Strategic Waste Infrastructure Planning Information Session

Neil Foley
Member
Waste Authority

24 October 2012, Perth Zoo
What/who is the Waste Authority?

• a statutory body

• 5 members - appointed by Governor, on recommendation of Environment Minister, per Waste Avoidance and Resource Recovery (WARR) Act 2007

• Current members:
  Chair – Marcus Geisler
  Deputy Chair – Cr Jenny Bloom (from Broome)
  Members – Anne-Marie Bremner, Neil Foley, plus 1 to be appointed

• Assisted by DEC staff – over 30 (Robert Atkins [Deputy DG], Office of Waste Authority & Waste Management Branch)
What is the Waste Authority’s role?

Includes:

• *advising* the Minister on matters relating to waste in Western Australia;

• *promoting* resource efficiency;

• developing and implementing the State *Waste Strategy* (Part 4 of Act); &

• managing the *Waste Avoidance and Resource Recovery (WARR)* Account (raised via *WARR Levy* Act 2007).
Western Australian Waste Strategy: “Creating the Right Environment”

Approved by Minister March 2012

Strategic Objective 1:

“Initiate and maintain long-term planning for waste and recycling processing, and enable access to suitably located land with buffers sufficient to cater for the State’s waste management needs.”
Strategic Objectives and Strategies

**Strategic objective 1.**
Initiate and maintain long-term planning for waste and recycling processing, and enable access to suitably located land with buffers sufficient to cater for the State’s waste management needs.

Enabling access to sufficient land for waste management facilities, in the right place by the right time, including appropriate buffers and access to transport networks, to meet industry needs is critical to the success of this Strategy. In order to cater for this need a long-term plan outlining the number and types of facilities that are likely to be required, their optimum location and access to transport networks along with trends in the generation of waste and the change in waste stream composition is required. Such a plan can only be developed with the cooperation of organisations that will require access to such sites in the future if it is to properly respond to the needs of the State.

Providing access to enough sites in the Perth Metropolitan, Peel and Greater Bunbury regions and other areas of the State for the processing of significant additional quantities of construction and demolition waste will be a high priority for the Waste Authority as it is expected that the amount of material recovered will more than double by 2015.

The Authority will work within the State planning and environmental approval systems with the aim of enabling access to well located land for the full range of waste facilities for the next 30-40 years and, where necessary, will seek and support the acquisition of land in public ownership for this purpose and make it available on a leasehold basis to public and private entities across the State. The Authority considers that funds from the Waste Avoidance and Resource Recovery Account can provide a valuable contribution to securing publicly owned sites necessary for this to be achieved.

**Knowledge strategies**
1 a. Conduct research and gather information required to understand the long-term planning and land use requirements of the waste management industry in the State.
1 b. Identify the availability of public and privately owned sites suitable for waste and recycling facilities through the planning system.
1 c. Develop and maintain a State Waste and Recycling Infrastructure Plan and promote the inclusion of its requirements into the State planning framework.
1 d. Develop and maintain a public register of sites identified for waste and recycling facilities in the State.

**Infrastructure strategies**
1 e. Provide funding support for the public purchase of strategic sites and buffers throughout the State in consultation and association with the Western Australian Planning Commission.
1 f. Increase inspection and compliance at waste and recycling facilities to ensure environmental and social values are protected.

**Incentive strategies**
1 g. Make necessary strategic sites across the State available for the establishment of waste and recycling processing facilities on a commercial leasehold basis.
Western Australian Waste Strategy: “Creating the Right Environment”

Business Plan 2012/13 and Projections to 2016/17

PLANNING- $1.15M over 5 years
Key outcomes - Integrating current & future planning needs for waste into State planning framework and providing resources to assist in securing strategic waste and recycling processing sites and associated buffers:

- Waste and Recycling Infrastructure Planning ($830,000)
- Strategic Sites and Buffers ($500,000)
- Planning Horizons strategic waste and recycling processing sites and associated buffers ($60,000)

N.Foley 24 Oct 2012
Strategic Waste Infrastructure Planning

But haven’t been sitting around on our hands:

Work undertaken to date:

• DEC (Cecilia Jordan, Jill Lethlean et al):
  - held workshop with senior DoP planners (2011)
  - *Snapshot of Waste Management Infrastructure in the Perth Metropolitan and Peel Regions* (April 2012)
  - preparing *Waste Management Infrastructure Requirements 2050* – Perth/Peel (2 internal background papers for DoP’s/WAPC’s preparation of sub-regional structure plans). (plus input to WAPC’s *State Planning Strategy* review)

