

Response – *DRAFT NSW Waste and Circular Infrastructure Plan Chapter 1: Meeting our residual waste and food garden organic waste needs*

25 June 2025

Prepared by Northern Sydney Regional Organisation of Councils

Member Councils:

- Hornsby Council
- Hunter's Hill Council
- Ku-ring-gai Council
- Lane Cove Council
- Mosman Council
- North Sydney Council
- City of Ryde Council
- Willoughby City Council

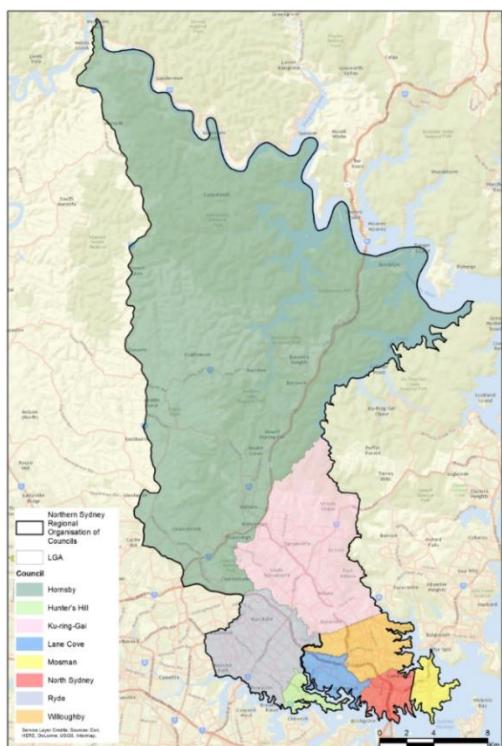
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Context

The Northern Sydney Regional Organisation of Councils (NSROC) is pleased to respond to NSW Environment Protection Authority's Draft NSW Waste and Circular Infrastructure Plan (the Plan), while noting individual councils may also make independent submissions. This submission has been prepared with the input and support of our member councils but should be considered draft until formal NSROC Board endorsement.

NSROC is a voluntary association of eight local government authorities in Sydney. NSROC assists member councils collaborate on key issues and activities, develops regional solutions and generates social, environmental and economic benefits – for local communities and the region overall.

NSROC member councils service an area of 639km² with a population of 633,978, extending from the Hawkesbury River in the north to Sydney Harbour in the south, west to Meadowbank on the Parramatta River, as shown in Map 1.



The eight NSROC member councils are:

- Hornsby Shire Council (HSC)
- Hunter's Hill Council (HHC)
- Ku-ring-gai Council (KMC)
- Lane Cove Council (LCC)
- North Sydney Council (NSC)
- Mosman Municipal Council (MMC)
- City of Ryde (CoR)
- Willoughby City Council (WCC)

Our member councils employ approximately 2,700 people across the region, delivering a wide range of services, including operational waste management for public and private domains. Collectively the eight councils have a waste budget of over \$90 million per year and manage around 14% of metropolitan Sydney's municipal waste.¹

Map 1: Northern Sydney Regional Organisation of Councils area

Councils operate in complex resource-constrained environments and are challenged by mounting infrastructure and services costs. Growing populations and consumption, greater housing density, more frequent extreme weather events, impacts of climate change, increasing cyber security needs and cost shifting by other levels of government - are some of the challenges. The needs and priorities of local communities often outpace councils' capacity to generate income and meet expectations.

Against this backdrop, NSROC appreciates the intent of the Draft NSW Waste and Circular Infrastructure Plan (the Plan) to address critical infrastructure gaps and support the transition to a more circular economy. Key elements of the Draft are acknowledged and supported, and important concerns are raised that must be addressed, for the Plan to effectively deliver for NSW.

¹ Based on 2021/22 figures

Introduction

NSROC supports the Plan's recognition of significant waste and recycling infrastructure shortfalls, a vital step towards coordinated and accelerated investment and facility delivery. The Plan's commitment to leadership and coordination from Property and Development NSW (PDNSW) and the EPA and to involve other government agencies is promising. Embedding local government voices in strategic planning and decision-making is essential for fit-for-purpose infrastructure outcomes. The short-term focus on optimising existing landfill capacity is a pragmatic and necessary measure. Councils are ready to support these interim actions, provided local government and local community participation are enshrined and critical investment in sustainable, long-term waste, recycling and circular economy solutions are not delayed.

A bigger-picture waste and circular economy narrative for the communities of NSW remains absent. Without this, the State will struggle to bring NSW communities onside with the bold waste management reforms needed, if we are to achieve State and federal recovery targets.

