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To whom it may concern,

Several points in this new Waste Reduction and Recycling (Waste Levy) and Other Legislation Amendment Bill 2018 that need to be addressed urgently:

The reason for this levy was to stop transport of waste from interstate to Queensland. Unfortunately, this bill does not capture this objective.

1) The levy is for transport of waste. That in itself will disadvantage some councils. Councils such as Mt Isa have to transport waste longer distances and it was revealed that this levy would cost Mt Isa council \$2.5 million a year. The North West Star published that Mount Isa is likely to be slapped with a new waste levy forcing council to fork out millions of dollars more each year. The Waste Levy Bill, before state parliament this month is aimed at curbing the flow of New South Wales trucks driving across the border to dump trash in Queensland landfills. The \$70 per tonne levy is slated for 38 Qld councils including Mount Isa. Mount Isa City Council has been hounding MP Robbie Katter to lobby against the proposed legislation, which will cost them about \$2.5 million each year. It is unclear whether Mr Katter has asked the government to exclude Mount Isa from the waste levy zone and he has not responded to questions from *The North West Star* about the issue. (<https://www.northweststar.com.au/story/5603655/new-waste-levy-could-cost-council-millions/>)

2) The levy will not stop the transport of waste, as waste is a billion dollar business. It was revealed by the Queensland Times that the Ipswich City Council's 2017-2018 budget shows revenue from the council's waste service was \$35.5 million. Expenditure totalled \$24.3 million - resulting in a net operating surplus of \$11.274 million. This is the council profit. An article by IBIS World called Waste Treatment and disposal Services - Australia Market Research Report - tells us The Waste Treatment and Disposal Services industry has benefited from increased household, construction and commercial waste generation over the past five years. Though greater volumes of waste have driven industry expansion, the diversion of recyclable and recoverable waste materials has increased, which has constrained revenue growth. Government regulations that encourage recycling and have raised landfill disposal costs have further constrained demand growth for industry treatment and disposal services over the past five years. However, industry firms continue to treat and dispose of a large proportion of waste generated by households and businesses. The

revenue of the industry is \$3 billion with an annual growth from 13-18 of 0.3%.
(<https://www.ibisworld.com.au/industry-trends/market-research-reports/electricity-gas-water-waste-services/waste-treatment-disposal-services.html>)

There are certainly a lot of companies - 663 companies - that have a EO permit (ERA 57 - Regulated Waste Transport 2: Transporting regulated waste, other than tyres) to transport waste to Swanbank.

Source: ASX.com.au

Cleanaway Waste Management (CWY:ASX)

Cleanaway has rallied over one year with a 57% total return. The company is Australia's waste management leader with an estimated 20% market share.

Cleanaway announced a better-than-expected FY17 interim result in February. Underlying after-tax net profit rose 20.3% to \$34.9 million. Strong growth in cash flow, expanding profit margins and declining debt-to-equity were other highlights.

Like Sims, Cleanaway is benefiting from management initiatives to boost efficiencies. Longer-term, Cleanaway's strategy to extract maximum value through its supply chain, from waste collection to resource recovery and landfill, makes sense.

According to ASX.com.au Cleanaway – one of the waste companies in Ipswich - has good potential. The company serves more than 2 million residences each week and over 100,000 commercial and industrial customers. It continues to recover more resources from waste (such as renewable energy) and is increasing its landfill network.

The challenge is valuation. At \$1.31, Cleanaway trades on a forecast FY18 PE of about 25 times, according to Morningstar. That's too high for a business that has had a low single-digit Return on Equity, including several years of negative ROE, over a decade.

Supporters will argue Cleanaway is starting to realise its potential and is on track to lift the ROE. The stock would look more interesting around \$1.10.
(<https://www.nabtrade.com.au/wastecompanies>)

When the premier announced the levy introduction more applications for landfill and transfer stations in Ipswich have been lodged showing that the levy makes no difference.

