

Recommendations

- Recommendation 1** 18
That the NSW Government ensure that all funds allocated to the Waste Less, Recycle More program be spent in accordance with the program.
- Recommendation 2** 18
That the NSW Environment Protection Authority undertake an audit of the Waste Less, Recycle More program to ensure that the funds are fully expended to meet the objectives of the program.
- Recommendation 3** 20
That the NSW Government reclassify Shoalhaven City Council from the Metropolitan Levy Area to either the Regional Levy Area or the unregulated area.
- Recommendation 4** 27
That NSW Government hypothecate 100 per cent of the waste levy funds contributed by local councils back to these organisations to provide waste management services, including waste reduction, avoidance and re-use programs, and environmental programs and to encourage the development of innovative waste management technology.
- Recommendation 5** 27
That the NSW Government investigate opportunities to hypothecate a proportion of waste levy funds contributed by the waste industry back to the industry to support waste management solutions and the development of innovative waste management technology.
- Recommendation 6** 27
That the NSW Government urgently consider attaching the waste levy to the waste generator in New South Wales, particularly for large waste generators or operators of large sites.
- Recommendation 7** 28
That the NSW Government investigate options for reforming the waste levy grant system, including providing greater flexibility in the grant guidelines for waste management projects.
- Recommendation 8** 36
That the NSW Government amend the Protection of the Environment Operations Legislation Amendment (Waste) Regulation 2017 to make it an offence to exhume waste from landfill sites.
- Recommendation 9** 36
That the NSW Government allocate additional resources to support the policing of illegal dumping.
- Recommendation 10** 36
That the NSW Environment Protection Authority strengthen its liaison with NSW Police when it comes to illegal activity in the waste sector, with formal protocols made public, and specifying the channels through which this liaison occurs.
- Recommendation 11** 36
That the NSW Government allocate additional resources to, and expand the number of, Regional Illegal Dumping (RID) squads.

- Recommendation 12** 37
That the NSW Environment Protection Authority immediately increase the use of vehicle trackers and other surveillance techniques, including drones, to prevent illegal dumping.
- Recommendation 13** 37
That the NSW Government allocate additional resources to support the enhanced use of vehicle trackers in the waste industry.
- Recommendation 14** 50
That the NSW Environment Protection Authority:
- develop and implement a state-wide approach to ending the interstate transportation of waste
 - pursue a national approach to addressing the interstate transportation of waste in collaboration with its counterparts in other jurisdictions.
- Recommendation 15** 66
That the NSW Environment Protection Authority provide more detailed information concerning the emissions regime for energy from waste facilities, including explicit reference to international best practice standards, in the *Energy Recovery Facility Guidelines*.
- Recommendation 16** 66
That the NSW Environment Protection Authority set licensing conditions that meet current international best practice for emissions standards, and that licensing conditions be drafted so as to incorporate any future improvements in emissions standards
- Recommendation 17** 67
That the NSW Environment Protection Authority set out the expected community engagement practices and outcomes a proponent must comply with to receive the necessary approvals and community support to operate an energy from waste facility in the *Energy Recovery Facility Guidelines*.
- Recommendation 18** 67
That the NSW Department of Planning and Environment require applicants for energy from waste facilities to provide a short, high-level summary of the Environmental Impact Statement, and that this document be published on the department's website, in addition to the full Environmental Impact Statement.
- Recommendation 19** 68
That the NSW Government establish an expert advisory body on energy from waste chaired by the Chief Scientist to examine and report on the energy from waste regulatory framework to create certainty for the market and communities, with particular reference to:
- changes required to the *Energy from Waste Recovery Guidelines* to guarantee that New South Wales uses only world's best practices in emissions, emissions monitoring and residual waste disposal
 - consent conditions required in any planning approval to guarantee that New South Wales uses only world's best practices in emissions, emissions monitoring and residual waste disposal
 - the impact of energy from waste on human health

- the impact of energy from waste on recycling targets.