• Rob Atkins/Neil Foley: assisted FORC on study: *Future MSW Infrastructure Needs*

• Appointed Hyder Consulting (Ron Wainberg): Scenario study of future land & waste infrastructure needs up to the 3.5m people Perth and Peel city (30-40yrs)

N. Foley 24 Oct 2012
Strategic Waste Infrastructure Planning Committee (SWIPC)

• Committee of the Waste Authority (s.18).
• Co-Chaired by two Waste Authority Members.
• Anticipated DEC, DoP, Water Corporation, WALGA, WMAA, CCI, FORC representation.
• Will seek input, as appropriate, from wider waste industry.
Strategic Waste Infrastructure Planning Committee (SWIPC)

• First phase - provide advice to the Waste Authority on preparation of a *Waste and Recycling Infrastructure Plan for the Perth metropolitan and Peel regions* to identify solid waste infrastructure 30 years+ (2 yrs).

• Meet quarterly (first meeting - ?Dec 2012)

• Then Pilbara, Broome & other regions

N.Foley 24 Oct 2012
Q. How can the planning system help with achieving better waste management outcomes?

A. Lots of ways (e.g. a possible approach):

- Identification of strategic sites required (including buffers) in WAPC sub-regional structure plans for the Directions 2031 ‘3.5m people Perth and Peel urban area’ (30 to 40 years away)
- Statutorily reserve identified public & private land in WAPC region schemes for “Public Purposes – Waste Management (WM)”
- WAPC can acquire private land where necessary, gradually, over the years, using Metropolitan Region Improvement Account (MRIA) in Metro. Region, or WARR Account, controlling development along the way.
- When sites are acquired by WAPC, create as Crown Reserves for Waste Management vested in ?Waste Authority with power to lease in accordance with approved structure/site management plans.
Q. How can the planning system help with achieving better waste management outcomes?

A. Lots of ways (continued):

**Planning Area 1.3 Planning Horizons**

- **Better Planning Approaches Project (BPAP)** – to document planning approaches that might remove barriers or provide mechanisms to implement the Waste Strategy.

  e.g. application of waste management plans in structure plans for new subdivision estates for construction & demolition (C&D) waste; or

  e.g. investigate planning scheme provisions which may incentivise or reduce barriers to improved waste management such as:

  - WAPC’s *Residential Design Codes* review (submission made);
  - formulate ‘model’ waste management plan development approval conditions for apartments, offices, industrial developments, etc.

N. Foley 24 Oct 2012
But wait, there’s more ............

Here’s how planning works at the strategic/sub-regional levels in practice:
Generalised processes:

- **Statutory (legal) planning processes in centre column:**
  - legislation [Acts]
  - subsidiary legislation (regulations, planning schemes, bylaws, etc)
  - formal decisions made under legislation (subdivision, development, strata applications, reviews (appeals) to State Administrative Tribunal, etc)

- **Non-statutory planning processes in side columns:**
  - Planning strategies/studies, structure plans, reports, policies, plans for guidance of statutory planning decisions
Metropolitan region strategic (non-statutory) plans

- Looking 30 years+ ahead
- Adopted as a guide or ‘policy’ by WAPC/State Govt
- But need a statutory mechanism(s) to make the proposals shown in them happen (e.g. regional roads, regional parks, new urban and industrial areas): Region Planning Schemes
Final Directions 2031 and beyond (August 2010)

Population & employment projections (who are we planning for?)

• 2031
  – estimate additional 556,000 residents who will need an extra 328,000 dwellings and 353,000 jobs

• 2050-ish
  – planning to accommodate some 3.5 million people in Perth/Peel
Scenario planning for a city of 3.5 million people

Growth scenarios for low, medium and high-density rates of infill and greenfield development have been modelled to determine the area of greenfield land that will be required to accommodate a city of 3.5 million people. The scenarios are based on a series of assumptions for the expected density in greenfield development and the infill rate in both the central metropolitan and outer metropolitan Perth and Peel sub-regions, and they result in significantly different greenfield land requirements. Scenarios provide an indication of how the planning system could accommodate the housing and land supply needs of a city of 3.5 million people.

