

## **Advice on Site Selection and Technology Suitability Criteria for a Hazardous/Industrial Waste Precinct(s)**

The Core Consultative Committee on Waste (3C) submits the following advice for Cabinet endorsement in accordance with the agreed decision-making arrangements for the Stakeholder Involvement Program for siting a Hazardous/Industrial Waste Precinct(s).

**The 3C seeks Cabinet endorsement of the:**

- **recommended Technology Suitability Criteria (Attachment A);**
- **recommended Site Selection Criteria (Attachment B); and**
- **recommendation that both incineration<sup>1</sup> and landfilling of hazardous wastes be deemed unacceptable technologies for any Hazardous/Industrial Waste Precincts established by this process.**

### **The Stakeholder Involvement Program**

The program has been supported by a broad range of stakeholders including the Conservation Council and the Chamber of Commerce and Industry and their affiliated groups. Stakeholder evaluations undertaken at public forums indicate a high level of acceptance and support for the process. Strong confidence in the program and in the 3C's ability to ensure that the process remains fair and transparent was also reaffirmed in submissions received from community, industry and government stakeholders during the public submission phases.

The 3C will release this advice to the public after it has been considered by Cabinet. This is as agreed by Cabinet in endorsing the program and is in keeping with 3C's public commitment to ensure that the program is implemented in an open and transparent manner. While the 3C has sought input on draft criteria via forums and written submissions the final criteria have not been publicly released as it is inappropriate to do so until they have been decided upon by Cabinet.

In achieving consensus on the recommended technology suitability and site selection criteria, both industry and community groups have made significant compromises through prolonged and sometimes difficult negotiations. Consequently any significant deviation from the 3C's recommendations severely risks compromising the

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<sup>1</sup> As defined under the European Union's Incineration Directive which defines incineration as the "thermal treatment of wastes with or without recovery of the combustion heat generated and includes incineration by oxidation of waste as well as other thermal treatment processes such as pyrolysis, gasification or plasma processes in so-far as the substances resulting from the treatment are subsequently incinerated"

willingness of all parties to continue in the 3C process, and thus the process itself. Particularly critical in this regard are the recommendations on:

- landfilling and incineration of hazardous wastes in precincts established by this process, and
- the site selection criterion on public acceptability.

The advice provided by the 3C relates only to the proposed precincts and hazardous waste treatment technologies. The 3C does not intend this advice to apply to onsite treatment of wastes.

## **Background**

At the request of the Minister for the Environment the 3C developed a Stakeholder Involvement Program for siting a hazardous/industrial waste precinct(s). This program was endorsed by Cabinet in September 2003. Attachment C is a flow diagram of the process endorsed by Cabinet.

The 3C was formed initially as a reference group for the Waste Management Board and includes representatives from industry, community groups, local government and unions. The role of the committee changed in early 2003 and its primary task now is to implement the Stakeholder Involvement Program for the siting of a hazardous/industrial waste precinct(s). The 3C's key role in the process is to provide the public face for the program and ensure that is implemented in an open and transparent manner.

The 3C has developed a close working relationship with and reports to Government through the Hazardous/Industrial Waste Precinct Coordinating Group. We understand that the Coordinating Group will be submitting advice to accompany this document.

The Technology Suitability and Site Selection Criteria being submitted for Cabinet endorsement have been developed through an extensive consultation process. The process undertaken to develop each set of criteria is outlined separately below.

Throughout the program broader issues have been raised, including the need for improved regulation of the storage and treatment of hazardous waste, and the implementation of cleaner production initiatives. Although the need for new Hazardous/Industrial Waste Precinct(s) is well recognised by all stakeholders, it has been stressed that the establishment of a precinct(s) should not result in reduced emphasis on cleaner production.

## Technology Suitability Criteria (Attachment A)

### *Background*

The Technology Suitability Criteria will be used to assess proposals to establish specific technologies within the precinct(s). Invitations to industry to submit expressions of interest to establish facilities are scheduled for mid 2005.

The first draft of the Technology Suitability Criteria were developed by the 3C with input from its Technical Advisory Panel. The draft criteria were presented at an open Stakeholder Forum held on 29 November 2003 and refined based on the feedback at the forum. The criteria were then released for public comment for five weeks.

The comments received during the public comment period were used to prepare the final criteria now being presented to Cabinet for consideration and endorsement. **Attachment A** contains the Technology Suitability criteria recommended by the 3C. **Attachment F** contains a summary of submissions received on the draft technology criteria and the 3C's responses to these.