Strategic Context Needed

The Plan is without strategic context and lacks clarity on how it fits within a broader, long-term infrastructure framework, or how it contributes towards net zero and circular economy. The Plan is described as "Chapter 1," but only two other chapters are mentioned on page 10 (regional challenges and supporting recycling and reuse infrastructure.) Without knowing other focus areas, or how Chapter 1 connects to later chapters, stakeholders can't understand the overarching direction, intent, or alignment with other State strategies.

This means the Plan does not achieve the third assertion on page 11, of strategic planning to meet waste management needs of growing populations. Waste management in accordance with the waste hierarchy, creates opportunities for resource usage circularity. That could include "*Circular Infrastructure*" of the Plan's title, however apart from facilitating Energy from Waste (EfW), the Plan does not provide for any "Circular Infrastructure". Unfortunately, this means the Plan is open to greenwashing accusations.

Whilst a central driver of the FOGO mandate is to reduce land fill greenhouse emissions, connections to State Net Zero and other climate planning are worryingly absent.

Lack of a Cohesive, Long-Term Vision

The Plan provides short-term measures of extending landfill capacity and EfW processing, without articulating a long-term infrastructure strategy aligned with the NSW Waste and Sustainable Materials Strategy (WASM). Connections to other State strategies and plans are absent, apart from a welcome commitment on page 26 to ensuring the Greater Sydney Region Plan caters for waste infrastructure. NSROC requests meaningful local government involvement in that planning process, as the best way to ensure practical guidance for local and regional land-use planning decisions, which works on the ground - for Sydney's existing and future communities.

The EPA are commended for considerable work done identifying waste flows and existing processing capacity, and establishment of PDNSW and EPA as the lead NSW agencies for strategic waste infrastructure planning and coordination on page 23 is positive. However, worrying concerns remain that those agencies lack the necessary authority, and that the leadership proposed is not encoded as a structural change to existing agency decision making.

This Plan should set out a coherent, future-focused infrastructure roadmap, including implementation pathways, whole of government governance and clear decision making authority. Government must provide a clear line of accountability for decision making and planning across the waste system and framework. The current Plan risks entrenching legacy systems that conflict with circular economy and net zero objectives and is missing opportunities for systemic improvements and innovation.

Involve Local Government in Development and Implementation

Through avenues such as the Greater Sydney Waste Leadership Forum, councils consistently seek early involvement to help shape draft EPA papers. As councils deliver waste services for communities, early local government co-design helps State government de-risk changes and enables implementation viability. Sadly, councils were not party to the Plan prior to public release, by which time substantive changes are difficult for the EPA to make.

State and local government seek the same outcomes, of less waste to landfill, less emissions and faster circular economy transitions. Because councils are beholden to local communities, who fund services through the Domestic Waste Management Charge, earlier and greater local government involvement are imperatives as is cost effective service provision.

The inclusion of councils in the Ministerial Advisory Committee for strategic waste infrastructure is welcome, however higher order local and State government partnerships are sorely needed. The EPA has tended to group industry and council stakeholders together, when larger greater-good outcomes will be achieved by aligning public sectors first, and then work with industry and business.

While councils have been engaged through consultations, they are notably absent from the NSW Government interagency working group on waste infrastructure. This exclusion overlooks the critical delivery role of local government in operational waste management and means planning doesn't access on-the-ground insights. The result is a disconnection between policy and practical, efficient delivery. NSROC understands the working group would benefit from other State agency attendees with greater seniority, enabling the whole-of-government response required for real outcomes.

Once the EPA works alongside councils to co-design reforms, at initiation and conception stages, the types of bold changes necessary to achieve WASM and other targets can be realised.

Provide for Innovation and Local Solutions

There are quite a few smaller companies with new local waste processing solutions who deserve greater support. The Plan lacks an innovation focus, and doesn't support sustainable, decentralised, and forward-looking solutions. By concentrating on existing facilities (or even reopening closed facilities), the Plan risks entrenching legacy technologies without encouraging local, modular, and on-site innovations. These are aligned with circular economy principles and the evolving needs of communities. NSW must foster innovation at all scales, to achieve long-term systemic transformation.

Innovation needed includes new financial incentives to lower investment risk, through co-investment in new technologies, incentives for new approaches to increase waste recovery outcomes, and provision of tax and other benefits for successful operations.

Jointly Achieving Social Licences

Social licence and community expectations are critical considerations, particularly for infrastructure with perceived local impacts. As the frontline of community engagement, councils require dedicated support and resources to build and maintain social licences for waste infrastructure. The Plan does not acknowledge the importance of managing public expectations, or outline who will be responsible for achieving community buy-in—leaving significant implementation gaps.

