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**NSW Environment Protection Authority
Regulatory Practice and Services Division
Environmental Resilience Programs**

**NSW EPA LOCAL GOVERNMENT DISASTER WASTE PREPAREDNESS PROJECT – DRAFT
NSROC FEEDBACK**

Thank you for the opportunity to provide feedback on the EPA Local Government Disaster Waste Preparedness Project in particular the two draft documents provided:

- the Disaster Waste and Resource Recovery Management Plan (DWRRMP) template, and
- the Temporary Emergency Waste Storage Sites (TEWSS) selection guidance.

NSROC is pleased to see that the EPA is undertaking this project as there is a clear need for increased support to local government, so they are better prepared to handle the large amounts of waste generated from disasters. Based on our review of the documents and feedback received from our member Councils, we would like to provide the following comments. This submission has been prepared with the input and support of our member councils but should be considered draft until it is formally endorsed by the NSROC Board.

1.0 General Feedback on Draft Guidance Documents

The following issues highlight areas where the guidance documents, while excellent in principle, present practical challenges for densely populated, metropolitan councils.

1.1 The 250m Buffer Distance (Issue with TEWSS Guide)

Problem: The Guide to Temporary Emergency Waste Storage Site Selection recommends a minimum distance of 250m from sensitive receivers (residential, schools, hospitals).

NSROC Impact: In high-density metropolitan areas, finding any Council-owned or available site of sufficient size that maintains a 250m buffer is often geographically impossible. This requirement effectively renders many necessary, otherwise suitable sites (like large public car parks or sports ovals) unusable, which could severely delay clean-up operations.

Recommendation: We acknowledge the 250m distance is only a recommendation, however the guidance should acknowledge a tiered or flexible approach for high-density areas, prioritising mitigation strategies over a fixed distance rule. The current wording in the document is too subjective for a disaster scenario. Our recommendation is that the EPA should shift from allowing Councils to define their own flexibility to providing Councils with a defined framework for flexibility.

1.2 Limited Site Availability and Type (Issue with TEWSS Guide)

Problem: The guide gives preference to existing waste facilities/depots and specifies that "sporting

fields" should only be used in "limited situations."

NSROC Impact: NSROC Councils have few existing, large-scale licensed waste facilities (transfer stations, landfills) within their boundaries. In a major disaster, Councils will be heavily reliant on using large car parks, sporting fields, and industrial estates as TEWSS.

Recommendation: The guidance should include a section detailing how to conduct risk assessments and mitigation for high-use community assets (like sporting fields) prior to a disaster to justify their use when no other alternatives exist, thus legitimising these "limited" options as primary alternatives in urban environments.

1.3. Cross-Regional Waste Coordination and Transport (Issue with DWRRMP Template)

Problem: The DWRRMP Template assumes local capacity can manage the waste, with State control being the fallback. It encourages consideration of "regional contracts," but the coordination structure is vague.

NSROC Impact: Disaster waste from NSROC LGAs will almost certainly need to be hauled long distances to facilities in the Outer Metro or Regional areas. This involves significant cross-LGA and state agency coordination.

Recommendation: The DWRRMP Template needs dedicated sections and tables for documenting Inter-Council Agreements/MoUs for mutual assistance (manpower, equipment) and Pre-Arranged Regional Disposal Pathways (which specific regional landfills/facilities will accept the projected volume, and the primary transport routes).

1.4 Need for Broader Definition of "Disaster" (Issue with DWRRMP/DWSP Scope)

Problem: The current definition of "disaster" in the Sub Plan, while technically broad, is practically and operationally linked to the Local Emergency Management Officer (LEMO) and natural hazard events. This narrow focus excludes critical, systemic waste emergencies.

NSROC Impact: Major unplanned disruptions—including those related to climate change impacts, societal events (like contractor strikes), industrial hazards, or cyber-attacks—can equally affect the collection, transfer, transport, or disposal systems, overwhelming local capacity and requiring the same level of State regulatory and logistical support as a flood or fire.

Recommendation: The guidance documents and the underlying NSW Disaster Waste Sub Plan (DWSP) scope must be clarified and explicitly applied to all major waste emergencies that exceed local government "business-as-usual" capacity, regardless of whether they are activated by the LEMO or triggered by a non-natural systemic failure.

1.5. Difficulty in Pre-Event Waste Estimation (Issue with DWRRMP Template)

Problem: The template requires estimating waste amounts, which is very difficult due to variable disaster factors (intensity, location, building type).

