



**End of Waste Code**  
Abattoir Effluent Pond Sludge and Crust  
(ENEW07617019)

*Waste Reduction and Recycling Act 2011*



**Queensland**  
Government

### Version history

Version	Date	Description of changes
1.00	24 July 2020	Commencement of EOW code on gazettal
1.01	23 June 2023	Minor update to reflect the definition of waste moving into the <i>Waste Reduction and Recycling Act 2011</i> . This does not impact the interests of the producer or user of the resource.
1.02	28 March 2024	Updated department name to reflect machinery of government changes and the definition of serious or material harm.
2.00	5 April 2024	Amendment of EOW code – approved by gazettal 5 April 2024

Prepared by: Waste and Contaminated Land Assessment, Department of Environment, Science and Innovation

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## Contents

<b>1. Explanatory Statement .....</b>	<b>4</b>
<b>2. Guidance .....</b>	<b>4</b>
2.1 Resource use versus activity .....	4
2.2 Resource versus waste .....	4
2.3 Failure to comply .....	4
2.4 Lawfulness of the activity .....	5
<b>3. Period of this EOW code .....</b>	<b>5</b>
<b>4. Waste to which this EOW code applies .....</b>	<b>5</b>
<b>5. Person to whom this EOW code applies .....</b>	<b>5</b>
5.1 Registered resource producers of the resource .....	5
5.2 Resource users .....	5
<b>6. Registered Resource Producer Requirements .....</b>	<b>6</b>
<b>7. Conditions of Use .....</b>	<b>8</b>
<b>8. Definitions .....</b>	<b>8</b>
<b>Appendix A —General obligation for all persons .....</b>	<b>13</b>

## 1. Explanatory Statement

This End of Waste (EOW) code for **abattoir effluent pond sludge and crust** has been issued by the **chief executive** in accordance with section 159 of the *Waste Reduction and Recycling Act 2011* (WRR Act).

This EOW code states when the **abattoir effluent pond sludge and crust** becomes a resource and any relevant requirements and/or conditions for its use. If the resource is not being used in accordance with the relevant requirements and/or conditions of this EOW code, or another type of permit that allows for its use, it is considered a waste under section 8AA of the WRR Act and must be disposed of appropriately at a facility that is **lawfully** able to receive the waste.

## 2. Guidance

### 2.1 Resource use versus activity

Under section 155 of the WRR Act, a waste stops being a waste and becomes a **resource** when it meets the requirements and conditions of an EOW code. Under section 159 of the WRR Act, an EOW code specifies the circumstances when a waste becomes a resource; how it must be used to be considered a resource; when it is no longer considered a resource but a waste instead; and conditions that must be complied with by resources users and registered resource producers. An Environmental Authority (EA) under the *Environmental Protection Act 1994* (EP Act) is required where an activity being undertaken triggers the threshold for any environmentally relevant activity (ERA). This means that treating or processing the waste to meet the resource quality criteria under the EOW code may require an EA under the EP Act if the activity meets the threshold for an ERA.

### 2.2 Resource versus waste

A waste that is a **resource** under an EOW code is considered a **resource** only for the use(s) approved in an EOW code. To be considered a resource under the EOW code, the material used as the resource must meet the requirements of the EOW code and be used in accordance with the conditions of the EOW code, otherwise it is considered a waste and must be managed in accordance with waste management requirements under the EP Act and the WRR Act and their subordinate legislation.

A **resource** under an EOW code, is deemed to be a waste again, if it is not used in accordance with the EOW code; if it is disposed of at a waste disposal site; or if it is deposited at a place in a way that would, apart from its use approved under an EOW code, constitute a contravention of the general littering provision (section 103) or the illegal dumping of waste provision (section 104) under the WRR Act.

### 2.3 Failure to comply

It is an offence under section 158(1) of the WRR Act for a **registered resource producer** to produce the **resource**, or use, sell or give away the **resource** unless they comply with the requirements under an EOW code. Further, it is an offence under section 158(2) of the WRR Act for a **person** to use the **resource** in a way, or for a purpose, that does not comply with an EOW code for the **resource**. These offences carry a maximum penalty of 1,665 penalty units for an individual and 8,325 penalty units for a corporation<sup>1</sup>.

Please refer to Appendix A of this EOW code for general obligations for all **persons** operating under this EOW code, which includes the **resource users**.

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<sup>1</sup> The value of a penalty unit is stated in the *Penalties and Sentences Regulation 2015* (Qld).

## 2.4 Lawfulness of the activity

The issuing of this EOW code for the use of a **resource** does not warrant or imply the lawfulness of the activity under all legislation, or that approvals necessary under other legislation have or will be approved. It is the responsibility of the **registered resource producer** and **resource user** to identify and obtain all other approvals necessary for the relevant activities.

