



ACT
Government

Transport Canberra and
City Services

FREEDOM OF INFORMATION COVERSHEET

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI reference: TCCSFOI 2018-114

Information to be published	Status
1. Access application	Published
2. Decision notice and Schedule	Published
3. Documents	Published
4. Additional information identified	No
5. Fees	n/a
6. Processing time (in working days)	72 days
7. Decision made by Ombudsman	n/a
8. Additional information identified by Ombudsman	n/a
9. Decision made by ACAT	n/a
10. Additional information identified by ACAT	n/a



ACT
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Transport Canberra and
City Services



Dear 

Freedom of Information Request - Reference 18-114

I refer to your application made under the *Freedom of Information Act 2016* (the Act), which was received by Transport Canberra and City Services Directorate (TCCS) on 6 December 2018, in which you sought access to copies of documents of:

- TCCS discussion, consent, and entity advice with the proponents and or their representatives Purden Planning Pty Ltd, relating to various proposed developments by Access Recycling Pty Ltd and Capital Recycling Solutions Pty Ltd for development of Block 11 Section 8, Block 9 Section 8 Fyshwick and the public transport corridor Block 11 Section 47 at the IZ.2 location in Fyshwick.

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

TCCS was required to provide a decision on your access application by 14 January 2019. I apologise for the delay in providing a response and thank you for your patience by providing time extensions for this request.

Decision on access

I have identified seven documents that fall within the scope of your request amounting to 27 pages of information.

The documents contain information that I consider to be, on balance, contrary to the public interest to disclose under the test set out in section 17 of the Act.

I have decided to grant access, under section 50 of the Act, to the documents with deletions applied to information that I consider would be contrary to the public interest to disclose.

I have included at Attachment A to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of the documents.

18-114.

From: [REDACTED]
Sent: Thursday, 6 December 2018 2:58 PM
To: TCCS_FreedomOfInformation
Subject: Request for TCCS information under FOI legislation



Good afternoon

I would be pleased if you would accept this request under the *Freedom of Information Act 2016* for copies of all documents of TCCS discussion, consent and entity advice with the proponents and or their representatives, Purdon Planning Pty Ltd, relating to various proposed developments by Access Recycling Pty Ltd and Capital Recycling Solutions Pty Ltd for development of Block 11 Section 8 Fyshwick, Block 9 Section 8 Fyshwick and the public transport corridor Block 11 Section 47 at the IZ.2 location in Fyshwick.

My request relates to information concerning the TCCS custodial blocks - unleased Territory land Block 11 Section 8 and Block 11 Section 47, the public transport corridor. I believe in 2018 a sub-licence AGR-10161 has been agreed for use of the Transport for NSW asset, the rail siding (tracks but not land for construction on). Supporting documents for DA201834656 under notification advise that TCCS has given consent for a licence over Block 11 Section 8 Fyshwick.

The documents I am seeking are for the period 1 October 2016 to the present and would include reference to rail use and TCCS consent/licence granted or to be applied concerning the custodial blocks.

I ask for;

- Emails;
- Email attachments;
- Correspondence;
- Memos;
- Records of meetings;
- File notes;
- Reports;
- Agreements;
- TCCS written consent for any licence to be applied for to occupy or use the unleased land B11 S8 and/or B11 S47
- Any other communication record.

This request is made with the presumption of release under section 7 of the 2016 Freedom of Information Act and is made in the public interest which is to have available information which allows the public to see how government and its agencies operate.

This information will allow all residents of Canberra to understand the purpose and justification for Development Applications for construction on and near the strategic Sydney-ACT railway corridor.

Disclosure of the information could reasonably be expected to promote a more open and informed discussion of this very public and controversial matter, enhance Government accountability and contribute to positive and informed debate on this issue of significant public importance.

These documents will provide information that better informs the public about an immediate and controversial public issue. For this reason it would be of special benefit or special interest to the ACT public generally. If the information informs public debate about the issue, increases public understanding about government functions, or contributes to the public's understanding of an issue of public significance such as land use and the environment, then this would have a special benefit.

