Other agencies, for example local governments, must also develop waste management plans. While they must make the plans public, they do not have to publish the plans on their websites.

We assessed whether:

- the departments meet publication requirements
- a member of the community would be able to easily find and read the documents
- the documents contain enough information for an individual to understand what the government intends to do, how it intends to do it and its progress in achieving its goals and targets.

Conclusion

With the introduction of a new Waste Management and Resource Recovery Strategy in July 2019,²⁸ most departments developed complementary plans that addressed the requirements set in the *Waste Reduction and Recycling Act 2011*. However, four departments have not published a plan on their websites, and so do not comply with their legislated obligations.

Most published plans are easy to find and they are all easy to read. The contents of all the plans are sufficiently meaningful to be useful (with one exception).

Many plans indicate the departments will identify baseline data for waste generation and recovery. They often state the departments will use the baseline data to develop targeted action plans. Seven plans describe departmental performance management and monitoring.

²⁸ The new strategy reflects legislative amendments in July 2019 introducing a waste levy.

Thirteen plans are up to date or expired in 2021. One is undated. Two plans are out of date. This means the community cannot easily and readily find out what departments are proposing to do to generate less waste and increase resource recovery in the coming years. This reduces their accountability and transparency.

All departments should review their plans to ensure they are legislatively compliant, up to date and easy to find. Accordingly, we make recommendations to all departments.

Findings

Under the *Waste Reduction and Recycling Act 2011*, Queensland Government departments must have a comprehensive waste reduction and recycling plan adopted by the chief executive, implemented by the department and published on the department's website.²⁹

The Act also specifies what the plan must include, for example waste reduction and recycling targets, actions to be taken, and how the department will manage the plan and monitor its performance.

The department's chief executive must consider current and predicted information about the department's waste, principles in the Act and how the department's plan contributes to the State waste management strategy.

The plan must be in effect for at least three years, and the chief executive must review it every three years.

We assessed plans against the requirements of the *Waste Reduction and Recycling Act 2011* to see whether the plans published all the information necessary. Appendix 4 lists the criteria used. Figure 3A summarises our findings. Figure 3B depicts our findings in more detail.

²⁹ s131 to 135, *Waste Reduction and Recycling Act 2011*.

Figure 3A
Compliance with the *Waste Reduction and Recycling Act 2011*'s requirements for waste management plans

Audit criteria and legislative requirements	Departments																			
Waste management strategy found on department's website - yes/no																				
Easy to find																				
Easy to use																				
Up to date																				
Useful																				

Source: Office of the Information Commissioner

Sixteen out of 20 departments publish their plan on their websites. Of the remaining 4 departments:

One shares a plan with another department (which publishes the shared plan) but does not mention it on its own website.

Three do not publish a waste reduction and recycling plan on their websites and do not explain why not.

We recommend that:

7. Within 12 months, all departments publish their waste reduction and recycling plans on their websites, or link to their plans from their websites.

Easy to find

12 departmental websites have a clear pathway to the plans from their homepage.

Four have an unclear pathway. For example, if we had to use a website search to find the plan, or found the pathway lengthy and nondescriptive, we assessed the pathway as unclear.

Eight departmental publication schemes link to their respective plans, four from within the information class '*Our policies*' and four from within '*Our priorities*'. Eight plans are not accessible from the departments' publication scheme.

We recommend that:

8. Within 12 months, all departments ensure their waste reduction and recycling plans are easy to find, including from the publication scheme.

Easy to use

All available plans are in an accessible PDF format and easy to read.

Up to date

Eight plans are up to date. Five expired in 2021. Two plans expired in 2020. One plan is undated.

Five plans continue to be badged under the name of former departments before restructuring in 2020.³⁰

We recommend that:

9. Within 12 months, all departments publish waste reduction and recycling plans that are up to date.

Useful

Most plans address the legislatively required inclusions, at least to some extent. This is depicted in Figure 3B.

We identified improvement opportunities where departments could strengthen their compliance with the publication requirements by making sure their plan:

- is adopted by the chief executive

- includes waste reduction and recycling targets for the department

- includes information about performance management and monitoring under the plan.