## 3. Period of this EOW code

This EOW code takes effect from the day of gazettal of this EOW code and remains in force until it is amended, cancelled, or suspended by the **chief executive**<sup>2</sup>.

## 4. Waste to which this EOW code applies

This EOW code applies to **abattoir effluent pond sludge and crust** generated from aerobic and anaerobic effluent ponds at an **abattoir facility**. The **abattoir effluent pond sludge and crust** becomes a **resource** when the requirements and conditions under this EOW code are met.

## 5. Person to whom this EOW code applies

### 5.1 Registered resource producers of the resource

5.1.1 A **registered resource producer** for this EOW code must comply with the stated registered resource producer requirements in Section 6 – Registered Resource Producer Requirements.

### 5.2 Resource users

5.2.1 The **resource user** must only use the **resource** in a way, and for a purpose allowed under this EOW code.

5.2.2 The **resource user** must comply with the stated conditions of use in Section 7 – Conditions of Use.

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<sup>2</sup> If an EOW code is to be amended, cancelled or suspended, the chief executive will provide an opportunity to make written submissions by providing a proposed action notice to the registered resource producers; and publishing the proposed action notice on the chief executive's [website](#).

## 6. Registered Resource Producer Requirements

Registration under this EOW code	
(6.1)	Prior to operating under this EOW code, the producer of the <b>resource</b> must register with the <b>chief executive</b> by giving a notice in the approved form <sup>3</sup> to become a <b>registered resource producer</b> for this EOW code.
Approved resource	
(6.2)	The approved <b>resource</b> is <b>abattoir effluent pond sludge and crust</b> that complies with <i>Requirement (6.3)</i> of this EOW code.
(6.3)	The <b>registered resource producer</b> must not use, sell or give away the <b>resource</b> under this EOW code unless it complies with the following criteria and quality characteristics: <ul style="list-style-type: none"> <li>a) is generated from aerobic and anaerobic effluent ponds at an <b>abattoir facility</b>; and</li> <li>b) has undergone one or more of the following <b>stabilisation</b> processes: <ul style="list-style-type: none"> <li>(i) at least 20 days continuous or intermittent extended aeration including <b>aerobic digestion</b> time; and/or</li> <li>(ii) at least 6 months lagoon-based treatment (i.e. storage) at ambient temperatures.</li> </ul> </li> </ul>
(6.4)	All reasonable and practical measures must be taken to prevent spillage and leakage of the <b>resource</b> during transfer and transport.
Information to be provided	
(6.5)	The <b>registered resource producer</b> must provide the following to the <b>resource user</b> each time the <b>resource</b> is supplied for use: <ul style="list-style-type: none"> <li>a) a copy of the EOW code for <i>Abattoir Effluent Pond Sludge and Crust (ENEW07617019)</i><sup>4</sup>;</li> <li>b) the <b>registered resource producer's business</b> or individual's name, <b>ABN</b> and address; and</li> <li>c) confirmation in writing that the <b>resource</b> being supplied is compliant with the requirements of this EOW code.</li> </ul>
Records	
(6.6)	The <b>registered resource producer</b> must keep the following <b>records</b> for each <b>load</b> of the <b>resource</b> provided to a <b>resource user</b> : <ul style="list-style-type: none"> <li>a) origin of the <b>resource</b> (e.g. address, lot on plan and/or GPS coordinates);</li> <li>b) quantity (in tonnes) of the <b>resource</b> supplied;</li> <li>c) date of dispatch of the <b>resource</b>; and</li> <li>d) <b>business</b> or individual's name, <b>ABN</b> and address of the <b>person</b> receiving the <b>resource</b>.</li> </ul>
(6.7)	All <b>records</b> required to be kept by the <b>registered resource producer</b> under this EOW code must be:

<sup>3</sup> The approved form, *Registered Resource Producer for an EOW code*, is available on the chief executive's [website](https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework) (https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework).

<sup>4</sup> This can be a physical copy, an electronic copy or a link to the chief executive's [website](https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework) (https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework) where this EOW code is available.

	<ul style="list-style-type: none"> <li>a) kept by the <b>registered resource producer</b> for a period of not less than five (5) years; and</li> <li>b) provided to the <b>chief executive</b> upon request, in the format requested and in the time period specified.</li> </ul>
Notification of <b>emergencies</b> , incidents and breaches	
(6.8)	Any breach of a requirement of this EOW code must be reported to the <b>chief executive</b> as soon as practicable and within 24 hours of becoming aware of the breach.
(6.9)	<b>Records</b> of any breach of a requirement of this EOW code, including full details of the breach and any subsequent actions taken, must be kept and provided to the <b>chief executive</b> upon request, in the format requested and in the time period specified.

