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Dear Mr Circelli

**Re: Victorian Recycling Infrastructure Plan**

Thank you for the opportunity to provide feedback on the Victorian Recycling Infrastructure Plan (VRIP) consultation paper. The Waste Management and Resource Recovery Association of Australia (WMRR) is the national peak body representing Australia's \$17 billion waste and resource recovery (WARR) industry. With more than 2,200 members from over 400 entities nationwide, we represent the breadth and depth of the sector, including representation from business organisations, the three (3) tiers of government, universities, and Non-Government Organisations (NGOs), including research bodies.

WMRR acknowledges that the consultation paper for the VRIP contains updated information on material streams in Victoria which can assist with future investment decisions. WMRR commends this data and modelling and would encourage this information to be made available to industry while providing the ability to deep-dive into material streams and generation locations to test the robustness of assumptions, as at present the information provided is high level and at times appears to conflate state and national volumes (for example on the paper and cardboard section).

WMRR would particularly query the analysis on commercial and industrial (C+I) material in the paper as it would appear that the system often being discussed is purely household (Municipal Solid Waste (MSW)), for example at 3.11 *Recovery and Transfer Infrastructure* which appears to be addressing MSW Materials Recovery Facilities (MRFs) given there is currently very little investment in C+I MRFs nationally. Victoria currently recovers only 52% of C+I material with an additional almost two (2) million tonnes to be recovered by 2030, meaning there is a real need to understand this stream better given the generation, aggregation and investment opportunities are very different to MSW.

In WMRR's view Victoria has been extremely fortunate since 2015 to have had the implementation and adoption of the Statewide Waste and Resource Recovery Infrastructure Plan (SWRRIP) that provided Victoria with a 30-year roadmap to guide planning and investment in waste and resource recovery (WARR) infrastructure. This Plan recognised that WARR infrastructure provides an essential service by managing these materials through a network of infrastructure and a wide variety of services. This Plan was industry leading at the time it was adopted in Victoria and remains one of the leading strategic infrastructure strategies in Australia. As noted in the SWRRIP *it is intended to guide planning and investment decisions*.

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made by the WARR industry, local and state governments, and to influence land use planning, transport and broader environmental policy. The SWRRIP brought all the actors in the chain together to facilitate planning processes and provide an agreed level of investment certainty.

The SWRRIP is almost eight (8) years into a 30-year roadmap, upon which significant investment decisions have been made and capital invested, with planning and approval processes based on this roadmap remain underway. Given the three (3) to five (5) year period for developing WARR infrastructure this is not surprising. However, what is surprising is that the VRIP document that industry is currently being presented with, does not appear to build upon the existing SWRRIP document, rather it simply replaces it, with no mention in the methodology of utilising the SWRRIP or reviewing its success to date. Whilst WMRR appreciates the data provided in the document and the updated gap analysis that it provides, what the VRIP does not appear to do is, build on the networks and facilities that currently exists to address these gaps, to be able to achieve Victoria's stated resource recovery targets.

The SWRRIP identified specific sites across Victoria that were undertaking waste and or resource recovery activities which were important at the state level (Waste and Resource Recovery Hubs of State Significance) and acknowledged that sites other than the hubs listed may also have been suitable for waste and resource recovery facilities. Currently, the VRIP before industry contains no specific sites or maps, nor an overarching narrative for the state and regions upon which to plan or invest. Rather it appears to see WARR as a series of individual development opportunities as opposed to building a strategic statewide network of essential facilities. It is a major step back from the SWRRIP and the benefit that it provided to all participants in the WARR industry which includes government at all levels and the community, to provide a level of certainty to move towards achieving Victoria's targets.