Scenario planning provides a systematic approach to urban growth management and an opportunity to take stock of current conditions and identify the drivers that may operate in the future. Rather than providing a prescriptive outcome, the scenario method makes assumptions about likely future conditions to predict alternative outcomes.

The initial scenario planning undertaken is set out in the sub-regional strategy for the outer metropolitan Perth and Peel sub-regions. The scenario modelling will be further refined as part of the review of the sub-regional strategy that will be undertaken at least every five years.

Figure 2: Scenario planning the land supply needs of a city of 3.5 million people

Perth/Peel Regions divided into 6 sub-regions (including ‘Central’)

Where do you put the people and jobs?
Drafts were advertised for public submissions (not yet ‘final’). Foreshadow 3 more detailed sub-regional structure plans for the Outer area, but no spatial plan mentioned for the Central - ?do we also need one for Central too?
New updated Sub-regional structure plans to be prepared:

For Outer sub-regions:
- SW/ SE/Peel (was a draft in 2008)
- NW
- NE
- likely to be similar levels of detail & approach as previous plans e.g. - 1992 NW Corridor Structure Plan

For Central sub-region (18 LGs):
- ?1 sub-regional structure plan?
  - Each to be adopted as *policy* by WAPC (not legally binding)
  - To *guide* MRS amendments & other statutory and non-statutory decisions and actions to be followed, including more *detailed* structure planning
A different style of structure plan approach as used for *part* of Directions 2031’s ‘Central Sub-region’.

Source: www.planning.wa.gov.au

N. Foley 24 Oct 2012
What are Region Planning Schemes?
An RPS = Scheme Map(s) + Scheme Text + Planning Report/Strategy (+ supporting State policies, studies & other non-statutory plans)

- Only so far made for the Perth Metropolitan Region (1963), Peel Region (2003) and Greater Bunbury Region (2007).

- Rest of State don’t have Region Schemes, but do have *non*-statutory regional strategies and plans to guide more detailed statutory & non-statutory planning. Act allows Region Schemes for anywhere in W.A.
Metropolitan Region Scheme (MRS) 1963

- Local Government TPS to conform with MRS ("zones" and "reserves")

- Introduced WAPC development control under MRS *in addition* to that under local schemes (but most delegated back to LGs on zoned land only)

- *Reserved* private land - can be purchased / resumed by WAPC using funds from Metropolitan Region Improvement Tax (but normally not *zoned* land)
• 2011: approx. 1.7m people

• MRS as at Nov. 2011: capacity for 2.2 million people in urban zones (at continued similar, but slightly increased densities)

• Continually amended in accordance with new structure plans, policies, etc.

• Has legal effect (boundaries of zones and reserves can be measured & surveyed)

Perth Metropolitan Region Scheme with main cadastre (as at Nov. 2011)
To co-ordinate district & more detailed structure planning, infrastructure decisions, etc. 40k to 100k pop. Waste management planning should be done in this context.

**But no WAPC statutory Geraldton Region Planning Scheme**
How are Region Planning Schemes amended?
NW Corridor Structure Plan - Final 1992

An example of a ‘sub-regional’ level structure plan

- 420,000 residents corridor at ‘build-out’ (2021)

- Approx 90,000 pop. east of Wanneroo Rd i.e. 30,000 ‘lost’ from E. Wanneroo after advertising draft plan in response to submissions
WESTERN AUSTRALIAN PLANNING COMMISSION

CITIES OF JOONDALUP AND WANNEROO

AMENDMENT REPORT

September 1999

PERTH

WESTERN AUSTRALIA

Example 1: Clarkson-Butler

THE PROPOSAL

The proposal is to extend the Clarkson-Butler rail line to accommodate a light rail service between Clarkson and Butler. The proposal includes the following elements:

- Extension of the line to Clarkson
- Provision of additional land for future rail development
- Integration with existing infrastructure

APPEAL

Any person dissatisfied with the decision of the Minister for Planning and Infrastructure may make an appeal to the Western Australian Planning Commission within 21 days of the day the decision is made. The appeal must be in writing and include the reasons for the appeal. The appeal will be determined by the Western Australian Planning Commission, and the decision is final.

N. Foley 24 Oct 2012
Example 2: Regional Open Space

LAKE JOONDALUP

THE PROPOSAL

In June 1974, The Metropolitan Region Planning Authority released details of a proposed Regional Open Space Reserve to be established at Wanneroo, north of Perth.

