



QUEENSLAND FARMERS' FEDERATION

Primary Producers House, Level 3, 183 North Quay, Brisbane QLD 4000
PO Box 12009 George Street, Brisbane QLD 4003
qfarmers@qff.org.au | 07 3837 4720
ABN 44 055 764 488

Submission

25 August 2017

Mr Chris Stewart
Waste Framework Regulatory Regime
Environment Policy and Planning
Department of Environment and Heritage Protection
PO Box 2454
BRISBANE QLD 4001

Via email: waste.paper@ehp.qld.gov.au

Dear Mr Stewart

Re: Review of the Regulated Waste Classification and Waste-Related Environmentally Relevant Activity (ERA) Frameworks – Consultation Regulatory Impact Statement (RIS)

The Queensland Farmers' Federation (QFF) is the united voice of intensive agriculture in Queensland. It is a federation that represents the interests of peak state and national agriculture industry organisations, which in turn collectively represent more than 13,000 primary producers across the state. QFF engages in a broad range of economic, social, environmental and regional issues of strategic importance to the productivity, sustainability and growth of the agricultural sector. QFF's mission is to secure a strong and sustainable future for Queensland primary producers by representing the common interests of our member organisations:

- CANEGROWERS
- Cotton Australia
- Growcom
- Nursery & Garden Industry Queensland (NGIQ)
- Queensland Chicken Growers Association (QCGA)
- Queensland Dairyfarmers' Organisation (QDO)
- Burdekin River Irrigation Area Irrigators Ltd (BRIA)
- Central Downs Irrigators Ltd (CDIL)
- Bundaberg Regional Irrigators Group (BRIG)
- Flower Association
- Pioneer Valley Water Cooperative Ltd (PV Water)
- Pork Queensland Inc.
- Queensland Chicken Meat Council (QCMC)
- Queensland United Egg Producers (QUEP).

QFF welcomes the opportunity to provide comment on the Consultation Regulatory Impact Statement (RIS) review of the Regulated Waste Classification and Waste-Related Environmentally Relevant Activity (ERA) Frameworks.

The united voice of intensive agriculture



QFF notes the two policy options presented in the RIS:

1. Maintain the current status quo, or
2. Adopt a new rationalised framework with a list of contemporary ERAs and a risk based regulated waste classification system.

QFF strongly supports Option 2. The current licencing framework does not acknowledge current and innovative materials recovery technologies. The design of the framework also needs to ‘future proof’ the framework to permit new technologies and facilitate business confidence to invest in technological advancements and processing techniques.

Review of the Regulated Waste Classification and ERA Frameworks RIS Document

ERA 53 Biological Waste Treatment

This ERA currently covers composting and is proposed into the future to include Anaerobic Digestion (AD). QFF understands that the department **will not** be requiring farm or agri-processors with AD to require a licence (EA) under this new framework (page 16, under Table 4) as long as the facility does not receive wastes from external sources.

QFF is currently working with a farm that wishes to utilise its own on-farm waste and also from external/commercial waste streams to maximise the size and electrical generation capacity of an AD plant. In this case, it is understood that this AD facility will trigger the newly proposed ERA53 category and we have been advised that the AD facility will need ERA55 Regulated Waste Treatment in the interim, prior to finalisation of the RIS process and resulting regulatory amendments. This is very costly. The amendment is also likely to have implications for several large-scale planned projects which are seeking to utilise agricultural waste streams such as the ARENA funded UnityWater project which seeks to utilise dairy effluents amongst other resources.

QFF has previously brought to the department’s attention the existing regulatory regime for AD under the *Petroleum and Gas (Production and Safety) Act 2004* and the *Petroleum and Gas (Production and Safety) Regulation 2004* which govern the safe operation and management of biomethane gas installations; and which already attract significant annual fees as well as other regulatory requirements such as safety management plans, risk assessments and personnel training.

QFF requests the following amendment to the proposed ERA 53 to include exemptions for agri-processing activities:

- **53 Organic material processing**

(1) Organic material processing (the relevant activity) consists of operating a facility that receives greater than 200 tonnes (t) of organic material in a year for composting or anaerobic digestion

(2) The relevant activity does not include undertaking composting or anaerobic digestion where the organic material –

(i) is generated from agriculture or livestock production activities;

(ii) processed on a site where agricultural, **agri-processing** or livestock production activities are carried out; and

(iii) processed and provided for subsequent use without fee or charge.