Departments that publish plans on their websites show commitment to the Act.³¹ The Act requires the chief executive officer to adopt the plan. Five departments include in the plan either an introduction by the chief executive officer or describe the chief executive officer's responsibilities.

A key legislative requirement is that the plan must describe the actions the department will take to improve waste reduction and recycling.

Fifteen out of 16 plans include actions to improve waste reduction and recycling. One plan has insufficient information to be meaningful. It simply states the department will adopt waste management and reduction practices. It does not describe what the department intends to do or how it will measure progress.

³⁰ By a machinery of government change in November 2020 by Administrative Arrangements Order (No. 2) 2020.

³¹ s135(a) *Waste Reduction and Recycling Act 2011*

Figure 3B
Compliance with the *Waste Reduction and Recycling Act 2011*'s
requirements for waste management plans

<i>Waste Reduction and Recycling Act 2011</i> requirements	Each column represents one departmental plan
Assessment summarising requirements in ss 133 - 137	
CEO has an obligation at all times to ensure - all aspects of waste management are comprehensively addressed	
CEO has an obligation at all times to ensure -the plan is adopted by the CEO	
Plan must include - Waste reduction and recycling targets for entity	
Plan must include - actions to improve waste reduction and recycling by entity	
Plan must include - performance management and monitoring under the plan	
Plan must include - information about continuous improvement	
Plan must include contents required by regulation - out of scope - no regulation made about contents of plan	
The CEO must have regard to current and predicted information about the entity's waste	
The CEO must have regard to the waste and resource management hierarchy	
The CEO must have regard to the waste and resource management principles	
The CEO must have regard to achieving the goals and targets in the State waste management strategy	
The plan may have regard to other elements	
The plan must be in effect for at least 3 years	
Plan must be up-to-date	
Plan must be on website	
Plan must be reviewed every 3 years	

Source: Office of the Information Commissioner

NOTE: the stronger the green colour, the stronger the compliance. Light blue-grey squares indicate implied compliance. Tan squares indicate non-compliance. Dark grey bars depict departments that did not publish plans, and one criterion out of scope.

Of the 16 plans, eight describe actions clearly. A useful approach is to list actions and targets. Figure 3C gives an example.

Figure 3C
Compliance with the *Waste Reduction and Recycling Act 2011*'s
requirements for waste management plans

6. Action plan The action plan consists of a series of changes to existing waste management practices aligned with the strategies identified in this plan.				
Item	Strategy or Initiative	Lead Business Unit	Target	Target Date
1 Waste stream monitoring, reporting and recycling (office waste)				
	Consult with DHPW to ensure they establish data collection arrangements in cleaning contracts.	Facilities Services	Data collection arrangements established	30 Jun 17
	Consult with DHPW to ensure DJAG can access their baseline data.	Facilities Services	Baseline data for 2016-2017 established	30 Jun 17
	Consult with DHPW to ensure they review cleaning contracts in regard to waste separation.	Facilities Services	Cleaning contracts reviewed	30 Jun 17
2 Waste avoidance				
	Identify and implement opportunities for replacing paper-based procedures with online processes and facilitate implementation (reduce printer usage, paper consumption): <ul style="list-style-type: none"> • Transition to e-lodgements through the HR forms moving on-line via Aurion 	P&E	Reduction in reams of paper ordered	30 Sep 17

Source: Department of Justice and Attorney-General Waste Reduction and Recycling Plan 2019-2022, pages 4-6, selected text extracted and re-keyed for readability. "DHPW" is the former Department of Housing and Public Works.

The remaining eight plans are understandable but could describe better the actions the department has taken or intends to take and how it measures results. For example, one plan proposes to gather baseline data in 2017-18, develop action plans in 2018-19

and implement the actions by 2020. While this explains how the department intended to proceed, it does not describe waste management actions taken.

We recommend that:

10. Within 12 months, all departments describe, in their plans, the actions they will take to improve waste reduction and recycling.

The Act requires plans to include measurable waste reduction and recycling targets. Thirteen out of 16 plans include waste reduction and recycling targets and 12 mention the State goals and targets explicitly.