WMRR notes that the objectives listed in the paper for the VRIP are a repetition of the *Circular Economy (Waste Reduction and Recycling) Act* (CE Act) requirements, and do not provide additional value to industry or the government. Regrettably, it is not until page 36 when three (3) priority areas for action are listed that the purpose of the VRIP is made clear. Although while 'investment attraction,' 'directions' and 'actions' headings are used, tangible measures are sorely lacking. Section 37B(1)(a) of the CE Act requires the VRIP to identify suitable *development areas* that meet Victoria's WARR infrastructure needs. However, the paper implies that the VRIP will not be making specific reference to the previously identified hubs, it is unclear why and industry would submit this is a retrograde move. Instead, we understand that the VRIP will provide a list of six (6) attributes that a suitable area should in part satisfy. In industry's view this leaves existing and future sites vulnerable from a land use planning perspective as there is no recognition in any relevant statutory or policy document. The SWRRIP provided Victoria with a roadmap to guide planning and investment in infrastructure through recognising the integrated network structure and wide variety of services offered by the WARR industry, this was then replicated as relevant policy guidance in the regions by way of example – Wyndham's scheme: <https://planning-schemes.app.planning.vic.gov.au/Wyndham/ordinance/19.03-55>. It is unclear how this will occur going forward with the introduction of the VRIP.

WMRR cautions the proposed move away from the previous SWRRIP which was iteratively built on over several years with supporting justifications and logic. WMRR warns taking a 'flexible' approach to planning does not provide industry or the community with certainty and fails to recognise that WARR infrastructure is not 'flexible' as it takes years to develop and build, the removal of this certainty of *development areas*

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will make this process even longer and more uncertain for all involved. The VRIP needs to take a long-term view to provide certainty for investment areas and by mapping out short-, medium- and long-term timelines to grow Victoria's WARR and remanufacturing network, starting with what it looks like now. The lack of clearly defined areas (geographical) and electing for attributes creates opportunity for interpretation and eliminates certainty. The reality is that WARR infrastructure although necessary for the effective and efficient operation for both community and business is often infrastructure not coveted in all areas (NIMBY), by removing certainty of locations government is creating opportunity to frustrate development to its own detriment. The SWIRRP recognised pressures faced by local government and provided a state-wide strategic overview that reduced 'not in my backyard' pressure on essential infrastructure.

As well as the lack of strategic guidance that the VRIP creates in Victoria, there are also some specific challenges created by its proposed approach. For example, while the consultation paper makes clear that the VRIP will not be scheduling new landfill locations, it does not clearly state the position on expansion of existing landfills. The capacity analysis for landfill airspace in the paper has been undertaken on an alternative basis i.e. capacity of existing landfills with approvals in place versus capacity assuming the expansion of existing landfills that have further capacity over and above their approved capacity. Section 52A (3) of the *Environmental Protection Act 2017* provides that the EPA may refuse a development licence application that proposes an expansion of an existing landfill site if it would be inconsistent with the schedule of landfill sites in the VRIP. If reliance is to be had on existing landfills expanding, then that needs to be made clear in the schedule of landfill sites in the VRIP. The VRIP cannot be vague on this point as both the relevant operators and EPA require certainty to inform their decision making.

*Further, the paper acknowledges that based on current trends the projected residual waste stream would result in landfill airspace deficit of 150 million m<sup>3</sup> (or 100 million m<sup>3</sup> assuming an expansion to certain existing landfills).* The department anticipates this being addressed through policies supporting a reduction in waste generation, increases in diversion and recycling and diversion of residual waste to EfW facilities. However, considering how long it can take for a new landfill or EfW facility to be approved and constructed (more than five (5) years) the VRIP must recognise realistic approval/development timeframes (and disaster events and other shocks to the system) and ensure two-way open communication with operators to track airspace availability.

In summary whilst WMRR commends the updating of data and modelling undertaken by the department, the consultation paper and the VRIP proposed has a real opportunity to frustrate or even undermine WARR planning and investment decisions that have been underway for several years, create further confusion in the planning system and severely impact Victoria's own ability to meet its own WARR targets. Victoria unlike most other states in Australia has a strong starting point in its existing SWRRIP industry would implore government to build on this, articulate development areas and provide certainty for WARR investment in Victoria.

Please contact the undersigned if you wish to further discuss WMRR's submission.

Yours sincerely



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**Chief Executive Officer**

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