When a State-wide overarching waste reform narrative is developed and communicated, councils will be able to work closely with State Government on gaining necessary social licences. Without this narrative, part of a cohesive and long-term vision, we will struggle to gain community acceptance of any new waste infrastructure.

State Investment Commitment Needed

The Plan places waste infrastructure investment responsibility upon the private sector and local government, assuming State strategic planning alone will solve Sydney’s waste crisis. These are major flaws of the Plan.

Dedicated funding mechanisms are needed to support local government and industry investment, as councils have neither the assets nor the legislative powers to plan and resolve the challenges of waste management.

Greater hypothecation of the waste levy and critical actions to increase infrastructure investment are essential, these include:

- Reducing market uncertainty on outputs, especially energy and “marketable” materials, including speedier regulatory approval for outputs and responsive standard setting (e.g. amendment to the Building Code of Australia to allow waste processing products to be incorporated in final products)
- Making it easier to connect to the power transmission network, such as TransGrid addressing impediments to grid feed-in energy generated from facilities
- Reservation and identification of lands for waste infrastructure – without which infrastructure planning will remain hypothetical
- Reducing regulatory burdens – recent regulatory decisions such as the AWT ban, changes to allowable inputs to FOGO, the Waste Worker legislation and the ongoing uncertainty about PFAS have created significant business risks and costs for communities. The full impacts of such decisions need close consideration prior to implementation.

Without clear co-investment frameworks, financial incentives and necessary resources, councils will struggle to deliver, operate, and maintain critical infrastructure. Sustainable implementation requires upfront funding commitments and long-term financial support to enable meaningful participation and delivery at the local level.

Incorporating Waste Management into Land-use Planning

The Plan repeatedly describes waste as an essential service but does not fully acknowledge the narrow conditions under which this classification currently applies. Elevating waste to the same level of essentiality as water, wastewater, and electricity within legislative and planning frameworks - would address systemic issues contributing to the current waste crisis.

One immediate measure is for Department of Planning, Housing and Infrastructure (DPCI) to impose a suite of standard conditions catering to FOGO collection, through the Planning Portal. Without that, residential building design and construction will continue to fail to cater for the FOGO mandate, reducing amenity, increasing collection costs and requiring expensive retrofitting. Meaningful engagement with local government waste and planning experts and the waste sector must be undertaken to ensure the development of practical conditions that facilitate FOGO mandate implementation.

If NSW Government are serious about delivering liveable neighbourhoods, then immediate allowances for FOGO mandate complexities such as access for collections, bin storage, disposal chutes and truck movements - are vital.

Facilitating Planning Approvals

NSROC supports the principle of facilitating of waste facilities through the planning system, provided they reflect best practice and do not result in communities suffering significant amenity loss or detriments to human or environmental health. Longstanding experience shows that strong vigilance is required when assessing proposals from commercial entities, whose ultimate concern is profit.

Large industry incumbents have a vested interest in the current model which requires transporting waste long distances to expensive remote processing, and appear to dominate EPA industry consultations. Greater emphasis on supporting a broader range of potential solutions, as well as facilitating approvals for smaller Australian disruptors is needed.

Energy from Waste

Energy from Waste may assist in future waste management, within a balanced and integrated waste management system, and is slightly better than landfilling as a last resort. However, there are concerns that EfW, without clear alignment to circular economy principles, emissions reduction targets, and strong support for recycling and waste avoidance - risks undermining efforts at the upper tiers of the waste hierarchy.

Without adequate safeguards, EfW could displace more sustainable outcomes and compromise council-led zero-waste initiatives. To ensure EfW contributes positively, the Plan must provide clear policy direction, robust criteria, and assurance that EfW is positioned appropriately within the broader waste and resource recovery strategy.

EfW appears significantly more expensive than other options and community opposition is evident at each of the four locations where the policy allows these facilities. Nonetheless, EfW has a role to play, although there is a risk that the regulatory arm of the EPA may overrule infrastructure planning. This happened with Alternate Waste Treatment (AWT) facilities in October 2018 - when EPA revoked the general and specific Resource Recovery Orders and Resource Recovery Exemptions for the application of MWOO to land - due to risks associated with chemical and physical contaminants.

Locating EfW only in four regional areas sends the message to communities that EfW is dangerous, and should not be in denser, urban populations. Longstanding European practice proves that to be wrong, and (although there are mixed views from councils) smaller modular EfW systems located closer to the communities they serve - deserve consideration.