One plan includes target dates for completion of key actions, but not waste reduction and recycling targets. One plan states that targets will be included in subordinate plans which are not published. One plan relies entirely on the statewide targets as the departmental targets. The Act requires departmental plans to establish waste reduction and recycling targets for the department.

We recommend that:

11. Within 12 months, all departments outline, in their plans, their waste reduction and recycling targets.

Having clear actions and targets is essential to meet other legislative requirements. The plan must include information about continuous improvement and performance management and monitoring.

All published plans include information about continuous improvement. Seven describe how the department will monitor and manage its performance. One department mentions performance management and monitoring but does not describe a clear process. Eight plans state they address performance management and monitoring through annual reports to the lead agency.

The lead agency, DES, collates and reports on departmental information annually. The published reports up to 2019 stated whether departments had plans and provided links to the plans. The 2020 report omitted the chapter on departmental plans, even though the Act requires the report to include this information.³² The 2021 report commented on the number of plans and entities reporting on plans.

We have already recommended that DES ensures its annual report includes all information required by the *Waste Reduction and Recycling Act 2011*.

³² s154(3)(m) to (o) of the *Waste Reduction and Recycling Act 2011*



4. Appendices

Appendix 1 – Lead departments' responses to report



For reply please quote: OFRQ/KG – TF/22/17604 – DOG/22/201090

Department of the
Premier and Cabinet

Ms Rachael Rangihaeata
Information Commissioner
Office of the Information Commissioner
administration@oic.qld.gov.au

Dear Ms Rangihaeata

Thank you for your letter of 31 October 2022 regarding the Office of the Information Commissioner's proposed audit report 'Publishing information about waste management'.

Please find enclosed the Department of the Premier and Cabinet's action plan, noting your proposed recommendation has been accepted.

If your officers have any queries relating to this matter, please contact Ms Aimee Du Toit, Director, Regional Engagement, Office for Rural and Regional Queensland, Department of the Premier and Cabinet by email at aimee.dutoit@premiers.qld.gov.au or on telephone [mobile phone number].

Yours sincerely

A handwritten signature in blue ink that reads "Rachel Hunter".

Rachel Hunter
Director-General

4 / 11 / 22

*Encl

1 William Street Brisbane
PO Box 15185 City East
Queensland 4003 Australia
Website www.premiers.qld.gov.au
ABN 65 959 415 158

Action plan – Department of the Premier and Cabinet

We recommend the department:		Department of the Premier and Cabinet response and proposed action
No.	Recommendation	
5	cross-references from <i>The Queensland Plan</i> website to Queensland's Waste Management and Resource Recovery Strategy and its associated reports.	Response: Accepted
		Proposed management action: <i>The Queensland Plan</i> website (www.queenslandplan.qld.gov.au) will be updated to cross-reference Queensland's Waste Management and Resource Recovery Strategy and its associated reports.
		Nominated owner: Office for Rural and Regional Queensland, Department of the Premier and Cabinet.
		Nominated completion date: By 30 January 2023.



Department of
Environment and Science

Our Ref: CTS 18779/22

15 November 2022

Ms Rachael Rangihaeata
Information Commissioner
Office of the Information Commissioner Queensland
audit@oic.qld.gov.au

Dear Ms Rangihaeata

Thank you for your letter of 31 October 2022 regarding your proposed waste management publication audit report. I welcome the opportunity to provide you with the Department of Environment and Science's action plan for addressing your recommendations.

I am confident that the work undertaken for the review of the *Queensland Waste Management and Resource Recovery Strategy* in 2021 and 2002, together with the changes proposed to annual recycling and waste reporting will deliver on the recommendations.

Should your officers require any further information, they may contact Mr Andrew Connor, Executive Director – Office of Circular Economy, Environment and Heritage Policy and Programs of the Department of Environment and Science by email at andrew.connor@des.qld.gov.au on telephone [mobile phone number].

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jamie Merrick'.