## 7. Conditions of Use

Notification under this EOW code	
(7.1)	Prior to operating under this EOW code, a <b>person</b> who intends to use the approved <b>resource</b> must notify the <b>chief executive</b> by giving a notice in the approved form <sup>5</sup> at least 10 days prior to the commencement of using the <b>resource</b> .
Approved uses	
(7.2)	The approved <b>resource</b> is <b>abattoir effluent pond sludge and crust</b> that complies with <i>Requirement (6.3)</i> of this EOW code and is used for the following purposes: <ul style="list-style-type: none"> <li>a) as a <b>soil conditioner</b> on <b>agricultural land</b>; and/or</li> <li>b) as a feedstock in the manufacturing of <b>compost</b> and/or <b>soil conditioner</b>.</li> </ul>
Resource use as a soil conditioner on agricultural land	
(7.3)	Prior to the application of the <b>resource</b> to <b>agricultural land</b> , an <b>appropriately qualified person</b> must determine the agronomic loading rate after considering the <b>resource</b> composition, crop nutritional demand and soil characteristics of the <b>site of use</b> .
(7.4)	The <b>resource</b> must only be applied to the <b>site of use</b> at the agronomic loading rate determined by an <b>appropriately qualified person</b> in accordance with <i>Requirement (7.3)</i> .
(7.5)	The <b>resource user</b> must maintain the following <b>records</b> for all applications of the <b>resource</b> to <b>agricultural land</b> : <ul style="list-style-type: none"> <li>a) details of methods used and monitoring undertaken that confirms completion of the <b>pasteurisation</b> process;</li> <li>b) details of the assessment carried out by the <b>appropriately qualified person</b> to determine the agronomic loading rates in accordance with <i>Requirement (7.3)</i>;</li> <li>c) details of the <b>site of use</b> on which application occurs (e.g. soil pH, farm map block/paddock details and/or GPS coordinates);</li> <li>d) date of application of the <b>resource</b>; and</li> <li>e) actual application rate (expressed as the quantity (e.g. cubic metres per hectare per application)) for each application.</li> </ul>
(7.6)	The <b>resource</b> must not be applied to <b>agricultural land</b> within 100m of <b>surface waters</b> .
(7.7)	Use of the <b>resource</b> must not cause <b>environmental nuisance</b> to any <b>sensitive</b> or <b>commercial place</b> .
Resource use as feedstock in the manufacturing of compost	
(7.8)	The <b>resource</b> must only be used to manufacture <b>compost</b> that meets the requirements of <b>AS 4454</b> .
Storage of the resource	
(7.9)	Any storage of the <b>resource</b> on the <b>site of use</b> must not exceed the operational demand for the purpose of the use(s) approved under this EOW code.

<sup>5</sup> The approved form, *Notification of use of a resource* is available on the chief executive's [website](https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework) (<https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework>).



(7.10)	The <b>resource</b> must be stored in a way that prevents contact with stormwater or runoff.
(7.11)	Storage of the <b>resource</b> must not cause <b>environmental nuisance</b> to any <b>sensitive</b> or <b>commercial place</b> .
Records	
(7.12)	<p>The <b>resource user</b> must <b>record</b> the following information for each <b>load</b> of the <b>resource</b> received by the <b>resource user</b> under this EOW code:</p> <ul style="list-style-type: none"> <li>a) <b>business</b> or individual's name, <b>ABN</b> and address of the <b>registered resource producer</b> who supplied the <b>resource</b>;</li> <li>b) date the <b>resource user</b> received the <b>resource</b>;</li> <li>c) quantity (in tonnes) of the <b>resource</b> received by the <b>resource user</b>; and</li> <li>d) <b>site of use</b> of <b>resource</b> (e.g. street address, lot on plan and/or GPS coordinates).</li> </ul>
(7.13)	<p>All <b>records</b> required to be kept by the <b>resource user</b> under the conditions of this EOW code must be:</p> <ul style="list-style-type: none"> <li>a) kept by the <b>resource user</b> for a period of not less than five (5) years; and</li> <li>b) provided to the <b>chief executive</b> upon request, in the format requested, and in the time period specified.</li> </ul>
Notification of emergencies, incidents and breaches	
(7.14)	Any breach of a condition of this EOW code must be reported to the <b>chief executive</b> as soon as practicable and within 24 hours of becoming aware of the breach.
(7.15)	<b>Records</b> of any breach of a condition of this EOW code, including full details of the breach and any subsequent actions taken, must be kept and provided to the <b>chief executive</b> upon request, in the format requested, and in the time period specified.