3) There is no stipulation for what this money collected from the levy will be spent on. According to the LGAQ they want to use the money to build incinerators. Peak Services (LGAQ company) is in discussion with a cluster of councils to get Queensland's Waste-to-energy program off the ground. This attached article goes on and talks about waste incinerators overseas and all the benefits. It clearly states that now that the levy is introduced it will give local government the incentive to look at alternatives.

MAR 27, 2018

Waste-to-energy pilot planned to curb landfill



A waste-to-energy plant in Wuerzburg, Germany.

Peak Services is in discussion with a cluster of councils to get a Queensland 'waste-to-energy' pilot program off the ground.

The initiative would involve diverting part of the regional waste stream for combustion to generate electricity, Peak Services consulting and technical advisory service chief executive officer Jari Ihalaenen said.

"Some years ago we actually looked at a whole strategy for Queensland, where councils could look at developing these potentially on a regional basis or consolidating their waste streams to develop waste-to-energy projects," he said.



"Now (the Queensland Government) are about to introduce a waste levy, that is likely to incentivise councils to look at alternatives for their waste stream so they are not just sending it all to landfill.

"Waste-to-energy is obviously a viable option to reduce some of the landfill," about to introduce a waste levy, that is likely to incentivise councils to look at alternatives for their waste stream so they are not just sending it all to landfill.

"Waste-to-energy is obviously a viable option to reduce some of the landfill."

Mr Ihalaenen would not name the councils involved in the proposed pilot at this stage, but said it would involve a lead council and two others.



Chief executive officer Jari Ihalaenen.

Many waste-to-electricity incineration plants are in operation overseas, while the planned \$400 million Kwinana waste to energy facility in Perth is hoped to divert up to 50 per cent of the residential (post-recycling) rubbish collection in the metro

area away from landfill sites.

Project proponent Phoenix Energy says it has signed 20-year waste supply agreements with eight Local Government Authorities to feed the 32MW plant, which is designed to receive and process up to 400,000 tonnes of residual waste per annum.

Mr Ihalaenen said high-calorific waste, including plastics and organic matter, could be used to feed waste-to-energy plants.

"The challenge is often you need to look at these on a regional basis because you need enough feedstock to make it worthwhile," he said.



The proposed Kwinana waste to energy facility.

"At the moment we are doing the analysis on the waste streams. That will then guide us on the types of technology, the types of solutions.

"So we may not be able to cover all waste streams in all areas, but by doing the analysis we can see how much is there and how big the plant would be."

Mr Ihalaenen said some Queensland councils already extracted methane from their landfill sites to generate electricity.

However this was dealing with a by-product from landfill sites rather than dealing with waste before it reached landfill, as would be the case in a waste-to-energy operation.

Peak Services has an in-house energy team which will look at the feasibility of waste-to-energy options, identify appropriate technology and assist in the tender process for the private sector to bid on development.

"It could be that the councils take an investment stake in the projects – that's one of the options we are looking at, or it could be that a private sector firm develops some of these waste-to-energy projects and has arrangements with local councils in terms of diverting some of their waste streams from landfill," Mr Ihalaenen said.

"It's a bit of a case of 'watch this space' because we are at a very early stage, but with a bit of luck we're going to really push forward with this in the next few weeks. In terms of a timeline, it might be six months before we come up with the right strategy as a regional solution."

4) Why are there exceptions on contaminated soil and building materials?

Ipswich does not want this material from interstate either.

Resource recovery area also means that waste that has been reclassified as a resource, such as coal seam gas mining waste water, is exempt from this levy. In other words waste full of carcinogenic chemicals that should never be classed as a resource and is put on compost currently is exempt from this levy.

Independent experts need to look at the classification of resources to avoid carcinogenic material put into compost and contaminate our environment. The reclassification of coal seam gas mining waste as resource shows that this system can and will be used to circumvent this levy.

5) Waste to be used at a levyable waste disposal site means that waste can be brought in for incinerators

The section that the waste that is needed to carry out the operational purpose is exempt from a levy needs to be removed. What that means is that an incinerator can have all waste transported to the site. Incinerators use up to 400,000 tonnes of waste a year and permission is given to do that without any levy if this section is not removed.