Jamie Merrick
Director-General

Encl. (1)

1 William Street Brisbane
GPO Box 2454 Brisbane
Queensland 4001 Australia
Telephone + 61 7 3338 9304
Website www.des.qld.gov.au
ABN 48 640 294 485

Action plan – Department of Environment and Science

We recommend the department:		Department of Environment and Science response and proposed action
No.	Recommendation	
1	simplifies and clarifies the pathway to the <i>Waste Management and Resource Recovery Strategy</i> (the waste management strategy) so that the strategy is easier to find.	Response: Agreed
		Proposed management action: Identify and implement changes that simplify the online pathway to the <i>Waste Management and Resource Recovery Strategy</i> in line with relevant Queensland Government webpage guidelines.
		Nominated owner: Kylie Hughes, Director, Office of Resource Recovery
		Nominated completion date: December 2022
2	publishes information about the review of Queensland's waste management strategy as required by the <i>Waste Reduction and Recycling Act 2011</i> .	Response: Agreed
		Proposed management action: Publish the Draft Review Report and associated information on Queensland's waste management strategy as required by the <i>Waste Reduction and Recycling Act 2011</i> .
		Nominated owner: Jamie Merrick, Director-General
		Nominated completion date: December 2022

We recommend the department:		Department of Environment and Science response and proposed action
No.	Recommendation	
3	publishes the annual reports on waste disposal and recycling by 31 December each year, as required by the Waste Reduction and Recycling Act 2011.	Response: Agreed
		Proposed management action: A more dynamic approach to reporting was approved in January 2022 and developed across the year. It will be used for the first time for the 2021-22 report and, progressively, will assist in reducing the amount of time taken to analyse, validate and publish the performance data for future years' reports.
		Nominated owner: Jamie Merrick, Director-General
		Nominated completion date: December 2022

We recommend the department:		Department of Environment and Science response and proposed action
No.	Recommendation	
4	includes all the information required by the <i>Waste Reduction and Recycling Act 2011</i> in the annual reports on waste disposal and recycling	Response: Agreed
		Proposed management action: Changes have been made to processes for developing the report to ensure all information is included. It is noted that some information requirements in the Act may be either: <ul style="list-style-type: none"> - represented differently in annual reports due to progressive expansion of terminology, e.g. the term 'recycling' as required by the Act has been expanded to 'resource recovery', which recycling is a subset of, for the purposes of national waste reporting - reported as zero as there is no information to report, e.g. "the number of planning entities that have adopted a waste reduction and recycling plan" because no planning entities may have been established.
		Nominated owner: Dylan Walker, Director – Circular Economy Partnerships
		Nominated completion date: December 2022

We recommend the department:		Department of Environment and Science response and proposed action
No.	Recommendation	
5	cross-references from Queensland's <i>Waste Management and Resource Recovery Strategy</i> and its associated reports to <i>The Queensland Plan</i> .	Response: Agreed
		Proposed management action: Identify where cross references to the Queensland Plan would be most useful to the community and amend the waste management strategy and/or associated web content accordingly.
		Nominated owner: Karen Hussey, Deputy Director- General, EHPP
		Nominated completion date: December 2023

Appendix 2 – Legislated requirements for *The Queensland Plan*

The requirements for *The Queensland Plan* are listed in the *Queensland Plan Act 2014* [**emphasis** added].

Publishing requirements for <i>The Queensland Plan</i>
Easy to find
<p>The chief executive must publish <i>The Queensland Plan</i> on a government website.</p> <p>(s7 <i>Queensland Plan Act 2014</i>)</p> <p>Note: The ‘department’ is the Department of the Premier and Cabinet (DPC)</p>
<ul style="list-style-type: none"> • Clear pathway on website • Accessible from publication scheme
Easy to use
Accessible format
Easy to read
Up to date
Published promptly
Complies with legislated timeframes:-
<p>The Premier must prepare a report for each financial year on the progress made, during the financial year, to implement <i>The Queensland Plan</i>. This report is tabled in the Legislative Assembly by 30 November in the following financial year.</p> <p>(s12 <i>Queensland Plan Act 2014</i>)</p>
Useful
Meaningful and explanatory
Consistency between <i>The Queensland Plan</i> and <i>Waste Management Strategy</i> .
Complies with legislated requirements:-

Publishing requirements for *The Queensland Plan*

The key areas under *The Queensland Plan* **may** include, for example, the following—

- education
- community
- regions
- economy
- health and wellbeing
- **environment**
- people
- infrastructure
- governance.