A DA for the construction of a hardstand for railway use on the rail corridor has been submitted for notification. The special benefit to the public is the need to ensure that citizens have sufficient information to enable them to actively participate and contribute to the consideration of relevant issues through their submissions on that forthcoming DA.

The information, if disclosed, would also lead to publication so that it can be analysed and used in future public submissions on freight strategy and inform debate in any likely community engagement sessions.

It meets the objectives of Section 6 of the Act and is prompted by the recent well documented interest in the current CRS draft EIS201700053 process which has received some 464 public submissions overwhelmingly rejecting the location of a major waste facility and intermodal freight hub in the Canberra Central region of Fyshwick, which concerns Block 11 Section 8 and Block 11 Section 47. Consequently, I request that any fees or charges relating to this request be waived.

I request that all processing fees be waived as this information is of special benefit to a substantial section of the public those being all individuals and groups with an interest in the redevelopment of that site for a major Waste Transfer Station and multi modal freight hub. I argue also that when considered as a whole with the other related developments it has a wider general public interest because of the redevelopments' 'High Risk' nature and the potential for harm to the environment, human health and public safety.

I request that any processing fee be waived as this information is of special benefit to the whole of Canberra since all of their household and C&I rubbish is planned to be dealt with at Fyshwick and transported by rail to Woodlawn and specifically to all individuals and groups with an interest in environmental issues and the planning direction of the development of the Fyshwick precinct generally.

If any of these documents evoke privacy issues under Schedule 2.2 (a) (ii) I am agreeable to partial release and to receive them in a redacted form with names and personal details omitted. This should remove the requirement for third party consultation and achieve a more timely release.

Please contact me if you have any questions regarding this request. I appreciate your attention.

Regards





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City Services



Dear 

Freedom of Information Request - Reference 18-114

I refer to your application made under the *Freedom of Information Act 2016* (the Act), which was received by Transport Canberra and City Services Directorate (TCCS) on 6 December 2018, in which you sought access to copies of documents of:

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I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

TCCS was required to provide a decision on your access application by 14 January 2019. I apologise for the delay in providing a response and thank you for your patience by providing time extensions for this request.

Decision on access

I have identified seven documents that fall within the scope of your request amounting to 27 pages of information.

The documents contain information that I consider to be, on balance, contrary to the public interest to disclose under the test set out in section 17 of the Act.

I have decided to grant access, under section 50 of the Act, to the documents with deletions applied to information that I consider would be contrary to the public interest to disclose.

I have included at [Attachment A](#) to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of the documents.

Statement of Reasons

In reaching my access decision, I have taken the following into account:

The Act, in particular:

Factors favouring disclosure

- Schedule 2.1 (a) (i) promote open discussion of public affairs and enhance the government's accountability
- Schedule 2.1 (a) (ii) Contribute to positive and informed debate on important issues of matters of public interest
- Schedule 2.1 (a) (viii) reveal the reason for a government decision and any background or contextual information that informed the decision.

Factors favouring nondisclosure in the public interest

- Schedule 2.2(a) (i) prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2004*;
- Schedule 2.2 (a) (xi) prejudice trade secrets, business affairs or research of an agency or person;
- Schedule 2.2 (a) (xiii) prejudice the competitive commercial activities of an agency;
- Schedule 2.2 (a) (xv) prejudice the management function of an agency or the conduct of industrial relations by an agency;
- Schedule 2.2 (a) (xvi) prejudice the deliberative processes of government.

In the interests of pro-disclosure and open government (Section 9 of the FOI Act) I have decided to release these documents to you. I have redacted information that may prejudice the protection of an individual's right to privacy. The information redacted covers contact name and contact details. Release of this information would prejudice an individual's right to privacy.