It would extend from Hepburn Avenue in the south to Burns Beach Road in the north, a distance of about eight miles (12.8 km) long and would embrace Lakes Gooolalal and Joondalup—a total area of some 4,000 acres (1,619 ha).

It would be about ½ to ¾ mile (0.4 to 1.2 km) wide between Wanneroo Road on the east and Cockman Road on the west. Its boundaries are more particularly delineated on the colour map overlay.

THE NEED

There are two reasons why such a reservation is needed:

1. To protect a lake of outstanding natural beauty which is a refuge for numerous birds and water fowl from the encroachment of urban development;

2. To provide a large regional open space catering for the leisure and recreational needs of the rising number of people who are coming to live in the north-west urban corridor.

THE DESIGN PROJECT

The design concept for the best use of the area by the public has four main features:

- Preservation of Lake Joondalup primarily as a wildlife sanctuary. Public access would be limited to an Olympic-size rowing course, with controlled boating on other parts of the Lake.

- Upgrading of Lake Gooolalal to provide boating and yachting facilities (no outboard motors) with a golf course and parkland areas.

- The dredging and filling of the area between Lake Gooolalal and Beenyup and Wallubuenup Swamps to provide a series of man-made ornamental lakes at differing levels linked by weirs and waterfalls. These would be combined with a leisure and entertainment complex for day and evening use.

- The retention of Beenyup and Wallubuenup Swamps in their natural state yet providing for leisure facilities—such as a museum, herbarium, botanical gardens, and facilities to view wild life in its natural state.

PROCEDURE AND RIGHTS OF OWNERS AFFECTED

The proposal will require an Amendment to the Metropolitan Region Scheme to include the land concerned within the reservation for parks and recreation. Provision has been made for this in the proposed Amendment to the Metropolitan Region Scheme which received the preliminary approval of the Minister for Town Planning and Urban Development on 31st July 1974. This was advertised in the local press and Government Gazette on 2nd August 1974.

Persons wishing to make representations on the proposed Amendment may do so in writing to the Secretary, The Metropolitan Region Planning Authority, 22 St George’s Terrace, Perth, on or before 4th November 1974. On receipt of any objections the Authority is required to report on them, and, where it intends to dismiss an objection, to hear the objector.

The Authority must then seek the Governor’s approval to the Amendment, through the Minister, and if the Governor gives his approval the Amendment is placed before both Houses of Parliament. Provided neither House passes a resolution to disallow, the Amendment then becomes part of the Metropolitan Region Scheme.

Until—and assuming—this happens, The Metropolitan Region Planning Authority has decided that all applications to begin development made to the local authority shall be referred to the Authority for determination. The Authority will consider each application on its merits but also in the light of its proposals for Lake Joondalup and Lake Gooolalal.

Should the Amendment to include this land within the reservation for parks and recreation be accepted by Parliament, owners will be protected by the compensation provisions of the Metropolitan Region Town Planning Scheme Act. Compensation will not automatically become payable by approval of the reservation itself. This will only occur when either an application to begin development is refused because the land is required for public purposes, or when an owner is only able to sell his land to a person, other than the Authority, at a reduced value, because of the reservation. There are statutory procedures which must be followed in respect of these provisions and owners are advised to contact the Secretary, The Metropolitan Region Planning Authority, for further details.

It should be made quite clear that the concept described earlier is a long-term one. The Authority does not intend immediately to begin negotiations for the purchase of lands affected by it. Owners will be able to continue to use their land for the purpose it is currently used, for some years to come.

FURTHER INFORMATION

Further details of the design concept, the extent to which individual owners are affected, or points on procedure or compensation should be addressed to:

The Secretary, The Metropolitan Region Planning Authority, 22 St George’s Terrace, PERTH, W.A.
Shown as mainly ‘intensive agriculture’ in 1955 Stephenson-Hepburn Plan

Left as ‘Rural zone’ in 1963 MRS

But urban expansion proceeding further northwards than anticipated (Whitfords to west)

Need to consider *regional* recreation and conservation requirements [in addition to the 10% local Public Open Space contributions from residential subdivisions]
MRS Amendment No. 71/31 (1973)

- “Whitfords amendment” to MRS to extend urban corridor to present day Edgewater and Ocean Reef by rezoning area from “Rural” to “Urban”, “Urban Deferred” and to other zones & reserves
MRS Amendment No. 85/31 (1974-75)

- “omnibus” (all-purpose) amendment to MRS to include some NW Corridor SP proposals
- 3 month public comment period Aug – Oct 1974
- 115 objections, some against “Parks & Recreation” reservation on their land
- MRPA modified advertised amendment to delete some parts of P&R from private property
- Approved by Governor and not disallowed by either House of Parliament, came into effect Nov 1975
Named ‘Yellagonga’

Gradual purchase by MRPA/SPC/WAPC from mid 1970s of private land that was reserved “Parks & Recreation”

By early 1990s, most owned

Prepared management plan to try to find long-term manager
WAPC is not normally a long term manager.