## 8. Definitions

Words and phrases used throughout this EOW code in **bold** are defined below. Where a definition for a term used in this EOW code is sought and the term is not defined within this EOW code the definitions provided in the relevant legislation shall be used.

**'abattoir facility'** means a facility processing or rendering meat or meat products.

**'abattoir effluent pond sludge and crust'** means the sludge and crust generated in aerobic and anaerobic effluent ponds at an **abattoir facility**.

**'ABN'** means Australian Business Number which is a unique 11 digit number issued by the Australian Business Register and identifies a business in Australia.

**'aerobic digestion'** means the biochemical decomposition of organic matter into carbon dioxide and water by micro-organisms in the presence of oxygen.

**'agricultural land'** means land used for agricultural crops which includes horticulture, turf and land growing field crops or pastures.

**'appropriately qualified person'** means a person who has professional qualifications, training, skills or experience relevant to the nominated subject matter and can give authoritative assessment, advice and analysis on performance relating to the subject matter using the relevant protocols, standards, methods or literature.

**'AS 4454'** means *Australian Standard 4454 Composts, soil conditioners and mulches (2012)*, or its most recent version.

**'business'** means a body of persons, whether incorporated or unincorporated.

**'chief executive'** means the Department of Environment, Science and Innovation or its successor.

**'commercial place'** means a place or part of a place that is used as a workplace, an office, or for conducting business or commercial activities.

**'compost'** has the meaning in **AS 4454** and is an organic product that has undergone controlled aerobic and thermophilic biological transformation through the **composting** process to achieve **pasteurisation** and reduce phytotoxic compounds, and achieved a specified level of maturity as specified in Appendix N (Determination of Maturity Index) of **AS 4454**.

**'composted'** means an organic product that has undergone **composting**.

**'composting'** means the process by which organic materials are microbiologically transformed under controlled aerobic conditions to achieve **pasteurisation** and a specified level of maturity as specified in Appendix N (Determination of Maturity Index) of **AS 4454**.

**'emergency(ies)'** means a situation where either human health or safety is threatened, or serious or material environmental harm has been or is likely to be caused; and urgent action is necessary to protect the health or safety of persons, or prevent or minimise the harm, or rehabilitate or restore the environment because of the harm.

**'environmental harm'** means environmental harm as defined in Chapter 1 of the *Environmental Protection Act 1994*.

**'environmental nuisance'** means environmental harm as defined in Chapter 1 of the *Environmental Protection Act 1994*.

**'lawful(ly)'** means allowed or permitted by law and not contrary to law.

**'load'** means the volume of **resource** put in or on something for conveyance or transportation, carried at one time. For example, a truck and trailer carrying the **resource** is considered to be one load, as well as multiple

bins travelling by rail. Where the **resource** is transported via conveyor systems, information should be recorded on a daily basis until the transfer ceases.

**'measures'** have the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

**'pasteurised'** means an organic product that has undergone **pasteurisation**.

**'pasteurisation'** means the process whereby the **abattoir effluent pond sludge and crust** is thermically treated to significantly reduce the numbers of plant and animal pathogens and **plant propagules**. It must undergo appropriate turning of outer material to the inside of the windrow so that the whole mass is subjected to a minimum of 5 turns with the internal temperature maintained at 55°C or higher for 15 days or longer.

**'plant propagule'** means a plant or part of a plant that could generate a new plant, e.g. a seed, part of a rhizome, corm, bulb or any other fragment from which a plant could grow.

**'person'** means an individual or a corporation.

**'records'** include breach notifications, written procedures, written consents, analysis results, monitoring reports, monitoring programs and any other record required under a requirement or condition of this EOW code.

**'registered resource producer(s)'** means a **person** who produces the **resource** and has registered with the **chief executive** (in accordance with *Requirement (6.1)*) to use, sell or give away the **resource** to be used under this EOW code. Where the registered resource producer uses the resource, the notification must also be made in the approved form in accordance with *Condition (7.1)* of this EOW code.

**'resource'** means **abattoir effluent pond sludge and crust** that meets the criteria and quality characteristics in *Requirement (6.3)* of this EOW code.

**'resource user(s)'** means a **person** who has notified the **chief executive** (in accordance with *Condition (7.1)*) to receive the **resource** from a **registered resource producer**, and uses the **resource** for a use approved under this EOW code and does so in such a manner which does not cause any **environmental harm**.