Transfer Stations

The Plan's recognition of the importance of waste transfer stations to competitive procurement is commended, as is the understanding of their upgrading needed for FOGO. However the Plan falls short of bold actions needed to solve Sydney's waste crisis, these include: securing new publicly owned transfer stations, returning existing ones to public ownership, or at least providing for greater council control; and engendering organics processing at transfer stations, not just de-watering for remote removal.

Landfill Extension and Reopening

Landfills are a last resort for waste, and currently a necessary evil. Although some capacity for landfilling will always be needed, much of what is currently landfilled could be beneficially recovered, if adequate systems were in place to manage it. Amplifying existing landfills or opening closed landfills, fails to recognise other potential sites such as closed mines where remediation is required, and economic activity would be welcomed. Strategic waste planning should look across all state government portfolios to seek opportunities of achieving multiple outcomes rather than dealing with issues in isolation.

The Plan appears to assume that the FOGO mandate will remove most organics from residual waste. However, both NSROC's own research and audits undertaken by Rawtec, show around half household organic waste stays in the residual bin. Hopefully this will significantly decrease over time, however Alternative Waste Treatment (AWT) should remain available until it does. NSROC does not support current EPA disallowing of AWT, such as at Woodlawn, and contends AWT at Woodlawn, and other similar processing, should be available for beneficially treating and using red-bin waste, such as for mine remediation. The large volumes of putrescible waste and the continuance of organics in red bins, despite FOGO, mean treatment options should be expanding, rather than being closed off.

Reopening landfills is not supported by NSROC, due to community health and environmental risks. Any reopening should be considered on a case-by-case basis, and not part of the Plan.

Procurement Review

The planned OLG review of local government purchasing regulations should include an assessment of the barriers to joint procurement by councils. There are too many examples of attempted joint procurement failing. The Northern Sydney Councils Waste Services Alliance is one of a handful of successful examples. NSROC and other Regions of Councils have made submissions to OLG's earlier tendering reviews, which can be provided upon request.

Industry is failing to provide adequate responses to FOGO tenders from councils. Despite their attempts to provide commercially attractive volumes to make contracts appealing and worthwhile, the response from the industry has been lacking. The State needs to provide significant market interventions, beyond mandates upon councils, to help ensure there are sufficient organics processing capacities.

Summary of Actions to Solve Sydney's Waste Crisis

1. Create and Communicate a Cohesive Long-term Vision

Expand the Plan with a cohesive, long term vision and framework and set out pathways for implementation. The Plan should establish the need, justification and community benefits for a range of waste and circular infrastructure. Councils can then work with State on gaining necessary social licences.

2. Align waste Infrastructure Planning with Climate goals

Ensure infrastructure planning explicitly supports NSW emissions reduction commitments and climate resilience. Prioritise investment in low-carbon technologies, methane capture, and materials recovery pathways that reduce environmental impacts

3. Co-design With Local Government First

State and local government seek the same outcomes, and are driven by the same desire for public good. Bring councils into the tent at conception stages, align strategies, and then work jointly with industry and business. This de-risks change and helps ensure reform viability.

4. Champion Innovation and Local Solutions

Focusing on only on legacy systems of transporting waste long distances is not circular. Incentivise and support new local processing technologies.

5. Commit to State Investment

Strategic planning alone is not enough. Councils and industry will not solve the waste crisis, significant financial investment from the State is essential for success. The EPA has a legislative role to develop markets for recycled and recovered resources, and needs to deliver on that.

6. Incorporating Waste Management into Land-use Planning

As the first step, DPHI should impose a suite of standard conditions catering to FOGO collection, through the Planning Portal, incorporating extensive local government recommendations.

7. Facilitate Planning Approvals

Facilitate Planning Approvals, but not at the expense of council and community participation. Concierge services should be available for smaller Australian disruptors as well.

8. Return Transfer Stations to Public Control

For market competition and to cater to growth, act to create publicly controlled transfer stations, and work to provide local organics processing, not just transfer for remote processing.

9. Consider Closed Mine Sites for Landfills

Take a whole-of-Government approach to find alternative sites for landfills, such as closed mines where remediation is required.

10. Remove Barriers to Joint Procurement

Work with local government to identify and remove barriers stopping more local government joint procurement of waste services.

Conclusion

NSROC supports the overarching goals of the Draft NSW Waste and Circular Infrastructure Plan and urges the NSW Government to ensure that the final Plan includes a clearer vision, champions innovation, meaningful support mechanisms, and maps strategic shift toward long-term, climate-aligned infrastructure. A collaborative, well-resourced approach—backed by robust engagement and governance—is essential for creating a waste and resource recovery system that is resilient, sustainable, and community-supported.

We look forward to further consultation and partnership delivering on the bold reforms necessary to reach State and federal nominated resource recovery targets.