1997: 8 regional parks established from existing conservation reserves/areas purchased by WAPC/SPC/MRPA.
Handed to Dept Conservation & Land Management, National Parks, LGs for management
Some reservations included govt land initially, but most were significantly expanded by MRPA / SPC / WAPC gradual purchase of private properties over the years.
How does private land acquisition occur under Region Planning Schemes?
Metropolitan Region Improvement Account (formerly Fund)
How is it collected?

• *Metropolitan Region Improvement Tax Act 1959* strikes the tax rate (2011/12 = 0.14c in each $1 over $300,000 of *unimproved* land value (under $300,000, don’t pay unless aggregated value you own exceeds this).

• Exemptions: include primary place of residence; low value.

• MRIT levied with State Land Tax (on same bill!). Philosophy = amount of tax receipt should keep up with property value increases.

• ‘Hypothecated’ tax: Treasury can’t keep it in the Consolidated Fund! It has to transfer collected monies to *Metropolitan Region Improvement Account* which WAPC manages for purchasing reserved private land in MRS & administering the MRS.

• 2010/11 c.$78m of MRIT transferred to MRIA (?plus adjustments)

N.Foley 24 Oct 2012
Metropolitan Region Improvement Account (formerly Fund) (MRIA)

How is it spent & managed?

• Raised in Metropolitan Region & can only be spent there (Peel & Greater Bunbury Region Schemes rely on Consolidated funding)

• Usually gradual purchase on the market, typically over 30 year period. Resumption = last resort.

• Rents & proceeds of sale of surplus land go into MRIA.

• Some acquired reserved land bought from WAPC by infrastructure construction authority (e.g. Main Roads or PTA) just prior to construction. Funds go back into MRI Account.

• Land for Parks and Recreation transferred to Crown Reserve & written off books when long-term park manager found.

• Current liability of reserved un-purchased private land: ??my guesstimate = ??$1B?.
How much *private* land has been acquired by WAPC in the *Perth Metropolitan Region* from 1960 to date?

The example of the ‘Parks and Recreation’ reservations.
Approx. $1.4B spent 1960-2011

Approx. 26,000ha private land acquired (= over 60 Kings Parks)

Almost all on the market, at the election of the owners

Source: of plan/graph WAPC/DoP
The case for retaining the metropolitan region improvement tax

Western Australian Planning Commission

April 2007

What happens outside the Perth Metropolitan Region, in the Peel and Greater Bunbury Regions?
The big **difference** between the MRS and the Peel & Greater Bunbury Region Schemes =

**NO Hypothecated Tax** (MRIT not extended to apply to those regions & can’t be spent there).

**So,** WAPC has legal obligations & liabilities, but has been reliant on annual Treasury allocations since 1997.

About $7m p.a. to cover both schemes (nominally $5.4m for acquisition, $1.6m for admin.). Not increased since 1997.

Insufficient to keep up reasonable rate of acquisition as owners request. WAPC tend to pay compensation instead.

Some say we need to extend MRIT to these regions or create a new land tax(es). They say we have to start some time!

N.Foley 24 Oct 2012
• Part of implementing WAPC’s *Directions 2031 and beyond* for Perth & Peel

• Identifies priority non-heavy industrial sites for further investigation

• 20 years + planning horizon

• Possible locations for future waste management infrastructure (get in early!)
Strategic Waste Infrastructure Planning

**Summary:**

- Strategic waste infrastructure planning is a priority activity of the Waste Authority
- Waste Authority will develop a Waste and Recycling Infrastructure Plan for Perth and Peel regions
- SWIPC will provide advice to the Waste Authority on the development of this plan
- Work is already underway on planning issues, working closely with DoP/WAPC. This will form the foundation of the activities of the SWIPC
Questions?