

2020

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

STATEMENT

**Response to Assembly Resolution of 4 June 2020 -
Commercial Waste Reduction-Mixed-use Areas.**

**Presented by
Mr Chris Steel MLA
Minister for Recycling and Waste Reduction
August 2020**

I am pleased to report back to the Assembly and the community today on the important issue of commercial waste collection within high-density mixed-use areas. This is a complex but important topic, and there is a responsibility on the Assembly to appreciate the needs of residents who live in these mixed-use areas while also understanding the need for commercial waste collection to take place.

Before delving into the request of the Resolution, I would like to acknowledge and thank workers in the waste collection industry who have continued to deliver essential waste services to households during the COVID-19 pandemic. Providing efficient waste collection services to our diverse residences and communities is a complicated task at the best of times, however the demonstrated ability to continue to provide these quality services throughout this pandemic is a testament to the professionalism of our local waste collection industry.

Canberra is a growing city. Population projections indicate that more than 700,000 residents will call Canberra home by 2058, an increase of 63% from our current population estimate as of June 2020. This will see significant increases in residential accommodation in our commercial centres.

More people moving to Canberra has resulted in an increase in the number and density of residential development in our commercial centres which is expected to increase further as our city grows.

The ACT Planning Strategy 2018 identified Braddon, Dickson and Kingston as part of the urban intensification areas. Population growth is a primary driver of growth in these areas. Population growth is also driving an increase in the

number of multi-unit developments in our city which accommodate a greater number of people while occupying a smaller footprint.

As mentioned in my speech to the Assembly on 4 June 2020, according to the 2001 census, 9.6 per cent of houses in Canberra were flats, units or apartment buildings, compared to 15 per cent in 2016. In 2001, 64 per cent of dwellings in Braddon were flats, units or apartments, compared to 79 per cent in 2016 with Kingston going from 78 per cent to 88 per cent, and Dickson from 10 per cent to 28 per cent.

The ACT Government is constantly working to support best practice waste management in the ACT, and this includes considering the impacts of the industry on our changing community. Companies are willing to change their collection schedules to avoid disturbing businesses or households where they are able to do so while still ensuring delivery of an essential service for the community and this is something that government can help facilitate.

The ACT Government is in the fortunate position of being able to resolve these potential issues, as our city continues to grow, but also institute best practice policies, frameworks and incentives to avoid the situation becoming too difficult to manage in the future.

There are several existing instruments and tools which can be used to reduce the conflict between residential development and commercial waste collection and it is important that we regularly examine these to ensure they remain fit for purpose as our city evolves.

Once such tool which is the focus of this resolution is the *“ACT Commercial Waste Industry Code of Practice”* accredited under the *Environment Protection Act 1997* to address noise associated with commercial waste collections. The Code details what time commercial waste collections can occur within the

defined hierarchy of land use zones throughout Canberra and the process to resolve complaints. The Code allows commercial waste activities to occur at earlier times in the areas with the highest noise standards and later in suburban areas with lower noise standards. Five categories of operating hours are listed for different noise zones, the listed operating hours enable the waste collection industry to exceed the noise standards for the land use zone during these collection times. Waste collections that occur beyond the listed timeframes are required to comply with the zone noise standards under *Environment Protection Regulation 29*. The Code was originally accredited in 1998 and I understand the code has been constantly reviewed from an operational perspective over the last 20 years.

It is worth acknowledging that noise complaints associated with commercial waste service represent less than one per cent of noise complaints received by the ACT Environment Protection Authority, however there is always room for improvement, particularly given the increase in mixed-use developments being built across the city.

The timing of waste collections is important to ensure business operations and public safety in our city, with commercial deliveries and waste services practically programmed to minimise conflicts with the workers, the businesses and other transport movements in our commercial centres. This normally necessitates these activities occurring during times where public activity in these areas is minimal to avoid inherent conflicts and associated risk with delivery and waste service vehicles.

The collection of waste and recycling from both commercial and residential premises has changed since the Code was accredited. Increased interest and ease of recycling have enabled businesses to source separate their waste

materials and have these materials reused for other purposes. Initiatives like the Actsmart Business Recycling program have seen government and businesses work together to increase the amount of material recycled by businesses throughout the ACT.

