

# Submission



**To** Energy-from-Waste-Paper – Office of Resource Recovery  
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**From** Colin Sweet, CEO  
Australian Landfill Owners Association

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**Date** 26 August 2019

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**Subject** Energy from Waste Policy Discussion Paper Submission

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The Australian Landfill Owners Association (ALOA) was formed in late 2008. It is an incorporated entity with members from across Australia.

Modern landfills are an essential element in today's integrated waste management infrastructure as landfills:

- Offer cost effective and reliable disposal of recycling and processing residues and unsorted wastes;
- Manage greenhouse gas emission by methane collection and combustion;
- Provide a source of renewable energy;
- Have the flexibility to accept variable waste volumes; and
- Are reliable last resorts for the acceptance of large volumes of 'disaster' waste.
- Member landfills provide services to the general public, local government, industry, property developers, mining and agriculture.

ALOA members receive and safely manage the disposal of almost three quarters of the waste landfilled in Australia.

Since its inception ALOA has defended the interests of its members in national and state issues. In particular, ALOA campaigned for fairer treatment under the 'carbon' tax and worked closely with the Australian Local government Association (ALGA) to develop the Voluntary Waste Industry Protocol to utilise collected carbon tax monies.

ALOA is governed by a 'national' board and has state 'chapters' in each of the mainland states.

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## Comments

Thank you for the opportunity to comment on the Energy from Waste Policy (**EfW**) discussion paper.

Our comments are as follows:

ALOA supports the development of a Queensland EfW policy and in particular, supports the statement on page 2 that "A clear EfW policy position will recognise the benefits of producing fuels from waste over other forms of energy". We are also encouraged that the policy "...will create a level playing field for new projects and ensure that reuse and recycling activities are not compromised by the current market opportunity in fuel and energy recovery". Manufacturing liquid fuels from waste materials is complementary with the existing Advance Queensland Biofutures roadmap.

### Queensland Regulatory Strategy

We are concerned that the EfW policy cannot achieve these aspirational goals in isolation without a coherent whole of industry regulatory strategy. The level playing field and consistency under the waste hierarchy, needs to be applied across all waste facilities and not just those meeting the definition of EfW. There is one major obstacle to progress which persists in DES policy and that is the Regulatory Strategy introduced as part of green tape reduction in 2013 and as far as we know still in use.

Page 4 sets illustrates the intent. The cube representing "applying standards" was diminished dramatically.

Page 7 states the main problem that has allowed substandard EA applications to proliferate in Queensland - "Information received by the department as part of an application will be accepted at face value...".

In ALOA's opinion, applications for old established ERA's are not being scrutinised appropriately by the Department of Environment, which we believe has been responsible for many of the controversial facilities in existence today. If this continues, then it undermines the principle of a waste hierarchy, and will possibly undermine the intent of the EfW policy. **We strongly recommend that the regulatory strategy should be reviewed and checked for compatibility with the new waste strategy and new policies such as the EfW.** If cheaper disposal facilities, at the very bottom of the waste hierarchy, are able to get an easy ride through the licensing process, there is no level playing field and there is no practical application of the waste hierarchy.

### **Incineration WITHOUT energy recovery**

ERA 61 covers EfW but it also includes incineration without energy recovery. There are recent examples of environmental authorities being issued under the current regulatory strategy for the express purpose of burning green waste and timber for waste disposal without energy recovery. Deploying relatively cheap air burner technology, these now represent a legal form of levy evasion, which flies in the face of the waste hierarchy and the government's Waste Management and Resource recovery Strategy. **ALOA's believes it is absurd that incineration without serious energy recovery is exempt from the waste levy.** This is a serious loophole in the system which stands to undermine many of the principles that this consultation paper seeks to address.

### **Importance of Landfill**

While standards for old technologies such as landfills should be lifted, it is also important that they are not regulated out of existence. **Well located engineered landfills are an important component of a robust waste management system;** effectively the waste management equivalent of base load power. We must not forget that one of the primary objectives of waste management is public health. **It is unlikely that a finely tuned EfW plant could cope quickly with the waste challenges presented by Queensland's all too frequent natural disasters** such as a Brisbane flood or the more recent floods in Townsville.

### **Question Responses**

**Question 1:** In principle, yes. However, it is important to consider economies of scale and logistical constraints when considering remote and regional areas. It simply may not be affordable for many communities to move away from landfill without considerable financial assistance.

**Question 2:** Yes. The three-way pathway framework provides an appropriate risk-based approach for EfW. However as stated above, it is important that the whole of industry regulatory strategy is updated to avoid asymmetry in regulation and unintended consequences with regard to other technologies and traditional waste disposal.

**Question 3:** Not sure we need a formal threshold. When we get there, we will know.

**Question 4:** It is difficult to ensure only residual wastes are accepted for energy recovery using bans and licence restrictions, because in reality the definition of residual waste will be the subjectively applied and difficult to enforce. The surest way to achieve segregation would be to force all waste not segregated at source, to be pre-sorted in a material recovery (dirty MRF) facility prior to end use but that would add a whole extra layer of cost. It would also encourage different interpretations of the extent of pre-sorting that is required and could be prone to rorting. Market based drivers would be a far more effective system, which could be promoted by using the waste levy proceeds to assist recyclers create stronger economical "pull factors" on recyclable feedstock. Product Stewardship schemes could be used to incentivise genuine recycling outcomes for some commodities.

Government should also seek to close the loophole of incineration without energy recovery being able to out compete genuine recycling and EfW for feedstock as referred above. The waste levy should be applied to these facilities.

**Question 5:** As per question 4, closing the incineration without energy recovery loophole, and using the market would be far better than prescriptive waste acceptance mechanisms to discourage genuine recyclables being diverted to EfW.

**Question 6:** No. Too prescriptive and too hard to monitor and enforce. If for example, market conditions dictate that bales of plastic are simply not marketable or economical to recycle at a particular time then EfW should be considered an option, as opposed to encouraging establishment of vast stockpiles of combustible materials as has happened in response to China National Sword.

**Question 7:** No comment. Though we would be concerned about making the acceptance criteria too restrictive and discouraging investment in genuine EfW.

**Question 8:** No comment.

**Question 9:** As per the general comments above, we think the Queensland Regulatory Strategy as it applies to the waste industry is in dire need of review.

**Question 10:** Unsure

**Question 11:** The government (DES) should play a significant role in assessing the technical merits of ALL waste facility applications, not just EfW, to introduce a level playing field, consistency in standards and practical application of the waste hierarchy. The Regulatory Strategy needs to be overhauled.

**Question 12:** Yes, though these principles should apply across the waste industry. Queensland DES need to be more active, public and constructive in promoting waste technologies and emphasising the importance of waste management. This is not possible under the existing Regulatory Strategy.

**Question 13:** Usual documentation. Minutes of meetings, correspondence etc.

**Question 14:** Yes, though Government need to be able to distinguish between general acceptance and minority activist noise. Government needs to be more publicly supportive of good quality proposals in the face of noisy and vexatious activism.

For further information on this important matter, please contact ALOA.

Yours Sincerely



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