Document 6 as referenced in the schedule at Attachment A, is a brief providing information to the Minister following a Canberra Times article on 21 July 2017 on a proposal by Capital Recycling Solutions (CRS) to develop a recycling and waste-to-energy plant at Fyshwick.

The document contains information about the business affairs of CRS that may be prejudicial to their business. There is also information contained in the brief which, if released, could prejudice the management function of NoWaste specifically its relationship with waste industry providers. I have decided that it would be contrary to the public interest to release such information.

I have also removed material which is highly speculative about possible future scenarios because it may prejudice deliberative processes of government and impact negatively on those processes if public servants could not be candid with a Minister.

Document 7 is a briefing to the Waste Manager about the Capital Recycling Solutions (CRS) draft Environmental Impact Statement (EIS). It seeks the Waste Manager's signature to a letter making representations to the Chief Planning Executive. I have decided that the information contained in the Brief and attached letter are largely in the public interest to release. This includes information about the business affairs of CRS which I believe are on the public record such as applications for development that were open for public comment. I have however removed some information relating to CRS and a related company which is sensitive and not in the public interest to release as it may be prejudicial to the business affairs of these companies.

There is also information contained in the meeting notes and emails that, if released, could prejudice the management function of NoWaste specifically its relationship with waste industry providers. I have decided that it would be contrary to the public interest to release such information.

Information considered out of scope to your request in document referenced number 4 has been deleted. The information relates to a different company unrelated to this matter.

Charges

I have decided to waive fees as the matter at this time is of special benefit to the public.

Online publishing – disclosure log

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released will be published in the TCCS disclosure log from 3 days after the date of this decision. Your personal details will not be published.

You may view TCCS' disclosure log at [www.tccs.act.gov.au/about-us/freedom of information](http://www.tccs.act.gov.au/about-us/freedom-of-information).

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek an Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in TCCS' disclosure log or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore Street
GPO Box 370
CANBERRA CITY ACT 2601
Telephone: (02) 6207 1740
www.acat.act.gov.au

If you have any questions concerning the directorate's processing of your request, or would like further information, please contact the directorate's FOI Coordinator on 6205 5408 or email tccs.foi@act.gov.au.

Yours sincerely



Cherie Hughes
Information Officer

29 March 2019

FREEDOM OF INFORMATION SCHEDULE

PLEASE BE AWARE THAT UNDER THE FREEDOM OF INFORMATION ACT 2016, SOME OF THE INFORMATION PROVIDED TO YOU WILL BE RELEASED TO THE PUBLIC THROUGH THE ACT GOVERNMENT'S OPEN ACCESS SCHEME. THE OPEN ACCESS RELEASE STATUS COLUMN OF THE TABLE BELOW INDICATES WHAT DOCUMENTS ARE INTENDED FOR RELEASE ONLINE THROUGH OPEN ACCESS.

PERSONAL INFORMATION OR BUSINESS AFFAIRS INFORMATION WILL NOT BE MADE AVAILABLE UNDER THIS POLICY. IF YOU THINK THE CONTENT OF YOUR REQUEST WOULD CONTAIN SUCH INFORMATION, PLEASE INFORM THE CONTACT OFFICER IMMEDIATELY.

INFORMATION ABOUT WHAT IS PUBLISHED ON OPEN ACCESS IS AVAILABLE ONLINE AT: [HTTP://WWW.TCCS.ACT.GOV.AU/ABOUT-US/FREEDOM_OF_INFORMATION](http://www.tccs.act.gov.au/about-us/freedom_of_information)