Also to be removed is part that the sufficient exempt waste that could be used for the operational purpose is not otherwise likely to be delivered to the site. That again means that coal seam gas waste and any other liquid waste is exempt if it is put on compost.

6) Not for profit organization being exempt gives another out for organizations such as LGAQ

Section 28 relates to Not For Profit companies being exempt. The LGAQ is a registered not for profit company and was a consultant in the drafting of the Bill. It is clear that they had a vested interest and relating to the Waste To Energy have proposed the introduction of 8 incinerators for local councils where they would return a profit to their own company Peak Services. This section needs to be revised so as that a Not For Profit cannot create or be a partner in a joint venture where its partners or subsidiary companies can circumvent the Waste Act.

7) Resource recovery area gives an out for waste companies

In Ipswich it is found that a landfill site that has previously existed in Austin street has been re-mined and used to cap another landfill, this land fill site was only filled a couple of years prior, but its contaminated contents were reclassified as clean waste as it had been on the ground. This is currently with the CCC investigation and some charges relating to the Ipswich City Councilors and or Executive staff relate to this area. This means that landfills from both local and interstate can and could be shifted as clean unregulated soil and not attract a levy under the proposed Bill.

Of great concern is that at no time was the CCC consulted in the drafting of the Waste Levy Bill, yet it would most likely be the regulatory authority charged with regulating the Act.

This also shows how hard it will be to regulate this levy and to make sure that people

abide by the bill. As there is no criminal offence attached to the bill the CCC will not be able to investigate. We are back at breaches of a bill and no real power to regulate breaches, as we have seen with councilors breaching the local government act. Nothing has been done in that regards and no punishment followed breaches. There is no criminal offences hence there is no deterrent to not breach the levy.

Section 53 of the bill relates to the person delivering and the employer of the person delivering the waste to be the responsible person, the penalty for false documents or falsified documents is just 300 penalty points. As is seen with the PFAS contamination of the Bremer River and the smaller creeks around Ipswich as well as sites at Oakey and others, this PFAS contamination and illegal movement of contaminated waste as being unregulated waste which was used as an illegal soil re-conditioner. This should be a criminal offence and not just a point penalty as it has put the health of residents and the environment at risk.

8) The discussion papers associated with this new levy talks about circular economy and mention incinerators (waste to energy, WtE) in the same concept.

There are a lot of objections to incinerators in Australia and many are based on the negative side effects on the environment and on the health of the population. The Envirojustice organisation argued that generating electricity by burning waste in industrial-scale incinerators is gaining favour with governments and industry describe these facilities as ‘proven technology’, pointing to ‘more than 500’ incinerators operating in parts of Europe. They don’t mention that waste incinerators are major sources of toxic air pollution – sometimes the dominant source in nearby communities – and communities generally campaign against their approval. Combustion of toxic materials, such as plastic, releases toxic pollutants, including mercury, lead and dioxins that can be more hazardous than the material that has been incinerated. Of particular concern are dioxins. These highly toxic pollutants are known as ‘persistent organic pollutants’ because they resist breaking down and accumulate in animals and the environment. In parts of Europe waste incineration is the leading cause of dioxin production. Dioxins are also present in post-combustion ash waste which needs to be dumped somewhere.

Facility operators often reassure communities that pollution level standards will be adhered to. In reality, even supposedly best practice air pollution standards in Australia can be too low, or are not adhered to and are not adequately monitored and enforced – air pollution from coal being just one striking illustration. To continue to reduce toxic pollution created by energy generation, Australia must continue to make a rapid transition to genuine forms of renewable energy that produce no toxic pollution – eg wind, solar and hydro.

The National Toxic Network, a group made up of scientists, stated: “Misdirected subsidies to the biomass industry undermine genuine clean, safe renewable energy solutions. The Australian Government’s support and promotion, including taxpayer funded renewable energy subsidies and grants for this industry, cannot be justified by the science.