The Queensland Plan **must**—

- (a) be developed having regard to the principles stated in schedule 1; and
- (b) outline the strategic direction for the key areas under the plan; and
- (c) set targets, and include measures, for the key areas.

(s5 *Queensland Plan Act 2014*)

Schedule 1 states *The Queensland Plan* **is to**:

- establish a long-term vision for the future of Queensland for implementation by all levels of government and by the community, business and industry.
- position the State to respond effectively and strategically to existing and future economic, social, **environmental** and other issues.
- provide a strategic approach to planning for the future of Queensland that—
 - (a) is coordinated, proactive and long-term; and
 - (b) establishes a clear direction for implementation.

(ss 1-3, *Schedule 1 Queensland Plan Act 2014*)

Publishing requirements for *The Queensland Plan*

The targets and measures included in *The Queensland Plan* for the key areas under the plan **must** enable the following matters to be monitored and reported on—

- (a) progress in relation to the targets for the key areas;
- (b) whether the targets for the key areas are achievable.

(s6, Schedule 1 Queensland Plan Act 2014)



Appendix 3 – Legislated requirements for Queensland's *Waste Management Strategy*

The requirements for Queensland's *Waste Management Strategy* are listed in the *Waste Reduction and Recycling Act 2011* [**emphasis** added].

Publishing requirements for Queensland's <i>Waste Management Strategy</i>	
Easy to find	
Queensland <i>Waste Management Strategy</i> must be on department's website. (s18 <i>Waste Reduction and Recycling Act 2011</i>) Note: The 'department' is the Department of Environment and Science (DES)	
<ul style="list-style-type: none"> • Clear pathway on website • Accessible from publication scheme 	
Easy to use	
Accessible format	
Easy to read	
Up to date	
Published promptly	
Complies with legislated timeframes:-	
Requirement to publish Queensland's <i>Waste Management Strategy</i> - Chief executive (DES) must publish the waste management strategy in full on the department's website as soon as practical after its approval . (s18(4) <i>Waste Reduction and Recycling Act 2011</i>)	
Requirement to publish a review of Queensland's <i>Waste Management Strategy</i> - Chief executive (DES) must, within a reasonable time after the period for receiving written submissions has ended , publish a final report of the review of the waste management strategy on the department's website. (s22 <i>Waste Reduction and Recycling Act 2011</i>)	

Publishing requirements for Queensland's *Waste Management Strategy*

The chief executive (DES) **must, by 31 December in each year**, prepare and make publicly available a report that summarises the amounts of waste and recycling reported in the most recently completed financial year.

(s154 Waste Reduction and Recycling Act 2011)

Useful

Meaningful and explanatory

Consistency between *The Queensland Plan* and *Waste Management Strategy*.

Complies with legislated requirements:-

Requirement to publish Queensland's *Waste Management Strategy* – Chief executive (DES) **must** give public notice on the department's website of preparation of a draft.

(s16 Waste Reduction and Recycling Act 2011)

Requirement to publish Queensland's *Waste Management Strategy* - Chief executive (DES) **must** publish the waste management strategy in full on the department's website as soon as practical after its approval.

(s18(4) Waste Reduction and Recycling Act 2011)

Contents of Queensland's *Waste Management Strategy*.

Strategy **may** include items listed.

(s15 Waste Reduction and Recycling Act 2011)

Publishing requirements for Queensland's *Waste Management Strategy*

- (a) waste avoidance;
- (b) resource efficiency;
- (c) resource recovery;
- (d) product design;
- (e) consumption;
- (f) product stewardship;
- (g) priority products or priority waste;
- (h) standards, criteria and specifications for recycled materials and products containing recycled material;
- (i) strategic waste management planning;
- (j) data reporting.

(s15 Waste Reduction and Recycling Act 2011)

Requirement to publish a review of Queensland's *Waste Management Strategy*

- Chief executive (DES) **must** publish a notice of review of the waste management strategy on the department's website and invite written submissions from the public.

