



Cnr Port Road & Station Place
Hindmarsh SA 5007
PO Box 139
Hindmarsh SA 5007
t (08) 8340 5900
f (08) 8340 5992
hia.com.au

27 October 2014

Northern Territory Environment Protection Authority
GPO Box 3675
DARWIN NT 0801

ntepa.consult@nt.gov.au

Review of the Waste Management and Pollution Control Act and the Litter Act

On behalf of the Housing Industry Association (HIA) I would like to make the following submission in relation to the Issues Paper Review of the Waste Management and Pollution Control Act and the Litter Act released in September 2014.

Many of the matters raised in the Issues Paper go beyond the scope of residential land development and home building. Therefore these comments have been limited to those issues that may potentially impact on these activities. On this basis, the response does not address every question in the Issues Paper.

If you would like to discuss any of the comments in this response, please do not hesitate to contact Dean Chamberyon on 08 8995 6300 or d.chamberyon@hia.com.au.

Yours sincerely
HOUSING INDUSTRY ASSOCIATION LIMITED

Robert Harding
Executive Director

HIA Comments on Issues Paper – Review of the Waste Management and Pollution Control Act and the Litter Act.

Q2. Should the Northern Territory incorporate the waste management hierarchy into the Act? How could the hierarchy be used to encourage the minimisation of waste generation and/or improvements in reuse and recycling?

Yes, the inclusion of the waste hierarchy in the legislation may provide a useful objective base for the legislation. In relation to construction and demolition (C&D) waste, the hierarchy provides a useful way to categorise the different waste streams generated and determine appropriate responses for each stream.

Q3. How important is language in encouraging reuse and recycling? Would 'materials' or 'resource' management or similar phrasing change your perceptions about, and approach to reuse and recycling?

Language can be helpful in promoting better practices in reuse and recycling. However for businesses such as those in the residential development and building sector, the primary issue will always remain what actions are mandatory to meet their obligations under the legislation. To this end, language has little relevance.

More broadly the opportunity to encourage businesses to reuse and recycle materials is intricately linked with the processes available to do this. The use of terms like 'materials' and 'resource' will have little impact on actions if there are not sufficient recycling facilities for C&D waste from residential development and building. The key is to ensure that the industry understands what is expected of it, regardless of the terminology.

Q4. What may be some of the impediments or hindrances to improving reuse and recycling in the Northern Territory? How could these impediments or hindrances be addressed?

Other jurisdictions have experienced problems with reuse and recycling when materials are 'imported' from interstate locations and there is no local manufacturer or supplier of the product. This limits options such as collection of plasterboard offcuts and the like. For materials like bricks and concrete facilities that will accept and process this material need to be readily accessible. Where this does not exist, then reuse and recycling will not be practical and therefore will not occur.

Directories and other information on where materials can be taken, whether they need to be separated or can be sorted by the facility, can all be useful tools for industry.

Q6. How can we improve our knowledge about the type and amount of wastes being generated, reused and recycled in the Northern Territory?

The collection of data on C&D waste can be important to ensure that this sector is not unduly burdened with requirements or expectations that apply to industries in the Territory that have a much more significant potential for environment impacts. The C&D sector has an excellent record of achieving reduced waste outputs. If new policy initiatives are to be introduced, it is essential that the C&D sector be benchmarked to ensure improvements can be captured.

However to collect this information, it is considered appropriate that information be collective and managed at waste facilities, rather than any requirements to individual estimate, monitor or report on waste.

Q7. Should the Territory Government consider imposing levies? To what types of activities or wastes would the levy be applied?

HIA does not support the introduction of a waste levy for C&D waste. This sector should be encouraged to separate and recycle C&D materials through other means. Should a levy be considered, an exemption could be used as a means to promote well separated waste, or waste being transferred to sorting facilities which then separate and recycle material that can be reused.

Q9. Should the management of contaminated sites be given a greater focus in the Northern Territory?

Given the potential for contamination from past uses in the Territory, the identification and management of site contamination is a significant issue. In relation to residential development, information should be readily available from government on the past uses of sites that have been rezoned. The risk to a property owner should not be 'pot luck' where the Government has identified a site can be used for residential purposes.

Creating a register of contaminated sites, both 'unclean' and 'clean' would be a useful method of keeping records about these sites.

Q20. What compliance and enforcement tools should be included to ensure that the WMPC Act can be appropriately enforced?

For residential development and building, the system for compliance and enforcement needs to be relatively streamlined. Should regulations be considered for this sector, it is suggested that the examples of other jurisdictions not be followed.

To ensure minimal regulation and red tape for residential builders and developers, the Government should prepare a state based guideline, in consultation with industry, that sets out the basic options for waste management during work and guides the disposal of unavoidable waste and recyclable materials. Essentially this could be a set of 'deemed to satisfy' options for onsite management, and a directory for waste facilities.

The legislation should establish an appropriate obligation for work to manage waste during construction, and potentially penalties that can be applied when waste is not managed. If these tools are established, there should then be no need to prepare documents such as 'waste management plans', or the like.