(3) In the following table, the aggregate environmental score (AES) for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

QFF notes that the substantial increase in the annual fees proposed for composting presented in the RIS – (from the current \$4,447.60 to the proposed \$9,368.40). QFF understands from correspondence from the department on 26 July 2017 that this significant increase is due to a transpositional error in an

earlier draft. However, the revised AES of 22 still represents a significant annual fee increase of more than 25 per cent to \$5570.40. This does not align with the waste hierarchy and the requirements for encouraging the beneficial recovery of organic matter and nutrients.

ERA 60 Waste Disposal

QFF strongly supports the retention of the definition of 'Facility' which still includes an exemption for the burial of general waste generated on farm.

"facility includes a naturally occurring or constructed hollow or pit, including, for example, a gully, mining shaft, quarry, but does not include a hollow or pit on a farm used for receiving and disposing of general waste produced on the farm".

RIS Addendum Document – Regulated Waste Classifications

QFF does not support the proposed 'Default Waste Category 3' for 'amenity identified wastes'.

QFF recommends that two default regulated waste Categories (1 and 2) are sufficient and that many of the wastes identified in Category 3 do not pose an environmental risk beyond a wide-range of primary products. This is supported by the 'hazard description' provided in the Table (see Attachment F, Table 10).

QFF supports the removal of the following 'wastes' from the regulated waste schedule:

- Animal effluents and residues, including abattoir effluent and poultry and fish processing wastes (K100)
- Food processing wastes
- Sewage sludge and residues, including nightsoil and septic tank sludge (K130)
- Vegetable Oils.

The Queensland and Australian Governments have pledged support for these resource streams to be beneficially used in a range of processes and for their use in closed-loop material-efficient processes. Government supported programs include:

- ***The Advance Queensland Biofutures 10-Year Roadmap and Action Plan***

This document supports the Queensland Government's vision for a \$1 billion sustainable and export-oriented industrial biotechnology and bioproducts sector attracting significant international investment, and creating regional, high value and knowledge-intensive jobs.

Tallow and waste vegetable oils for example, are critical feedstocks for Queensland's biodiesel industry. The bioconversion of agricultural waste and food processing waste products to produce value-added fuels and chemicals offers potential economic, environmental and strategic advantages over traditional fossil-based products. For example, the kinetics of acid hydrolysis of cellulose isolated from banana skin, cowpea shells, maize stalks through to rice husk is highly efficient and well-proven.

QFF welcomes the removal of 'Tallow' from the proposed regulated waste framework in the RIS. This will reduce the current regulatory burden and cost associated with the beneficial processing of tallows for a range of chemical manufacturing processes including biodiesel production, food manufacturing products to soap and skin care products.

- ***The National Food Waste Strategy***

The issue of food waste has attracted attention in Australia and overseas due to its impacts on the environment, losses to the economy, and food insecurity. The United Nations Food and Agriculture Organisation estimates that up to one third of all food produced globally is lost or wasted. In Australia, around 4 million tonnes of edible food is sent to landfill annually.

On 30 June 2016, the Turnbull Government announced as part of its election commitment that it would work with states, community groups and businesses to develop a National Food Waste Strategy towards achieving a 50 per cent reduction in food waste. A commitment to convene a National Food Waste Summit, and provide \$1.2 million to support food rescue organisations to reduce costs and expand their services, were also announced. At the Meeting of Environment Ministers (MEM) in November 2016, ministers reached agreement to halve Australia's food waste by 2030, and for the states and territories to support the Australian Government to develop the strategy and contribute to the summit. QFF understands that the Queensland Government was at the meeting and supports this strategy.

QFF is a member of the Primary Production Supply Chain Advisory Group. We acknowledge that Queensland's primary agricultural sector is increasingly also utilising food processing opportunities on- and off-farm to manage 'rejected' food product. QFF's members have already initiated a range of valuable manufacturing processes from banana flour, gelato, carrot sticks to avocado in a 'squeazy tube'.

The removal of burdensome regulation and cost around food processing waste would facilitate the development of further value-add and material-efficiency opportunities.