(s21 Waste Reduction and Recycling Act 2011)

Requirement to publish a review of Queensland's *Waste Management Strategy*

- Chief executive (DES) **must**, within a reasonable time after the period for receiving written submissions has ended, publish a final report of the review of the waste management strategy on the department's website.

(s22 Waste Reduction and Recycling Act 2011)

Without limiting what may be dealt with in a review report, a review report **must** have regard to goals and targets, however named, included in the waste management strategy.

(s21 Waste Reduction and Recycling Act 2011)

Publishing requirements for Queensland's *Waste Management Strategy*

The final review report **must** outline the findings of the review and may recommend an amendment or replacement of the waste management strategy to implement findings of the review.

(s22 Waste Reduction and Recycling Act 2011)

The chief executive (DES) **must**, by 31 December in each year, prepare and make publicly available a report that summarises the amounts of waste and recycling reported in the most recently completed financial year.

(s154 Waste Reduction and Recycling Act 2011)

In preparing the report, the chief executive (DES) **must** have regard to information given to the chief executive under parts 1 and 2 and chapter 3, part 5:

Part 1

- Local government reporting
- State entity reporting
- Planning entity reporting

Part 2

- Reporting on waste recovery and disposal

Chapter 3 part 5

- Obligations relating to waste levy

(s154 Waste Reduction and Recycling Act 2011)

The report (DES) **must** include the following information and, if appropriate, an evaluation of the information:

(s154(2) and 154(3)(m) Waste Reduction and Recycling Act 2011)

(a) the total amount of the waste levy paid to the State;

(b) the amount and types of waste on which the waste levy was paid to the State;

Publishing requirements for Queensland's *Waste Management Strategy*

- (c) the amounts and types of waste on which the waste levy would have been paid if it were not exempt waste;
- (d) the number of levyable waste disposal sites in the waste levy zone and non-levy zone that received waste on which the waste levy was paid to the State;
- (e) the amounts of annual payments made to local governments under section 73D;
- (f) the amounts and types of waste reported as being recycled by local governments;
- (g) the amounts and types of waste reported as being recycled by reporting entities;
- (h) the amounts and types of waste reported as being disposed of by local governments;
- (i) the amounts and types of waste reported as being disposed of by reporting entities;
- (j) the amounts and types of waste reported as being the subject of littering or illegal dumping;
- (k) the number of product stewardship schemes in effect under this Act;
- (l) the number of local governments that have adopted a waste reduction and recycling plan and have reported on the plan;
- (m) the number of State entities that have adopted a waste reduction and recycling plan and have reported on the plan;
- (n) the number of planning entities that have adopted waste reduction and recycling plans, other than by adopting the waste reduction and recycling plan of a sector of reporting entities;
- (o) the number of waste reduction and recycling plans that are in place for sectors of reporting entities.



Appendix 4 – Assessment criteria for departmental plans

We considered whether the departmental plans incorporated the *Waste Reduction and Recycling Act 2011*'s specific inclusions, listed below [**emphasis** added]. We did not assess the quality of the inclusions.

We focussed on mandatory requirements. We noted positively where a plan addressed an aspect of the legislation beyond the Act's minimum mandatory requirements:

where the Act described an optional inclusion, for example, 'the chief executive officer may ...'. We noted occasions where the plan included those options.

where the Act described matters a chief executive officer must have regard to. A chief executive officer might have regard to a matter and not include it in the published plan. We noted plans that addressed these matters explicitly.

where the plan included additional information the Act does not require, for example, assigns responsibility for identified actions.