WHAT ARE THE PARAMETERS OF THE REQUEST

TCCS 18-114 PUBLIC TRANSPORT CORRIDOR AND VARIOUS PROPOSED DEVELOPMENT AT BLOCK 11 AND 9 SECTION FYSHWICH

FILE NO	WHAT ARE THE PARAMETERS OF THE REQUEST						
REF NO	NO OF FOLIOS	DESCRIPTION	DATE	STATUS	REASON FOR NON-RELEASE OR DEFERRAL	OPEN ACCESS RELEASE STATUS	
1	1-3	EMAIL SUBJECT – DA FOR WASTE TRAIN TO WOODLAWN	13 NOVEMBER 2018	FULL ACCESS		PUBLISHED	
2	4-7	FORM 4	MAY 2018	FULL ACCESS		PUBLISHED	
3	8	EMAIL SUBJECT – Kingston Rail – Planning Contract	19 JUNE 2018	PARTIAL ACCESS	SCHEDULE 2.2(A) (I) PREJUDICE THE PROTECTION OF AN INDIVIDUAL'S RIGHT TO PRIVACY OR ANY OTHER RIGHT UNDER THE HUMAN RIGHTS ACT 2004	PUBLISHED	
4	9-15	EMAIL	13 JUNE 2018	PARTIAL ACCESS	SCHEDULE 2.2(A) (I) PREJUDICE THE	PUBLISHED	

	SUBJECT – Meeting – Fyshwick Proposal				PROTECTION OF AN INDIVIDUAL'S RIGHT TO PRIVACY OR ANY OTHER RIGHT UNDER THE HUMAN RIGHTS ACT 2004	
5	16-19	Meeting notes	7 JUNE 2018	PARTIAL ACCESS	SCHEDULE 2.2 (A) (XI) PREJUDICE TRADE SECRETS, BUSINESS AFFAIRS OR RESEARCH OF AN AGENCY OR PERSON	PUBLISHED
6	20-22	Brief – Capital Recycling Solutions and Waste to Energy Plant	21 JULY 2017	PARTIAL ACCESS	SCHEDULE 2.2 (A) (XI) PREJUDICE TRADE SECRETS, BUSINESS AFFAIRS OR RESEARCH OF AN AGENCY OR PERSON	PUBLISHED

					<p>OF AN AGENCY OR PERSON; SCHEDULE 2.2 (A) (XV) PREJUDICE THE MANAGEMENT FUNCTION OF AN AGENCY OR THE CONDUCT OF INDUSTRIAL RELATIONS BY AN AGENCY; SCHEDULE 2.2 (A) (XVI) PREJUDICE THE DELIBERATIVE PROCESSES OF GOVERNMENT.</p>	
7	23-27	Brief – Waste Manger Representations to Capital Recycling Solutions Draft EIS	16 MAY 2018	PARTIAL ACCESS	SCHEDULE 2.2 (A) (XI) PREJUDICE TRADE SECRETS, BUSINESS AFFAIRS OR RESEARCH OF AN AGENCY OR PERSON	PUBLISHED

From: Gerrard, Darren
Sent: Tuesday, 26 February 2019 3:56 PM
To: Bruan, Nicole
Subject: FW: DA for waste train to Woodlawn [SEC=UNCLASSIFIED]

fyi

Regards

Darren Gerrard | Assistant Director, L&C Licensing
P 02 62057245 | F 02 6207 5956
City Services | Transport Canberra and City Services Directorate | ACT Government
Level 1, 255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601
www.act.gov.au | www.tccs.act.gov.au

From: Haraldson, Greg
Sent: Tuesday, 26 February 2019 3:51 PM
To: Gerrard, Darren <Darren.Gerrard@act.gov.au>
Subject: FW: DA for waste train to Woodlawn [SEC=UNCLASSIFIED]

UNCLASSIFIED For-Official-Use-Only

FYI

From: [REDACTED]
Sent: Tuesday, 18 November 2018 11:50 AM
To: Trushell, Michael <Michael.Trushell@act.gov.au>
Cc: Haraldson, Greg <Greg.Haraldson@act.gov.au>
Subject: RE: DA for waste train to Woodlawn [SEC=UNCLASSIFIED]

Good morning Michael,

Thank you for your prompt reply to inform my response to DA201834656.

