



## AgForce Queensland Industrial Union of Employers

ABN 21 241 679 171

Second Floor, 110 Mary Street, Brisbane, Qld, 4000  
PO Box 13186, North Bank Plaza, cnr Ann & George Sts, Brisbane Qld 4003

Ph: (07) 3236 3100  
Fax: (07) 3236 3077  
Email: [agforce@agforceqld.org.au](mailto:agforce@agforceqld.org.au)  
Web: [www.agforceqld.org.au](http://www.agforceqld.org.au)

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The Research Director  
Agriculture, Resources and Environment Committee  
Parliament House  
BRISBANE QLD 4000

Email: [arec@parliament.qld.gov.au](mailto:arec@parliament.qld.gov.au)

Dear Research Director

### Re: Environmental Protection and Other Legislation Amendment Bill 2014

Thank you for the opportunity to make a submission to the Environmental Protection and Other Legislation Amendment Bill 2014 (the 'Bill'). AgForce first became involved with elements of this legislation during discussions with the Department of Environment and Heritage Protection last year when the General Beneficial Use Approval - Irrigation of Associated Water (including coal seam gas water) framework, which this Bill replaces, was agreed on.

AgForce is the peak lobby group representing the majority of beef, sheep and wool and grain producers in Queensland. The broadacre beef, sheep and grains industries in Queensland generated over \$4 billion in gross farm-gate value of production in 2013/14. AgForce exists to ensure the long term growth, viability, competitiveness and profitability of these industries. Our members provide high quality food and fibre products to Australian and overseas consumers and manage a significant proportion of the state's land and water resources.

AgForce is supportive of the development of a process which enables the minimisation and reuse of waste and by-products (and in particular, CSG associated water) where it can be utilised to increase agricultural output with no environmental harm. To this end, we offer the following comments on the Bill for the Committee's consideration:

- a) Clause 149 amends Section 74's purpose that outlines that the new chapter is to 'encourage, and in particular circumstances to require, persons who are involved in the life cycle of a product to share responsibility for ...'. AgForce would like to stress the need to ensure that unintended products (ie, ordinary farm chemicals) are not accidentally captured by any component of this new framework, including definitions and criteria. Foreseeably under the new s77, general farm chemicals could meet two or more of the waste criteria. These farm chemicals are already managed under the existing Farm Veterinary chemical regulatory framework.
- b) The Bill prescribes that end of waste codes may be used by registered code users in order to convert a waste to a resource. Section 173B sets out the registration process for registered code users and AgForce understands by reading s158 that these registered users cannot 'sell, give away or use the resource for the code unless the user complies with the requirements of the end of waste code relating to the resource.' Therefore foreseeably, either a producer of waste or an end user of the converted waste (farmer or grazier) could be required to become a registered end user and

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therefore incur registration costs and reporting requirements. AgForce through discussions with APPEA understands that this is not the intention of the amendments and that the section will be reworded to state that only suppliers of the primary resource need to be registered, not end users of the resource. AgForce would agree with this latter, amended definition. If the end of waste code is designed to ensure that following waste conversion to a resource by the producer there is no risk of material environmental harm from its use, there should be no need to require further oversight of the end user, as for beneficial use of treated CSG water for irrigation.

c) Section 160 outlines the required notification process for end of waste codes with s160(2)(b) requiring the notice be published on the department's website. While supporting public notification for codes and approvals, AgForce submits that internet publication is not sufficient to inform and garner feedback from potentially affected producers and users, particularly for rural users the great majority of whom do not regularly scan the department's website for such changes. Therefore it is recommended that a concurrent, targeted consultation process be run by the department. These comments regarding the lack of transparency of only using internet advertisement also apply to the publication of draft end of waste codes as detailed in s165 and amendment, cancellation and suspension of codes under s172.

d) AgForce also supports the use of a technical advisory panel to provide expert and independent advice on code preparation, given these should only be occasionally required to consider potential environmental and other impacts. Section 172 outlines the process for amending, cancelling or suspending end of waste codes which includes a process in (g) for feedback from the public. AgForce questions what technical oversight is provided if such feedback changes the content of the code/s in such a way as to increase the risk to the environment or other adverse outcomes. Non-material minor amendments should not need this additional oversight.

e) In the grant of end of waste approvals it is important that the suitably qualified person is independent and this independence should be specified in the criteria, as identified in the Notice of General Approval - Irrigation of Associated Water (including coal seam gas water) page 4 footnote.

AgForce would again like to thank the Committee for the opportunity to make comment on this exposure draft. If you have any questions on the contents of this submission please contact Dr Dale Miller, AgForce Senior Policy Advisor, on 3236 3100 or email millerd@agforceqld.org.au

Yours sincerely



Ian Burnett  
General President