



Advocating for the people of Western Sydney

**SUBMISSION:
Response to the Draft Amendments to the
State Environmental Planning Policy
(Infrastructure) 2007**

**March 2017
Representing the councils of Western Sydney**

Introduction

The Western Sydney Regional Organisation of Councils (WSROC), representing councils in Western Sydney, has reviewed the proposals to update the *State Environment Planning Policy (Infrastructure) 2007* relevant to the waste and resource recovery services provided by local government.

In 2014, the NSW Environment Protection Authority (EPA) funded WSROC to develop the *Western Sydney Regional Waste Avoidance and Resource Recovery Strategy* and to work towards fulfilling strategy projects. The strategy was developed to outline future directions for resource recovery practices across Western Sydney, and explore options for addressing common waste management challenges faced by councils in the region.

A key action in this strategy addresses the linkages between the planning system and provision of waste services to the community. As part of this regional waste initiative, WSROC seeks to ensure that the issues detailed in any proposed legislative changes maintain community amenity and safety; provide scope for waste diversion and resource recovery; there are no lost opportunities to improve services and ensure there is no negative impact on the requirement of councils to provide waste services to their community.

The councils represented by this submission are Blacktown City Council, Blue Mountains City Council, Cumberland Council, Fairfield City Council, Hawkesbury City Council, Liverpool City Council, City of Parramatta Council, Penrith City Council and non-member councils of The Hills Shire Council, Camden Council, Campbelltown City Council and Wollondilly Shire Council.

Waste and Resource Recovery Infrastructure

As noted in the Explanation of Intended Effect document, strategic infrastructure projects, which include utility networks, are important for the NSW economy. The provision of waste services is one of the most important essential services alongside water and energy, provided to each and every resident and business in NSW. The provision of waste and resource recovery processing and disposal infrastructure is a key component to providing this service, challenged by a growing Western Sydney population placing pressure on the operation and capacity of infrastructure. The need to develop new infrastructure and expanded capacity has seen \$418 million in grants provided by the NSW EPA under the Waste Less, Recycle More funding initiative.

Recent changes to waste and resource recovery practices have seen the introduction of a number of new programs and initiatives to deliver safer waste disposal and increase recovery of valuable resources. In 2013, the NSW EPA announced grant funding for the development of a network of community recycling centres (CRCs) for residents to safely dispose of problem waste materials, which were to be rolled out across NSW at a rate of 1 per 50,000 households. Four years later, there are just six centres currently servicing Sydney Metropolitan Area (population 4.92million¹, 1:820,000) and forty-eight servicing regional

¹ ABS 2014-15, <www.abs.gov.au/ausstats/abs@.nsf/mf/3218.0>, viewed 9 March 2017.

NSW (population 2.7 million², 1:56,250). A major challenge getting community recycling centres up in the metropolitan area is the lack of land and facilities, and challenges with the development application approvals process for getting land already zoned and licenced for waste facilities.

In 2015, the NSW Premier announced the introduction of a container deposit scheme (CDS) on bottles and containers to reduce litter and increase resource recovery. The scheme, originally due to commence on July 1 2017, has been delayed to December 2017 due to overwhelming stakeholder concern about the provision of collection facilities and infrastructure in time for the commencement of scheme. This scheme will roll out a network of small and medium sized collection points, including reverse vending machines (RVMs) and small collection centres, to large scale processing and recycling centres.

Given the introduction of both the Community Recycling Centre network and the Container Deposit Scheme by the NSW Government since the SEPP (Infrastructure) was introduced in 2008, the provision of infrastructure for both schemes has been carefully considered in this current review.

To ensure provision of critical Community Recycling Centre and Container Deposit Scheme infrastructure, we ask that the current drafting of the SEPP (Infrastructure) be amended as follows:

- (a) new definitions be added to clause 120 to cover various CDS collection points and CRCs;
- (b) a new clause 121B that makes allowance for certain low impact CDS collection points, on specified land (e.g. RVMs in commercial/mixed use/industrial zones) as being exempt development;
- (c) a new clause 121C that makes allowance for specified CDS collection points with low impacts as being able to be carried out without development consent (but subject to environmental assessment under Part 5 of the EP&A Act) by either a public authority or a network operator under the CDS on specified land (e.g. public places subject to approval under the Local Government Act, and industrial zones);
- (d) a new clause 121D that makes allowance for any form of CDS collection point (but the collection point only - not processing or disposal, and only for collection of eligible containers) not covered by the above, at any existing "waste or resource management facility" to be complying development but provided it meets relevant development standards as to size, location, etc.; and

² ABS 2014-15,
<<http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/3218.0Main%20Features202014-15?opendocument&tabname=Summary&prodno=3218.0&issue=2014-15&num=&view=>>, viewed 9 March 2017.

- (e) a new clause 121E (or merged with the new 121D) of the SEPP (Infrastructure) that makes allowance for CRCs, which meet specified criteria and development standards, as being complying development.

Summary

Waste Services are one of the few essential services provided by local government to all residents throughout the state. It is essential that any changes made to the SEPP Infrastructure support this mandate of local government and we have identified opportunities to do so such as through facilitating community access to waste service infrastructure such as Community Recycling Centres and CDS collection points. Failure to recognise such opportunities to support these state government initiatives will impede the success of these schemes to the detriment of the communities which local governments serve.

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