Publishing requirement for departmental plans – all departments
Easy to find
Plan must be on website (s135(a) <i>Waste Reduction and Recycling Act 2011</i>)
Clear pathway on website
Accessible from publication scheme
Easy to use
Accessible format
Easy to read
Up to date
Published promptly
Complies with legislated timeframes:-
The plan must be in effect for at least 3 years (s134(3) <i>Waste Reduction and Recycling Act 2011</i>)
Plan may be amended or replaced within implementation period (s134(4) <i>Waste Reduction and Recycling Act 2011</i>)

Publishing requirement for departmental plans – all departments

Plan **must** be up-to-date

(s135(a) *Waste Reduction and Recycling Act 2011*)

Plan **must** be reviewed every 3 years

(s136 *Waste Reduction and Recycling Act 2011*)

Plan **may** be amended or replaced

(s137 *Waste Reduction and Recycling Act 2011*)

Useful

Meaningful and explanatory

Complies with legislated requirements:-

The chief executive **has an obligation at all times to ensure** - all aspects of waste management are comprehensively addressed

(s133(1)(a) *Waste Reduction and Recycling Act 2011*)

The chief executive **has an obligation at all times to ensure** - the plan is adopted by the chief executive

(s133(1)(b) *Waste Reduction and Recycling Act 2011*)

Plan **must** include - Waste reduction and recycling targets for entity

(s133(2)(a) *Waste Reduction and Recycling Act 2011*)

Plan **must** include - actions to improve waste reduction and recycling by entity

(s133(2)(b) *Waste Reduction and Recycling Act 2011*)

Plan **must** include - performance management and monitoring under the plan

(s133(2)(c) *Waste Reduction and Recycling Act 2011*)

Plan **must** include - information about continuous improvement

(s133(2)(d) *Waste Reduction and Recycling Act 2011*)

A department **may** adopt another department's plan

(s133(3) *Waste Reduction and Recycling Act 2011*)

The chief executive **must** have regard to current and predicted information about the entity's waste

(s134(1)(a) *Waste Reduction and Recycling Act 2011*)

Publishing requirement for departmental plans – all departments

The chief executive **must** have regard to the waste and resource management hierarchy

(s134(1)(b) *Waste Reduction and Recycling Act 2011*)

The chief executive **must** have regard to the waste and resource management principles

(s134(1)(c) *Waste Reduction and Recycling Act 2011*)

The chief executive **must** have regard to achieving the goals and targets in the State waste management strategy

(s134(1)(d) *Waste Reduction and Recycling Act 2011*)

The plan **may** have regard to other elements

(s134(2) *Waste Reduction and Recycling Act 2011*)

Notes:

The plan **must** include matters under regulation about requirements for plan (s135(a) *Waste Reduction and Recycling Act 2011*) – We did not find a regulation about the requirements for plans.

The chief executive **has an obligation at all times to ensure** the plan is being implemented (s133(1)(c) *Waste Reduction and Recycling Act 2011*). This is out of scope as it could not be assessed online.



Appendix 5 – Audit scope

Legislative requirements for technical or substantive content are outside the scope of this audit. For example, *The Queensland Plan* must ‘establish a long term vision’. We assess whether the Plan includes a vision statement. We do not assess the quality of the vision statement’s content.

This audit does not identify or assess requirements to publish information about specific waste management content or projects. For example, these publication requirements are outside the scope of this audit:

- the *Waste Reduction and Recycling Act 2011* requirements that the chief executive publish information about end of waste codes

- the *Planning Act 2016* requirement and the Minister’s Rules about including designations (for example, specific waste management facilities) in local government planning schemes, which must be made public

- the *Local Government Act 2009* requirements to publish local laws, many of which concern waste management, for example in caravan parks

- the *Environmental Protection Act 1994* publication requirements about standards for environmentally relevant activities

- any publication requirements about environmental impacts.

The audit also does not assess the *Environmental Protection Act 1994* requirement for a public report on the state of Queensland’s environment every four years,³³ as it does not tie into a specific overarching plan or strategy, or mandate reporting about waste (although we note the 2020 version has a section on waste).³⁴

We looked at the legislative requirements for published plans and strategies in the *Waste Reduction and Recycling Act 2011* and assessed the extent to which the published plans met these requirements.

We did not assess the content of the plans, except that where the Act required plans to be comprehensive, we checked whether the plans were reasonably detailed.

This report references the relevant legislative provisions or prescribed requirements where the reader can find the exact wording of the requirements.

33 s547 *Environmental Protection Act 1994*

34 Queensland State of the Environment Report 2020 available at <https://www.stateoftheenvironment.des.qld.gov.au/>