**'sensitive place'** includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the Nature Conservation Act 1992, the Marine Parks Act 2004 or a World Heritage Area; or
6. a public park or garden; or
7. for noise, a sensitive receptor listed in Schedule 1 of the Environmental Protection (Noise) Policy 2019

**'site of use'** means the relevant location(s) where the **resource user** uses the **resource** in accordance with this EOW code.

**'soil conditioner'** means any **composted** or **pasteurised** organic product, that is suitable for adding to soil to improve the growing conditions for plant roots by providing nutritional requirements. A soil conditioner must not have more than 20% by mass of particles with a maximum size above 16mm.

**'stabilisation'** means processing the **abattoir effluent pond sludge and crust** to reduce or eliminate the potential for putrefaction and which, as a result, reduces pathogens, vector attraction and offensive odours.

**'surface waters'** means visible bodies of water on the earth's surface, including rivers, streams, lakes, creeks, dams, reservoirs, ponds, swamps and wetlands, and includes the bed and banks of these bodies of water.

- END -

## Appendix A —General obligation for all persons

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This appendix is not intended to provide a comprehensive assessment of all obligations under Queensland law. It provides some general information and persons are encouraged to familiarise themselves with all requirements related to their specific operation.

### Responsibilities under the *Environmental Protection Act 1994*

All persons within the State of Queensland must also meet their obligations under the *Environmental Protection Act 1994*, and the regulations made under that Act.

#### General environmental duty

Section 319 of the *Environmental Protection Act 1994* (EP Act) states that we all have a general environmental duty. This means that we are all responsible for the actions we take that affect the environment. We must not carry out any activity that causes or is likely to cause environmental harm unless we take all reasonable and practicable measures to prevent or minimise the harm. To decide what meets your general environmental duty, you need to consider:

- the nature of the harm or potential harm
- the sensitivity of the receiving environment
- the current state of technical knowledge for the activity
- the likelihood of successful application of the different measures to prevent or minimise environmental harm that might be taken
- the financial implications of the different measures as they would relate to the type of activity.

More information is available on the Department of Environment, Science and Innovation website [www.des.qld.gov.au](http://www.des.qld.gov.au).

### Some relevant offences under the *Environmental Protection Act 1994*

#### Causing serious or material environmental harm (sections 437–39)

Material and serious environmental harm are defined in sections 16 and 17 of the *Environmental Protection Act 1994* (EP Act). Material environmental harm is when the harm is not trivial or negligible in nature. Serious environmental harm is harm that is irreversible, of a high impact or widespread, or that is caused to an area of high conservation value or special significance. Damages, or costs required to rehabilitate the environment, of over thresholds amounts in the EP Act also constitutes material or serious environmental harm. Serious or material environmental harm excludes environmental nuisance.

#### Causing environmental nuisance (section 440)

Environmental nuisance is unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It may also include an unhealthy, offensive or unsightly condition because of contamination.

#### Depositing a prescribed water contaminant in waters (section 440ZG)

Prescribed contaminants include a wide variety of contaminants listed in Schedule 10 of the *Environmental Protection Regulation 2019*.

It is your responsibility to ensure that prescribed contaminants are not left in a place where they may or do enter a waterway, the ocean or a stormwater drain. This includes making sure that stormwater falling on or running

across your site does not leave the site contaminated. Where stormwater contamination occurs you must ensure that it is treated to remove contaminants. You should also consider where and how you store material used in your processes onsite to reduce the chance of water contamination.

**Placing a contaminant where environmental harm or nuisance may be caused (section 443)**

A person must not cause or allow a contaminant to be placed in a position where it could reasonably be expected to cause serious or material environmental harm or environmental nuisance.

**Some relevant offences under the *Waste Reduction and Recycling Act 2011***

**Littering (section 103)**

Litter is any domestic or commercial waste and any material a person might reasonably believe is refuse, debris or rubbish. Litter can be almost any material that is disposed of incorrectly. Litter includes cigarette butts and drink bottles dropped on the ground, fast food wrappers thrown out of the car window, poorly secured material from a trailer. However, litter does not include any gas, dust, smoke or material emitted or produced during, or because of, the normal operations of a building, manufacturing, mining or primary industry.

**Illegal dumping of waste (section 104)**

Illegal dumping is the dumping of large volumes of litter (200 litres or more) at a place.

**Failure to comply with EOW code (section 158)**

A registered resource producer for an EOW code must not use, sell or give away the resource unless the registered resource producer complies with the requirements of the EOW code relating to the resource.

A person, other than a registered resource producer, must not use a resource in a way, or for a purpose, that does not comply with an EOW code for the resource.

**Approved:**

5 April 2024

**Enquiries:**

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