I would draw to your attention page 1 of the Criteria of DA201834656 prepared by Purdon Planning on behalf of CRS. At the end of the first paragraph there is an ambiguous if not misleading claim in the second sentence;

The subject site is currently under the custodianship of the Territory (TCCS). TCCS consent has been submitted with this application.

As the site is unleased and there is no lessee, what "consent" is required from TCCS as custodian to allow a DA to be lodged with lessee authorisation details completed supposedly from TCCS? The following are the Form 4 - Letter of Authorisation9 - AUTHORISATION-201834656-04.pdf and Letter of Authorisation7 - AUTHORISATION-201834656-02.pdf. Does the custodian act as a lessee and is TCCS thus paying all the fees that are ticked on both forms under LESSEE AUTHORISATION? Could you please assist with clarification of this TCCS role or advise to whom I may address this question of "authority", "ownership" and "permission" in regard to this unleased Territory land.

I appreciate your attention to this now pressing issue.

Kind regards

[REDACTED]

From: Trushell, Michael [mailto:Michael.Trushell@act.gov.au]
Sent: Tuesday, 13 November 2018 9:27 AM
To: [REDACTED]
Cc: Haraldson, Greg <Greg.Haraldson@act.gov.au>
Subject: FW: DA for waste train to Woodlawn [SEC=UNCLASSIFIED]

Good morning [REDACTED]

I acted in the role of Director, Roads ACT, for a short period of time recently. Roads ACT is identified as the custodian of unleased Territory land which is the subject of this development application. It was in this capacity that approval was given to Purdon and Associates to undertake certain processes. As the relevant form indicates this does not signal in-principle support or endorsement for the proposal.

The submission made by ACT NoWaste you refer to was in respect of the EIS for a previous CRS waste management proposal, and included challenging the basis of many of the claims made within that proposal. The objections raised in ACT NoWaste's submission did not relate to the establishment of rail transport infrastructure per se. I am not in a position to comment on the broader benefits to the Territory of establishing improved rail freight transport.

Regards,

Michael

Michael Trushell | Director
 Phone 02 6207 2840 | Email: Michael.Trushell@act.gov.au | Mob [REDACTED]
 ACT NoWaste | Transport Canberra and City Services Directorate | ACT Government
 12 Wattle Street, Lyneham | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: [REDACTED]
Sent: Monday, 12 November 2018 10:14 PM
To: Trushell, Michael <Michael.Trushell@act.gov.au>
Cc: Haraldson, Greg <Greg.Haraldson@act.gov.au>
Subject: DA for waste train to Woodlawn

Hi Michael,

Our community has just noticed DA:201834656 with submission date 26 October and closing for comment on 30 November 2018. The earlier reversed DA201630668 for the same "hardstand" on Block 11 section 8 was judged by George Cilliers, Director Development Assessment, to be for rail use and thus a prohibited development. This ACTPLA reversal is to be considered on 19 December 2018 in the ACT Supreme Court and deliberations continue in ACAT from the end of January 2019.

This development Application proposes a road through the unleased Territory land Block 11 Section 8 Fyshwick. On the application form under Lessee Number 2 on page 3 of 15, you are named as the TCCS Lessee responsible. As TCCS is the land custodian over both Block 11 Section 8 and part Block 11 Section 47 (rail corridor) could you advise whether a lessee is interchangeable with a custodian because both of these blocks are unleased Territory land. In the application form, Site Number 1 identified as Section 8 Block 11 (adjacent the rail corridor) does not correlate to the details for Lessee Number 1. Transport for NSW does not own the block your name is linked to. That is the block which forms a buffer to the rail corridor Section 47 Block 11. Although TCCS is also the custodian of the rail corridor, the applicant, Purdon Planning acting on behalf of CRS, contends that Transport for NSW is the lessee/owner. TfNSW has a licence to operate on the track.

I have attached a site plan which detail may have been slightly updated but identifies the blocks and clarifies the CRS proposed uses. The plans in this notified DA fail to show any platform on the rail corridor Block 11 Section 47.