Another initiative, the Container Deposit Scheme, which celebrated its second anniversary on 30 June this year, has also changed the way that waste resources are collected and recycled. I have no doubt that there will be more waste collection initiatives over the coming years that will again change how waste is collected, processed and reused through the economy.

The implementation of new initiatives will change how waste collection operates within our city, therefore it is important that we regularly review and update the frameworks which govern this critical industry so that we can continue to encourage business and resource recovery into the future.

Noise is an unavoidable outcome resulting from the collection of waste materials in commercial areas, and managing the timing and frequency of collections is essential to protect public safety and amenity, minimise odour and ensure good environmental outcomes for our community and to support Canberrans' quality of life.

Beyond the *ACT Commercial Waste Industry Code of Practice* there are several other tools and policies which look to address, resolve or avoid the conflict associated with noise in these mixed-use areas.

The *Environment Protection Regulation 2005* sets noise standards for land use zones based on Territory Plan and National Capital Plan zoning. The Territory Plan requires noise management plans at the development application stage for a range of potentially noisy uses, such as bars, hotels, entertainment facilities and recreation facilities under the *Commercial Zones Development*

Code. Noise management plans must demonstrate how noise impacts on both commercial and residential neighbours can be managed. The Territory Plan also requires residential developments in commercial areas to meet strict noise attenuation standards within the *Multi Unit Housing Development Code 7* through the preparation of noise management plans.

These measures ensure noise from entertainment activities are appropriately managed at the source and that residential uses are appropriately constructed to attenuate noise from these activities.

The *Development Control Code for Best Practice Waste Management in the ACT* has been established to mandate that future developments within the ACT allow appropriate space for waste collection vehicles to enter and exit the development safely. The *ACT 2018 Planning Strategy* also contains actions related to reviewing the waste service requirements in planning provisions for medium and higher density residential and mixed-use developments.

These instruments along with the *ACT Commercial Waste Industry Code of Practice* shape how the ACT Government will regulate and influence commercial waste collection operations in our city into the future.

There is value in reviewing the current policy landscape related to commercial waste collection and noise in mixed-use areas. With an internal review to assess:

- how fit for purpose the current framework is at avoiding and resolving conflict surrounding waste collection and the needs of business and residence in these mixed-use areas; and
- interjurisdictional best practices in other municipalities which could guide our decision making on how/if any changes should be implemented to the current framework.

It is proposed that this internal review would involve all relevant ACT Government directorates and be conducted in early 2021. The project will assess and identify actions that the tools and frameworks I have mentioned today can implement to reduce the conflict surrounding noise from waste collections in mixed-use areas.

The internal review of the current framework will serve to provide a stocktake of our existing instruments, their functions and how fit for purpose they are to address both the conflict associated with waste collections and encourage greater resource recovery into the future. The decisions on what actions are needed to address this issue will be informed by the best available evidence including the latest available EPA data on noise complaints as well as considering the scale of the issue and the implications that potential actions may have for the businesses impacted as well as the households.

The second component of the project, a review of best practice from other municipalities, highlights that the issue raised through this Resolution is not unique to the ACT, but rather one that is faced by large cities throughout the world.

Should the internal review conducted in early 2021 identify a need to change or update the *ACT Commercial Waste Industry Code of Practice*, a separate project will be initiated. This project will seek to gather the views of key stakeholders from local waste collection industry and the community.

Engagement with industry and the community is required for any future update to the *ACT Commercial Waste Industry Code of Practice* under subsection 31(2) of the *Environmental Protection Act 1997*. It is also critical to ensuring that any changes will encourage resource recovery and limit conflict

between residential and commercial developments within these mixed-use areas.

I would like to finish by highlighting the issue raised through the June 2020 Assembly Resolution is not unique to Canberra and is faced by most large cities throughout the world and is something the Government will work to address as our city grows. As a young and dynamic city with an increasing number of residences in mixed-use areas, the ACT is presented with a unique opportunity to develop good policy outcomes across multiple instruments to ensure that we are able to have equitable, safe and comprehensive waste and recycling collection services throughout our communities. The ACT Government remains committed to doing so with consideration to the impact on residents of noise from waste collections.