



QUEENSLAND FARMERS' FEDERATION

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Submission

14 September 2018

Mr Hamish Butler
Director, Regulation Projects
Department of Environment and Science
400 George Street
BRISBANE QLD 4000

Via email: waste.track@des.qld.gov.au

Dear Mr Butler

Re: Draft Education Strategy: Environmental Obligations for Regulated Waste Generators

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 farmers 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)
- Australian Cane Farmers Association (ACFA)
- Flower Association
- Pork Queensland Inc.
- Queensland United Egg Producers (QUEP)
- Bundaberg Regional Irrigators Group (BRIG)
- Burdekin River Irrigation Area Irrigators Ltd (BRIA)
- Central Downs Irrigators Ltd (CDIL)
- Pioneer Valley Water Cooperative Ltd (PV Water)
- Queensland Chicken Meat Council (QCMC).

QFF welcomes the opportunity to provide comment on the Draft Education Strategy: Environmental Obligations for Regulated Waste Generators (August 2018) provided by the Department of Environment and Science. QFF provides this submission without prejudice to any additional submission provided by our members or individual farmers.

The united voice of intensive agriculture



Survey Response

The 'Survey Link' provided with the email invitation to provide feedback (dated 27 August) does not work – citing 'this survey is currently closed'. As such, QFF has made its submission in hardcopy. QFF also notes that the survey link uses SurveyMonkey and seeks confirmation from the department that this is consistent with section 33 of the *Information Privacy Act 2009*.

Background

It is not possible to provide comprehensive comment on the paper, given that the current regulated waste schedule is under review. With the Decision Regulatory Impact Statement (RIS) still pending, QFF can only make comment and draw conclusions from the RIS released mid-2017 and accompanying review document for the Regulated Waste Schedule.

Previous submissions from QFF (see <https://www.qff.org.au/wp-content/uploads/2017/04/20170825-Submission-to-DEHP-re-Regulated-Waste-Classification-Review-WEB.pdf> and <https://www.qff.org.au/wp-content/uploads/2017/04/20180629-Submission-to-DES-re-Transforming-Queensland%E2%80%99s-Recycling-and-Waste-Industry-Directions-Paper-WEB.pdf>) have clearly stated our position that we do not support the addition of 'animal effluents and manures'; 'food processing wastes'; 'liquid food processing wastes' and 'vegetable oils' into the Category 2 classification of the Regulated Waste Schedule or any classification of regulated waste based on 'amenity value' (as per the 2017 Draft RIS from the department).

To align the environmental risks posed by these organic materials with asbestos, cyanides, phenols, acids and mercury is inappropriate. It also results in these surplus organic streams, which can be generated from farms and on-farm processing facilities, attracting the higher levy rate of \$100 per tonne should they require disposal for any reason.

QFF continues to support 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.

QFF does not accept that the environmental or social risks associated with these by-products exceeds those of raw and primary product, for example, manures in place of chemical urea or specific products such as egg shell in substitution to hydrated lime. The Queensland and Australian Governments have also 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.

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/wastetracking/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.

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 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-youranimals/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/animalwelfare/pests-diseases-disorders/botulism>
- <https://www.daf.qld.gov.au/animal-industries/dairy/health-management-and-diseases/human-healthrisks-of-chicken-litter-application>

The agricultural industry is highly self-regulated (based on food safety requirements, contractual obligations and other) and governed by operating standards enforced through various accrediting bodies.

Specific Feedback

QFF questions why the Education Strategy is titled for, and aimed at 'Regulated Waste Generators' and not all 'Waste Generators'?

The Draft Guideline rightly draws out the relation of section 319 of the *Environmental Protection Act 1994* (the EPA Act) which states that we all have a general environmental duty. The EPA Act lists obligations and duties to prevent environmental harm, nuisances and contamination, and sets out enforcement tools that can be used when offences or acts of non-compliance are identified.

QFF notes that while there is no specific offence for failing to fulfil your general environmental duty, if you cause environmental harm and fail in your general environmental duty, there are enforcement tools that may be used to bring you into compliance with the EPA Act.

The Draft Guidelines and subsequent strategic education principles outlined need further consideration and synergy with the existing range of compliance guidelines (see <https://www.ehp.qld.gov.au/management/compliance-guidelines.html>).

The draft paper (page 1) states that the "department have identified a high-level of non-compliance from waste generating businesses and industries, with the majority of non-compliant waste generators being small-to-medium enterprises".

This data is not easily identifiable from the annual reports. QFF requests if this data can be provided in the public arena so that the breakdown of non-compliance by sector, size of company (small, medium and large), proportion of industry, trends and other metrics can be identified. A targeted approach for education and awareness is essential, particularly where resources are limited.

With regards to the 'Strategic Principles', outlined on page 3, QFF suggests that 'supporting reduction and recovery of resources' must also be included. It is essential that the education strategy identifies and builds on both existing and emerging materials recovery opportunities.



The Guideline and final strategy must also make it clear that the Strategic Principles are supported and resourced for the whole of Queensland, including regional and remote areas. QFF notes that consideration regarding regional and remote management of (regulated) wastes is only considered in section 4.1 'supporting local government actions in regulated waste management'. QFF suggests that consideration of rural and remote strategies and educational opportunities needs to be more holistic, recognising some of the unique challenges and opportunities in these areas.

If you have any queries about this submission, please do not hesitate to contact Dr Georgina Davis at georgina@qff.org.au.

Yours sincerely

Travis Tobin
Chief Executive Officer