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NEW CRITERIA STRENGTHENS WASTE RECOVERY & MINIMISES LANDFILL

New criteria introduced by the NSW Government for the assessment of landfill applications will deliver improved resource recovery and a reduction in environmental impacts.

Minister for Planning, Tony Kelly, said the Infrastructure State Environmental Planning Policy (SEPP) had been amended to ensure issues such as waste minimisation, best practice design and site location are considered when development applications are determined.

“These changes will reduce the long-term impacts of waste disposal,” the Minister said.

“The new criteria included in the SEPP allows the relevant consent authority to consider whether the proposed facility will adopt important principles such as waste minimisation.

“These are standards and principles which the community has rightly come to expect and it is appropriate they are given statutory weight in the State’s planning laws.”

The new provisions replace the previous limited requirement to consider whether a proposal had demonstrated there was “justifiable demand” for the facility.

Mr Kelly said this new approach retains the overall principle of justifying demand for landfill space but greatly strengthens how that needs to be demonstrated.

“Essentially, the applicant will now need to show concrete evidence of its measures to reduce waste, therefore demonstrating any residual demand for landfill is genuine,” the Minister said.

The amendment is the Government’s latest response to the findings of the 2009 review into landfill capacity and demand undertaken by independent waste expert Tony Wright, who found NSW Government initiatives were having a marked impact on waste levels and resource recovery rates.

These new assessment criteria will further ensure, where landfilling is still necessary, it is minimised through stringent resource recovery.

In addition to waste minimisation criteria, the new provisions also include considerations such as whether the proposed landfill site is degraded, such as a disused mine, and whether transport links are optimised.

Mr Kelly said these are, of course, hugely important considerations when assessing landfill proposals, which to date haven’t had to be explicitly considered by the consent authority.

“Now consent authorities will be able to ensure landfills are only going in the most appropriate locations and are being designed in the most appropriate ways,” the Minister said.

“In this way, they will minimise not only impacts on the environment but on the amenity of local areas as well.”

The new provisions will apply to both non-putrescible and putrescible waste and will take effect immediately, including in the assessment of existing landfill proposals.
Changes to the Infrastructure SEPP

The amendment will replace the criteria in clause 123 of the Infrastructure SEPP with the following:

a. Whether there is a suitable level of recovery of waste, such as by using alternative waste treatment or the composting of food and garden waste, so that the amount of that waste is minimised before it is placed in the landfill, and

b. Whether the development:
   i. adopts best practice landfill design and operation, and
   ii. reduces the long term impacts of the disposal of waste, such as greenhouse gas emissions or the offsite impact of odours, by maximising landfill gas capture and energy recovery; and

c. If the proposal relates to a new or expanded landfill:
   i. whether the land on which the development is located is degraded land such as a disused mine site, and
   ii. whether the development is located so as to avoid land use conflicts, including whether it is consistent with any regional planning strategies or locational principles included in the publication *EIS Guideline: Landfilling* (Department of Planning, 1996), as in force from time to time; and

d. Whether transport links to the landfill are optimised to reduce the environmental and social impacts associated with transporting waste to the landfill.