- ***Centre of Excellence for Recycled Organics***

QFF welcomes the department's commitment in establishing a Centre of Excellence for Recycled Organics and Waste Nutrients (CROWN) with the University of Queensland, as outlined in the Minister's Foreword of the 'Recycling and Waste in Queensland 2016 Report'.

There is a need in Queensland for high-quality independent research, training, extension and support services for organics recycling supply chains, particularly with regard to:

- (i) the nation-wide push to divert organic waste materials from landfill into agriculture and horticulture
- (ii) the drive by intensive animal industries to find ways of value adding animal manures and reducing nitrogen losses
- (iii) the emergence of anaerobic digestion and other organics processing technologies,
- (iv) the lack of knowledge and expertise among farmers regarding valuation and use of organic soil amendments
- (v) the need to improve resource use efficiency and maintain soil health and agricultural productivity.

QFF supports the aims of CROWN to advance the processing and beneficial use of all organic waste and nutrient streams, including municipal and commercial organics, biosolids and sludges, manure and agricultural wastes, food and fibre processing residues, for the benefit of agriculture.

To better facilitate this, organic resources including animal manures, biosolids and food processing wastes must be removed from the current administratively onerous and costly regulatory regime associated with the regulated waste framework.

Given the anticipated timeframes associated with the proposed amendments outlined in the RIS (understood to be 12-18 months away), QFF suggests an immediate amendment to the current Regulation (EP Reg 2008) to remove animal effluents, food processing wastes, vegetable oils and tallow from Schedule 7 – specifically listing it in under section 65(3) – Part 2, Schedule 7.

Currently, the regulation is too prescriptive, as evidenced by the department's own admission on the webpage (<https://www.business.qld.gov.au/running-business/environment/waste-tracking/exemptions>) which lists a 'Waste Tracking Exemption' for "waste being transported to a farm for use as a soil conditioner or fertiliser". This webpage exemption may not be lawful and, as such, leaves the agricultural sector and those who provide services and essential organic products open to future enforcement action. The ongoing lack of consistency and contradictory advice pertaining to the transport and use of animal manures is diverting critical investment away from organic processing infrastructure.

As a default position, QFF may support an End of Waste Code provision for these waste streams if these wastes could not be removed from the regulated waste framework in their entirety.

QFF also draws the department's attention to the current industry best management practice (BMP) programs, industry standards such as the Freshcare program and Horticulture Code, and also the regulatory processes and technical advice provided by the Department of Agriculture and Fisheries. For example, the current requirements on the use of chicken litter:

<https://www.daf.qld.gov.au/animal-industries/animal-health-and-diseases/protect-your-animals/chicken-litter-feeding-ban>

<https://www.daf.qld.gov.au/animal-industries/dairy/feed-and-nutrition/chicken-litter>

<https://www.business.qld.gov.au/industries/farms-fishing-forestry/agriculture/livestock/animal-welfare/pests-diseases-disorders/botulism>

<https://www.daf.qld.gov.au/animal-industries/dairy/health-management-and-diseases/human-health-risks-of-chicken-litter-application>

As such, QFF will not support any additional regulation of on-farm organic processing, be it composting or anaerobic digestion.

Expansion of the Non-Regulated Waste Schedule

QFF notes that 'ground water or treated groundwater necessarily or unavoidably brought to the surface of the earth' includes dewatering processes for agricultural regions to address groundwater quality issues. Presently the exemption only appears to apply to mines, CSG activities and dewatering of landfill facilities.

QFF requests that this exemption is explicitly expanded to include saline groundwaters from dewatering processes.

The risks to agricultural production associated with rising groundwater have been recognised by the Queensland Government (Department of Natural Resource Management and the Department of Environment and Heritage Protection). High water tables can result in water logging of the soil profile and can also mobilise salts from the underlying bedrock which can increase salinity levels. These factors can reduce the productivity of agricultural land and limit opportunities for future development.

High groundwater levels can also lead to higher rates of property and catchment run-off flowing into downstream receiving environments such as the Ramsar listed wetlands at Bowling Green Bay and the Great Barrier Reef lagoon. Nutrient and sediment loads in this run-off can adversely affect the quality of water entering these environments.

The Queensland Government is currently looking at actively dewatering the aquifer by pumping groundwater out of the system (for example in the Burdekin region amongst others).