I am concerned that this is still a plan which results in a waste train to Woodlawn. Given that TCCS NoWaste submitted a strong rebuttal of the waste to be the subject of a CRS waste transfer terminal I was hoping you would be an entity or agency involved in this current DA process. Also these are highly contaminated sites and the DA has been notified in the merit track. This is the wrong track because rail use in this instance, rail freight, is prohibited in this IZ2 location. As you would recall from the draft EIS information, 80% of the waste received on Block 9 Section 8 is to go on a waste train to Woodlawn. Obviously the road (it is not just any driveway) and hardstand proposed for Block 11 Section 8 will involve rail freight loading, unloading and storage of rail freight containers -- that is rail use.

Given that the community has only until 30 November we would expect you to respond as a matter of urgency in order to inform the community submissions.

Regards



This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.



Planning and Development Act 2007, s42B

Form 4 - LETTER OF AUTHORISATION

PRE APPLICATION MEETINGS DEVELOPMENT APPLICATION
APPLICATION FOR RECONSIDERATION

LEASE/SITE DETAILS (Please Print)

If more than two leases/sites please attach the following details for each additional lease/site on a separate sheet

Block Section Suburb

Unit No. Street Address

Block Section Suburb

Unit No. Street Address

Describe location where no block and section details are available (e.g. for outdoor dining area location)

LESSEE(S) DETAILS (If more than two lessees please provide details of each additional lessee (Please Print))

1st Lessee Name 2nd Lessee Name

LESSEE AUTHORIZATION

This appointment is made under the Planning and Development Act 2007 and relates to: (please tick)

- Pre-application meeting Development Application Application for Reconsideration

I/we the lessee(s) authorize the person/company (to be known as the Applicant) detailed below

- to obtain information in relation to this site through the pre-application process
- to act on my/our behalf in relation to a development application for the abovementioned site/s
- to act on my/our behalf in relation to an application for a reconsideration of a development application for the abovementioned site/s
- to pay all application fees, bonds and securities, (also with the Planning and Land Authority when required, alter, amend or provide further information as necessary and receive any communications relating to the DA or Application for Reconsideration.

APPLICANT DETAILS (Please Print)

Applicant Name Email address

OR

Company Name Email address

Company Nominees - a company can list up to three nominees. The first nominee must be authorised to sign on behalf of the company

Nominee 1 Nominee 2 Nominee 3

LESSOR(S) DECLARATION (If more than two lessors please provide details of each additional lessor on a separate sheet)

- I/we declare that I am/we are the lessor(s) of the land described above
- I/we have been made aware of the declaration clauses in the DA or Application for Reconsideration form and
- I/we declare that all the information given on this form is true and complete

2nd Lessor's Signature: _____ Date: _____

2nd Lessor's Signature: _____ Date: _____

APPLICANT DECLARATION

- I declare that I am the person authorised to sign/sign on behalf of the company described in this form
- I declare that all the information given on this form and its attachments is true and complete

Applicant Name: _____ Company Name: **Rardon Planning P/L**

Signature: _____ Date: **23/5/18**

LAND CUSTODIAN AUTHORITY

- I/we declare that I am/we are the land custodian(s) of the public land or unleased land as described above
- I/we authorise the applicant to obtain information in relation to this site through the pre-application process and make an application for development approval.

Delegate Name: _____ Agency Name: **DRC/TCCS**

Signature: _____ Date: **20/5/2018**

Delegate Name: _____ Agency Name: _____

Signature: _____ Date: _____

THIS AUTHORITY DOES NOT CONSTITUTE AN APPROVAL IN PRINCIPLE OR OTHERWISE BY THE LAND CUSTODIAN IN RELATION TO THE PROPOSED DEVELOPMENT.