The EU has recently (January 2017) declared a major policy redirection on waste management and the waste to energy incinerator sector in line with the major commitments to a circular economy. The European Commission has now legislated

that all members states must remove their organic waste stream for separate collection and recommends to member states that rely on incinerators to decommission their old facilities and not build new ones and, for those members States without an existing industry, to invest in greater source separation and choose none incineration waste to energy technologies for waste disposal such as anaerobic digestion.

In addition, EU member states are asked to review any public subsidies to waste to energy incineration facilities and redirect them to less harmful technologies as the current incineration subsidies do not send the right market signals in terms of investment in a circular economy. Discussion on incinerator taxes are also underway recognising their impact on the environment and resource depletion (Reference: European Commission, COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS, The role of waste-to-energy in the circular economy, Brussels, 26.1.2017)

Australia is signatory to the Stockholm Convention on Persistent Organic Pollutants with aims to protect human health through the reduction and elimination of intentional and unintentional Persistent Organic Pollutants (POPs /UPOPs). Waste to Energy incinerators are recognised as a primary source of POPs and UPOPs generation. There is therefore a compelling obligation on all Australian states to pursue the safest waste disposal options available to avoid the generation of POPs, which, once released, remain in the environment for very long periods contaminating the food chain and building to dangerous levels in humans and other biota. Australia is not immune from the long-term impacts of POPs pollution in the environment with recent biomonitoring of Swan River dolphins in Western Australia revealing they had the highest body burden of POPs, such as PCBs, HCB and dieldrin of any cetaceans worldwide. It would be a retrograde step to invest in new sources of POPs contamination, such as incinerators, as it undermines our obligations under the Stockholm Convention. Australia therefore needs to set its policy drivers towards Zero Waste and increased recycling and composting prior, rather than introducing the waste to energy incineration industry.”

Sydney went through the application for an incinerator. Plans to build the world's largest waste incinerator in Western Sydney have been dealt a blow by the Environment Protection Authority, which has declared its opposition over concerns about air quality and human health impact. "The proposal to build and operate an incinerator within city limits is not consistent with over 100 years of environmental regulation to improve urban air quality," the Western Sydney Local Health District submission said.

NSW Greens energy spokesman Jeremy Buckingham said the Greens would introduce a bill on Thursday to prohibit energy from waste incinerators within 15 kilometres of a residential zone, which would effectively ban such operations in the Sydney basin.

"This incinerator will reduce recycling rates, spew out air pollution and impact on the health of residents in Western Sydney," Mr Buckingham said. "With thousands of trucks delivering over a million tonnes of waste to be burnt each year, there is no certainty about what chemicals and particles will come out of the exhaust stacks – which is why the EPA and NSW Health object to this proposal."

<https://www.smh.com.au/.../opposition-grows-to-western-sydney...>

9) No independent experts

The Stakeholder Advisory Group consists of representatives from across the waste industry and key business groups, including Local Government Association of Queensland, Australian Council of Recycling, Waste Recycling Industry Association (Queensland), Waste Management Association of Australia, Sustainable Business Australia, Australian Industry Group, Chamber of Commerce Industry Queensland and Master Builders Association Queensland.

The report highlights that local government will be a beneficiary of the proposed levy with funding available for waste disposal infrastructure upgrades, education and awareness and reducing greenhouse gas emissions.

There are no independent experts, such as university experts, no experts on environmental impact or on health impact or experts on the subject of zero waste. We are talking about zero waste and circular economy and we have no experts on the subject that do not have a conflict of interest. All members of the stakeholder advisory group have their industry and money making as objective, but not the environment and the human health.

10) On 12 June 2018 the Queensland Government announced a \$100 million funding program to work with business and local councils to develop a high-value resource recovery industry.

LGAQ has already announced that this money will be used for incinerators.

11) What does it mean for Ipswich? The city with the huge landfill area that is receiving waste from interstate and which has prompted this levy.

Ipswich is one of the councils that is asking for a waste to energy tender (an incinerator). An incinerator that pollutes the air and leaves us with 1 tonne of very toxic ash for every 4 tonnes of waste burnt. Besides the fact that the incinerator the LGAQ is talking about would burn 400,000 tonnes of waste a year. That means even more waste is brought here, more dust, more traffic and more pollution.

