

Draft State Planning Regulatory Provision—Particular Waste Management Activities on Existing Landfills

What is this draft State planning regulatory provision?

This draft State planning regulatory provision (SPRP) is a stand-alone State planning instrument under the *Sustainable Planning Act 2009* to regulate development that has been endorsed by both the Minister for Local Government¹ and the Minister for Environment.

Why has this draft SPRP been developed?

Queensland's Waste Reduction and Recycling Strategy 2010–2020 introduces a waste levy and sets substantial waste reduction targets.

The strategy recognises that if Queensland is going to achieve its target of halving waste to landfill by 2020, new waste management and resource recovery sites—such as transfer stations and recyclable materials sorting and separating facilities—are needed.

However, development approvals to retrofit existing landfills may require impact assessment that could take up to three years to obtain. This could impede the sites' capacity to meet recycling targets set in the strategy.

The draft SPRP will help facilitate consistent, proportionate and timely assessment of a development and make it easier for lawfully operating landfill operators to upgrade facilities.

How was the draft SPRP developed?

The SPRP was developed jointly by the Department of Environment and Resource Management (DERM) and the Department of Local Government and Planning (DLGP) with input from a joint government and waste sector working group that included representatives from the Waste Contractors and Recyclers Association of Queensland, the Australian Landfill Owners Association, the Local Government Association of Queensland, the Council of Mayors (South East Queensland) and other state agencies.

¹ The Minister for Local Government is the Minister with portfolio responsibility for planning matters.

How does the draft SPRP work?

The SPRP has two parts. The first identifies certain activities on existing landfills, such as building a weighbridge, which can be self-assessable development (provided that the development complies with the self-assessable code in the draft SPRP). This allows operators to work without having to lodge a development application.

The second part identifies resource recovery activities, such as transfer stations, as code-assessable development (provided the development complies with the code in the draft SPRP). This streamlines the process by removing the need for impact assessment.

The draft SPRP applies to development for the following purposes in a lawfully operating landfill:

- establishing or expanding facilities to enable the accurate measurement and recording of waste and calculating levy liability for the facility
- establishing or expanding facilities for waste diversion and recycling facilities.

Further details about the type of activities to which the draft SPRP applies are provided in the draft SPRP.

How will the draft SPRP affect businesses?

Operators of existing landfills will be able to finance and establish facilities to accurately measure and record waste, calculate waste levy liability and deliver waste reduction and recycling services faster and more cost effectively.

How will the draft SPRP affect the community?

Communities can be assured development will be subject to a code that, together with the government's waste strategy, will deliver operational improvements and environmental benefits by increasing waste reduction and recycling.

If an environmentally relevant activity (an activity with the potential to release contaminants to the environment) administered by DERM is involved in the development, the council must still refer the application to DERM for assessment and concurrence.



The draft SPRP will not apply to new landfill sites.

Activities that involve noxious or hazardous waste or activities are excluded from the scope of the SPRP.

How will the draft SPRP affect local government?

Administrative and compliance costs will be significantly reduced for councils because they will not have to administer costly impact assessment processes for the types of development covered by the SPRP.

When will the draft SPRP commence?

The draft SPRP has been endorsed by the Minister for Environment and the Minister for Local Government. A public notice was published in the Government Gazette to notify that the draft SPRP has effect and inviting public submissions about the document.

Any person may make a submission about any aspect of the draft SPRP. To be properly made, a submission must:

- be in writing and signed by each person who made the submission (unless the submission is made electronically)
- be received during the consultation period (a minimum of 30 working days)
- state the name and residential or business address of each person who made the submission
- state the grounds of the submission and facts and circumstances relied on in support
- be made to the Minister for Environment.

The draft SPRP will be effective while public consultation is carried out and submissions about the provisions are being considered.

Once public submissions close on **27 January 2012**, each properly made submission will be considered. The Minister for Environment and the Minister for Local Government will then make the SPRP and include any amendments of the draft SPRP that are required.

Once made, an SPRP will expire in five years to allow for planning scheme amendments and the establishment of longer term options such as a state planning policy.

More information

- For more information about SPRPs, visit www.dlqp.qld.gov.au.
- For more information about the Queensland Government's waste strategy, visit www.derm.qld.gov.au/waste.