NSROC Impact: While a specific number is impossible, NSROC Councils need a functional process to rapidly generate a defensible estimate post-disaster to trigger state support, funding, and contracted resources.

Recommendation: The DWRRMP Template should shift focus from a fixed pre-estimate to defining a methodology for rapid post-event estimation, using metrics relevant to urban settings. It would be helpful for EPA to provide a consistent tool, at least to provide a baseline for estimating waste

generated in a disaster, such as based on the number of properties, area / scale, type of disaster, etc. Councils could then adjust based on their specific situation.

2.0 Specific Suggestions for Document Improvement

2.1 Improvements to the DWRRMP Template

Section/Table	Suggested Improvement	Rationale (NSROC Context)
Section 3: Command & Coordination	Add a table/section for "Inter-Council/Regional Support Agreements."	Crucial for metropolitan LGAs that rely on neighbouring councils for disposal capacity and resources.
Section 5.1: Disaster Waste Risk Summary	Add a requirement to map high-density/high-value building types (e.g., unit blocks, large commercial centres) with an assumed generation factor (e.g., X tonnes of C&D waste per Y square meters of collapse).	Provides a pre-prepared, functional methodology for rapid, defensible post-event estimation that triggers resource allocation.
Table 5: Temporary Emergency Waste Storage Sites (TEWSS)	Add a column: "Designated Waste Stream (e.g., Green Only, C&D Only, Mixed)."	Mandatory for managing contamination risk and safety (especially asbestos) at temporary sites in highly visible urban areas.
Section 6: Response & Recovery Tasks (Data)	Clarify data management responsibility. Specifically, who aggregates regional waste movement data (EPA/Council/Contractor) for waste crossing LGA boundaries.	NSROC waste will primarily move across boundaries; clear data ownership is required for funding recovery claims.
Section 6: Response & Recovery Tasks (Communication)	Add explicit guidance on communicating TEWSS location/operation to dense residential communities, addressing inevitable concerns about noise, traffic, and air quality.	Proactive community engagement is critical to avoid political and social roadblocks in urban clean-up.
Template Completion Time	Clarification required on the timeframe for Council to complete the DWRRMP and its process for sign-off with the Local Emergency Planning Committee (LEPC).	Ensures timely and coordinated plan preparation across the region.
TEWSS Duration	Clarification required on how long a site can be classified and operated as a TEWSS before triggering full licensing requirements or mandatory decommissioning.	Essential for managing public and political expectations in urban settings.

2.2 Improvements to the Guide to Temporary Emergency Waste Storage Site Selection (TEWSS Guide)

Topic	Suggested Improvement	Rationale (Mitigation Focus)
Sensitive Receivers	Introduce a Risk-Based Mitigation Matrix for Urban Sites. The matrix should allow for sites closer than 250m if high-level controls are mandated (e.g., maximum 72-hour storage, reduced hours of operation).	Provides flexibility required in high-density areas while maintaining environmental protection.
Hardstand	Specify a requirement for liner/bunding installation for non-hardstand temporary sites (like ovals) where C&D or putrescible waste is handled.	Flexibility on 'hardstand' should be allowed if a suitable temporary liner is installed with consideration for the waste type stored.
Operational Hours	Flexibility required on stipulated operation hours. Operation hours should be consistent with local resource availability and Heavy Vehicle National Law (HVNL) policies to ensure timely response, rather than solely based on fixed criteria.	Allows Councils to leverage available resources without being restricted by overly conservative hour limits.
Waste Types	Include mandatory segregation protocols (e.g., all hazardous/asbestos must be wrapped and immediately transported off-site, not temporarily stockpiled).	Reduces risk profile of all urban TEWSS used by NSROC Councils.
Notification Time	Clarification required on the expected turnaround time from notifying the EPA to receiving the formal TEWSS activation letter.	Time is critical in a disaster; Councils need to know how soon formal approval can be expected from EPA.

3.0 Other Key Issues for Consideration

3.1 DRFA Alignment and Cost Recovery Process

Financial stability post-disaster relies heavily on the timely and successful acquittal of costs through the joint Commonwealth-NSW Disaster Recovery Funding Arrangements (DRFA), primarily under Category B (Essential Public Asset Restoration and Counter-Disaster Operations).