- Recommendation 20** **76**
That, subject to the current assessment process being conducted by the NSW Department of Planning and Environment, the NSW Government not approve the energy from waste facility proposed by The Next Generation at Eastern Creek.
- Recommendation 21** **110**
That the NSW Government investigate options to restructure the NSW Environment Protection Authority so it can improve its performance.
- Recommendation 22** **111**
That the NSW Government conduct an independent review into the NSW Environment Protection Authority, with particular reference to:
- assessing the adequacy of funding for the performance of its compliance, enforcement and other roles
 - improving its community engagement role and the effectiveness of its enforcement and compliance roles
 - the perceived conflict of interest between its compliance and policy and education roles.
- Recommendation 23** **111**
That the NSW Government seek to amend the *Protection of the Environment Administration Act 1991* to provide for the appointment of a chairperson of the board independent of the Chief Executive Officer of the NSW Environment Protection Authority.
- Recommendation 24** **114**
That the NSW Government allocate additional resources to the NSW Environment Protection Authority to conduct investigations into large-scale illegal dumping activities.
- Recommendation 25** **114**
That the NSW Government introduce a 'fit and proper person' test for proprietors and company directors to assess whether individuals may work in the waste industry, incorporating a risk assessment based on a sliding scale.
- Recommendation 26** **114**
That the NSW Environment Protection Authority complete the draft protocol on calculating the quantum of the monetary benefit of illegal dumping and illegal landfilling as soon as practicable.
- Recommendation 27** **115**
That the NSW Government establish an independent inquiry to investigate the operation, regulation and approvals of the Mangrove Mountain Landfill site.
- Recommendation 28** **120**
That the NSW Environment Protection Authority regularly publish up-to-date waste data.

- Recommendation 29** **127**
 That the NSW Environment Protection Authority *Waste and Resource Recovery Infrastructure Strategy* provide guidance on matters including:
- identifying appropriate precincts and locations, including buffer zones, for waste facilities
 - facilitating new infrastructure, particularly alternative waste management options and energy from waste plants
 - enabling the circular economy, including waste generator education, product stewardship, waste levies, market support initiatives and avoidance, reduction and re-use support subsidies
 - creating ‘real markets’ for secondary materials from waste.
- Recommendation 30** **128**
 That the NSW Government investigate opportunities to enhance the collaborative powers of Regional Organisations of Councils to encourage investment in waste facilities, to be funded by the waste levy.
- Recommendation 31** **129**
 That the NSW Government identify a government body, either an existing department or agency or a newly-created body, responsible for leading waste management infrastructure planning in New South Wales, including:
- leading the development of a waste management infrastructure plan for metropolitan Sydney, in collaboration with local government
 - identifying and zoning land, including buffer zones, for waste management facilities, in collaboration with the NSW Department of Planning and Environment and other stakeholders such as local councils
 - leading the development of a waste management infrastructure State Environmental Planning Policy, in collaboration with the NSW Department of Planning and Environment.
- Recommendation 32** **131**
 That the NSW Environment Protection Authority develop and implement resource recovery criteria for landfills in New South Wales.
- Recommendation 33** **135**
 That the NSW Environment Protection Authority provide additional support to local councils and resource recovery organisations to meet recycling targets and manage issues such as stream contamination, bureaucratic barriers, lack of product stewardship, and limited market opportunities.
- Recommendation 34** **136**
 That the NSW Environment Protection Authority urgently investigate, identify and implement alternative solutions to the ban on the importation of recyclable plastics by China.
- Recommendation 35** **140**
 That the NSW Environment Protection Authority, in collaboration with stakeholders, investigate opportunities to embed zero waste strategies and the circular economy in New South Wales.

Recommendation 36

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That that the NSW Government allocate additional resources to the NSW Environment Protection Authority to develop and implement Extended Producer Responsibility schemes.