Saline water management techniques may include:

- area-based dewatering systems - involves pumping saline groundwater into a local water storage from which irrigators in a local co-op can then access the water for conjunctive use
- dewatering and disposal to wetlands - involves pumping saline groundwater into constructed (artificial) wetlands
- dewatering and treatment - involves treatment at a desalination plant.

Additional Issues

Transitional Arrangements for Beneficial Use Approvals

QFF understands that the department will be automatically transitioning the current Beneficial Use Approvals for beneficially agricultural-applied products (for example, Biosolids and Sugar Mill By-Products) to End of Waste Codes under the transitional provisions resulting from the regulatory amendments which came into effect on 8 November 2016. And, as such, no specific action is required by QFF in this regard.

QFF lodged an application for an End of Waste Code for Manures dated 31 March 2017. On 8 June 2017, QFF received notification that the department had accepted this submission and it would be 'retained for future consideration'.

QFF formally requests that the department make either the appropriate regulatory amendment (to Schedule 7) or provide an End of Waste Code for Manures (Animal Effluents) with immediate effect – noting that any regulatory amendment from this RIS is unlikely to occur within the next 12-18 months.

Public Register for End of Waste Codes

Farmers and other land users are being increasingly identified as recipients of a range of waste products. Whilst the application of some of these products to land may be beneficial at agronomically proven application rates, many 'products' and companies are simply applying a method of disposal or dilute and disperse.

Some farmers do not have immediate access to agronomic advice and, in many cases, the composition of these products is unknown or deliberately misrepresented to the landowner.

In recent cases, companies have claimed to have an End of Waste Code with the department or be in the process of undertaking a trial with the department's full knowledge. Neither QFF nor the landowners currently have a way of verifying this information quickly and cost-effectively. As such, an on-line public register of all approved, cancelled or refused End of Waste Codes would be valuable.

Diminished Waste Infrastructure Capacity

QFF is becoming increasingly aware of inadequate infrastructure provision and infrastructure capacity in a range of regional areas.

For example, Toowoomba Regional Council as part of the rationalisation process of landfill facilities, closed its Bowenville landfill four years ago. A local resident meeting with councillors in June 2017 attracted over 100 rate payers. QFF understands from local farmer members that at the last council elections there was a commitment to provide a small waste transfer station to substitute for the landfill closure. Council has since decided not to proceed with this commitment.

QFF has been advised that both residents and business owners, including a number of farming enterprises, are travelling an hour to dispose of their refuse. Farmers are being charged full commercial rates for all refuse, including their household waste. As such, more farmers and other landowners have decided to construct their own waste facilities.

While QFF understands that the department has decided not to publicly release the 'Queensland Waste and Resource Recovery Infrastructure Report' (2017), information on waste generation and how it relates to the number and type of facilities that are practically available in a region to facilitate collection, recycling and disposal services is essential to options analysis, procurement processes and price expectations, and to identify infrastructure requirements for local communities.

For example, in the South-East Queensland Regional Plan 2009-2031 (replaced by the South-East Queensland Regional Plan 2017 on 11 August 2017), waste was outlined within the "Infrastructure - Desired Regional Outcome 10": "Plan, coordinate and deliver regional infrastructure and services in a timely manner to support the regional settlement pattern and desired community outcomes." Section 10.7 listed the principle "reduce the need for new landfill sites by minimising waste and associated environmental impacts and maximising re-use and recycling". Specific policies included:

- "Develop an integrated and coordinated system for waste management across the region..." and
- "Make provision for location of adequate sites for future resource recovery facilities across the region, including where appropriate, creation of resource recovery precincts".

QFF supports the provision of appropriate waste management infrastructure across Queensland so that on-farm land-disposal can be minimised as far as practicable. The provision of such infrastructure can also facilitate the drop-off and bulking of resources such as used agricultural plastics, particularly in regional areas thus creating viable economies of scale and increasing recovery rates of various materials such as agricultural plastics.

QFF provides this submission without prejudice to any additional submission provided by our members or individual farmers. If you have any queries about this submission or any of the matters raised, please contact Dr Georgina Davis at georgina@qff.org.au.

Yours sincerely

Travis Tobin
Chief Executive Officer