Recommendation: The DWRRMP Template and associated guidance should clearly outline the required DRFA Evidentiary Standards for waste management claims. The document needs to mandate the collection of specific data points during the response, rather than relying on retrospective efforts, to ensure costs for debris removal and disposal are recoverable.

3.2 State Government Strategic and Operational Support

Beyond funding, the NSW EPA, Reconstruction Authority (RA), and other relevant State Government agencies can provide crucial support to Councils for managing disaster waste:

3.2.1 Strategic Pre-Identification of TEWSS (Planning and Property Support)

- **Action:** State agencies (such as the EPA for environmental suitability and Property NSW for land ownership/availability) should conduct **proactive, state-wide geo-spatial site selection studies** to identify and pre-vet a register of suitable TEWSS locations. This register should be cross promoted across regions to facilitate mutual assistance.
- **Benefit:** This central analysis overcomes the key urban challenges (Issues noted in 1.1 & 1.2) by:
 - **Reducing Local Burden:** Removing the detailed site selection and initial environmental risk assessment burden from Councils.
 - **Maximising State Land Use:** Identifying underutilised State-owned land (e.g., unused industrial sites, large government car parks) in dense urban areas that can be fast-tracked for activation.
 - **Pre-empting Regulatory Hurdles:** The State can pre-certify these sites, confirming that any regulatory non-compliance (like the 250m buffer) is accepted, provided a pre-approved set of **mandated mitigation measures** are deployed.

3.2.2 Regulatory Flexibility and Harmonisation (EPA Support)

- **Action:** Immediately upon disaster declaration, the EPA can issue a **blanket temporary exemption** (for a defined period, e.g., 90 days) from certain regulatory requirements:
 - **Waste Levy Exemption:** This is critical for reducing the cost burden on Councils and incentivising proper disposal.
 - **Licensing Amendments:** Temporary, rapid approvals for existing licensed facilities (transfer stations, landfills) to increase throughput or hours of operation to manage the surge volume.
 - **TEWSS Activation:** Rapid, pre-emptive, region-specific TEWSS activation letters that automatically approve specific sites (like large car parks) for *initial* clean-up, overriding the 250m rule with mandated mitigation controls

3.2.3 Pre-Approved Regional Disposal Contracts (Contracting Support)

- **Action:** The EPA can negotiate and hold **Master Standing Offer Contracts** with major, regional landfill operators and waste processors.
- **Benefit:** In a disaster, this eliminates the lengthy tendering process for Councils. The contracts would have pre-agreed bulk rates and surge capacity clauses, ensuring waste can move immediately out of the affected LGAs to designated, secure disposal pathways without price gouging or capacity limits. This is vital for NSROC, which must transport waste long distances.

3.2.4 Inter-Agency Traffic and Logistics Coordination (Transport for NSW)

- **Action:** Transport for NSW (TfNSW) needs to play a central role in facilitating the movement of disaster waste, particularly in metropolitan areas.
- **Benefit:** TfNSW can establish and communicate **dedicated disaster waste transport corridors** on major arterial roads, providing temporary exemptions from curfews or specific heavy vehicle restrictions to ensure the continuous flow of waste out of the disaster-affected zones. This prevents clean-up trucks from causing further urban traffic gridlock.

3.2.5 Dedicated Waste Data Management Platform (Technical Support)

- **Action:** EPA could provide a central, mandatory digital platform (e.g., a simple app or web form) for all contractors and Council staff to log waste data in real-time.

- **Benefit:** This platform would:
 - Standardise DRFA Data: Automatically capture GPS, time, and photo data, **ensuring** all claims are audit-ready from the moment the work starts
 - Provide Situational Awareness: Give State and Regional coordination bodies a real-time view of total waste volumes, streams (especially hazardous), and disposal capacity remaining, enabling proactive decisions about resource allocation.

These types of strategic interventions remove the legal, logistical, and technical barriers that often slow down recovery and increase costs for local government.

In closing, the feedback provided by NSROC, which reflects the unique operational realities of high-density metropolitan areas, is intended to foster a more resilient and flexible waste management system across NSW. We urge the EPA to adopt our core recommendations, particularly those focused on introducing risk-based mitigation matrices to resolve the restrictive 250m buffer challenge and broadening the definition of 'disaster' to encompass critical systemic failures like industrial hazards and cyber-attacks.

We remain committed to working closely with the EPA and other State agencies to finalise a robust plan that ensures effective and rapid operational readiness for all future waste emergencies.

Yours sincerely



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