### *Unacceptable Technologies*

In addition to the criteria, the 3C recommends that Cabinet endorse the proposal that incineration and landfilling of hazardous wastes be classified as unacceptable technologies in precincts established via this process. This recommendation is being made in recognition of the strong views expressed by community and environmental organisations that these technologies are unacceptable due to their environmental and health impacts. Attempts to include these technologies in a hazardous/industrial waste precinct(s) would be likely to provoke widespread opposition and negate the current support for establishing a precinct(s).

The 3C intends that this advice on unacceptable technologies apply only to the proposed precinct(s). The intent of the precinct(s) is for the **treatment** of hazardous wastes, the precinct(s), are not intended as a waste disposal or burial location.

The 3C anticipates that over time existing facilities treating hazardous wastes will relocate to a precinct. However the 3C understands that there is currently no legislative mechanism that could require existing facilities to relocate to a precinct. In addition, the continued operation of existing facilities at a standard lower than that required in the precinct has the potential to reduce expressions of interest from firms wishing to establish in the precinct(s) if they see themselves being placed at a possible competitive disadvantage. The 3C and the Hazardous/Industrial Waste Coordinating Group are aware of this issue and will provide further advice on it as part of developing the Expression of Interest package.

Existing incinerators and landfills that dispose of hazardous waste are a special case and will need to be examined outside of the 3C process.

### **Site Selection Criteria (Attachment B)**

#### *Background*

The first draft of the Site Selection Criteria was developed by the 3C with some informal input from government agencies. The draft criteria were presented to a Stakeholder Forum held on 6 March 2004. The draft criteria were refined based on the feedback at the forum and then released for a four week public comment period.

The submissions received during the public comment period were used to prepare the criteria being presented to Cabinet for consideration and endorsement. The criteria are in **Attachment B**. **Attachments D and E** contain a summary of submissions received from government agencies and the public respectively, and the 3C's responses to these submissions.

Once endorsed by Cabinet the Site Selection Criteria will be used initially in a Geographic Information System (GIS) electronic mapping process to identify potential locations for precincts. While this process is being undertaken community, industry and government, including local government, will be asked to nominate sites they believe meet the criteria. All such nominations will be subjected to the GIS process, and highly prospective sites will undergo ground truthing to verify that they meet the essential criteria, and as many of the desirable criteria as possible.

#### *Distance from Sensitive Land Uses.*

There has been considerable debate in submissions, in public forums and within the 3C itself regarding what would be a suitable buffer distance from sensitive land uses. Based on public acceptability, the 3C has determined that an essential buffer distance from sensitive land uses for a hazardous waste treatment precinct should be at least 3km, with a desirable buffer distance of 6km. The 3C intends this buffer distance apply only to hazardous waste treatment precinct(s).

Sensitive land uses include areas zoned residential, hotels, motels and hostels, caravan parks, hospitals and nursing homes, schools and other educational establishments, shopping centres, some public buildings and indigenous communities.

The 3C knows and has taken into account that the recommended public acceptability buffer distances are larger than those routinely recommended by the EPA and Department of Planning and Infrastructure approvals and planning processes. These



are based primarily on assessments of environment and health risk rather than assessments of public acceptability.

### *Definition of Hazardous Waste*

The definition of hazardous waste to be treated in the proposed precinct(s) was raised in several public and government agency submissions. Better definition of the types and volumes of hazardous wastes is a key component of attracting expressions of interest in establishing new hazardous waste treatment facilities. The 3C, in consultation with the Coordinating Group, is considering the points raised by stakeholders to determine a suitable forward process to refine the definition of hazardous waste.

### **Conclusion**

The 3C seeks Cabinet endorsement of the technology suitability and site selection criteria as well as the recommendation that incineration and landfilling of hazardous waste be classified unacceptable technologies for the proposed precinct(s). In doing so Cabinet provides the capacity for the process to move forward and to use the siting criteria to identify suitable locations for precincts.

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**Attachment A:**  
3C's Technology Suitability Criteria

**Attachment B:**  
3C's Site Selection Criteria

**Attachment C:**  
Flow diagram of Hazardous/  
Industrial Waste Precinct Siting  
Process.

**Attachment D:**  
3C response to issues raised by Government  
Agencies on Site Selection Criteria

**Attachment E:**  
3C response to Issues Raised by Non-  
Government Stakeholders on Site Selection  
Criteria.

**Attachment F:**  
3C response to Issues Raised by Non-  
Government Stakeholders on Technology  
Suitability Criteria