There are already new applications for more waste disposal sites, transfer sites, as well as compost sites. These are from companies that get waste from interstate.

The following was an update of all the application that came after the announcement of a waste levy:

Cleanaway New Chum expansion – they have applied for an extension to their landfill. The application is progressing and public notification is most likely in November

BMI landfill extension in New Chum is also progressing and public notification is most likely from October

Remondis waste treatment approved in January

WMI composting application has been refused

NuGrow composting facility also refused, but they appealed in court

BioRecycle has been refused, but they appealed in court

Jackal Renewables Recycle is progressing and public notification will be sometimes after October.

Tivoli Waste transfer station refused, but they appealed in court

Lantrak Jeebropilly landfill - Public notification likely from September

Ipswich city councilor's before being dismissed have given the green light for new applications. They adopted a local planning instrument No 2 of 2018 for Ebenezer/Willowbank/Jeebropilly Waste activity area.

So what exactly is that. This temporary measurement states:
the TLPI—

1. includes Strategic Outcomes (called “Desired Environmental Outcomes” in the Ipswich Planning Scheme (Planning Scheme)) for the local government area:
 - (i) Waste Activity Uses involving “Rehabilitating a mining void” occur only in the Ebenezer / Willowbank / Jeebropilly Buffer Area or the Ebenezer / Willowbank /Jeebropilly Waste Activity Area; and
 - (ii) Waste Activity Uses involving “Landfill” or “Compost Manufacturing Enclosed” occur only in the Ebenezer / Willowbank / Jeebropilly Waste Activity Area; and
 - (iii) Waste Activity Uses involving “Compost Manufacturing Unenclosed” do not occur in the Ebenezer / Willowbank / Jeebropilly Buffer Area or Ebenezer / Willowbank/ Jeebropilly Waste Activity Area

That means that landfill and enclosed composting facilities are allowed on the site. That means that Ipswich will get waste facilities in other parts of the city. It might not stink, but the toxins will come there as well.

Landfill” means—

- (a) the use of land for the disposal of material such as domestic waste, putrescible waste, organic waste, regulated waste, building waste, commercial and industrial waste or the like, to raise the level of the site, or to fill or partly fill a void on a site.
- (b) The term includes the reprocessing of material from landfill on or off site.

All of these measurements are taking without any consultation of the community. In there last waste management plan the Ipswich City Council did not mention incinerators. There is no mentioning of extension of the landfill area.

According to EPH he [Mined Land Rehabilitation Policy \(PDF, 1.3M\)](#) formalises the Queensland Government's commitment to ensuring land disturbed by mining activities is rehabilitated to a safe and stable landform that does not cause environmental harm and is able to sustain an approved post-mining land use.

To deliver on this commitment, the framework that supports full implementation of the policy includes a requirement for all large mines in Queensland to develop a Progressive Rehabilitation and Closure Plan (PRC Plan). This will include new mines, as part of their site-specific environmental authority application process. Existing mines will be transitioned into the framework.

Landfills are not stable and have to be monitored throughout filling and past filling and capping. This is due to shearing stressed due to uneven compacting and composting of waste. Hence, it becomes questionable that landfill can be called rehabilitation.

These are points not at all addressed when talking about this bill and what the money collected will be used for.

We know that only 4% of the waste is recycled in Australia, yet incinerators are on the agenda, which is not establishing a circular economy and is not enhancing recycling, re-use, less use and less production in the first place.

Summary:

The levy will not stop the transport of waste and money collected needs an allocation to make sure that it gets used for the right purposes. The purposes are to create a circular economy. To assure that this is happening independent experts need to be included in any panel that is establishing where money is allocated and the way forward for the industry.

These points need to be addressed to make sure that the waste management is being developed in a sustainable, environmental responsible fashion and that new industries are developed that address recycling.

There is no criminal offence associated with the bill; hence, there is no regulatory authority that would have jurisdiction.

Please let me know if you need any more proof for any point I have made and if you would like me to elaborate on the points or give an oral submission.

Kind regards

Conny