Privacy Notice:
 The personal information on this form is provided to the Environment Planning and Sustainable Development Directorate (EPD) to enable the processing of your application. The collection of personal information is authorised by the Planning and Development Act 2007. If all or some of the personal information is not collected EPD will be unable to process your application. The Planning and Development Act 2007 requires the details of applications, decisions and orders to be kept on a register and made available for public inspection. Information and documents relevant to a development application may be made available via the internet. The personal information you provide may be disclosed to Australian Bureau of Statistics, ACT Revenue Office, the Registrar General's Office, ACT Electoral Commission, Territory and Municipal Services Directorate and other Government agencies with a direct interest in the development assessment process. The information may also be disclosed where compelled by law or court order, or where the Directorate reasonably believes that the use or disclosure of this information is reasonably necessary for enforcement-related activities conducted by, or on behalf of, an enforcement body. EPD's Information Privacy Policy contains information about how you may access or seek to correct your personal information held by EPD, and how you may complain about an alleged breach of the Territory Privacy Principles. The EPD Information Privacy Policy can be found at www.epd.gov.au

Contact Details: Environment, Planning and Sustainable Development Directorate
 Customer Service Centre
 GPO Box 160, Canberra City 2601
 14 Chillum Street Dickson ACT 2602

Business Hours: 9.00am to 4.00pm weekdays (excluding public holidays)
 Phone: (02) 6207 1023
 Email: applications@epd.gov.au
 Website: www.planning.act.gov.au



Planning and Development Act 2007, s425
Form 4 - LETTER OF AUTHORISATION
PRE APPLICATION MEETING DEVELOPMENT APPLICATION
APPLICATION FOR RECONSIDERATION

LEASER/SITE DETAILS (Please Print)

If more than two leases/sites, please attach the following details for each additional lease/site on a separate sheet:

Block: Section: Suburb:

Unit No.: Street Address:

Block: Section: Suburb:

Unit No.: Street Address:

Describe location where the block and section details were available (eg. for outdoor dining area location)

LESSEE(S) DETAILS (Please Print)

1st Lessee Name: 2nd Lessee Name:

LESSEE AUTHORIZATION

This appointment is made under the Planning and Development Act 2007 and relates to: (please tick)

- Pre-application meeting Development Application Application for Reconsideration

I/We the lessee(s) authorize the person/company (to be known as the Applicant) detailed below:

- to obtain information in relation to this site through the pre-application process
- to act on my/our behalf in relation to a development application for this above mentioned site/s
- to act on my/our behalf in relation to an application for a reconsideration of a development application for the above mentioned site/s
- to pay all application fees, bonds and securities, fees with the Planning and Land Authority when required, also, amend or provide further information as necessary and receive any communications relating to the DA or Application for Reconsideration.

APPLICANT DETAILS (Please Print)

Applicant Name: Email address:

OR
Company Name: Email address:

Company Nominees - a Company can list up to three nominees. The first nominee must be authorized to sign on behalf of the Company

Nominee 1: Nominee 2: Nominee 3:

LESSOR'S DECLARATION If information was issued publicly provide details of each individual issued on a separate sheet

- I/we declare that I am/we are the lessor(s) of the land described above
- I/we have been made aware of the declaration clauses in the DA or Application for Reconsideration form and
- I/we declare that all the information given on this form is true and complete.

1st Lessor's Signature: _____ Date: _____

2nd Lessor's Signature: _____ Date: _____

APPLICANT DECLARATION

- I declare that I am the person authorized to sign/sign on behalf of the company described in this form
- I declare that all the information given on this form and its attachments are true and complete

Applicant Name: _____ Company Name: **Purdon Planning P/L**

Signature: _____ Date: **26.9.18**

LAND CUSTODIAN AUTHORIZATION

- I/we declare that I am/we are the land custodian(s) of the public land or proposed land as described above
- I/we authorize the applicant to obtain information in relation to this site through the pre-application process and make an application for development approval.

Delegated Name: **Michael Trushell** Agency Name: **TCCS - Roads ACT**

Signature: _____ Date: **21 September 2018**

Delegate Name: _____ Agency Name: _____

Signature: _____ Date: _____

THIS AUTHORIZATION DOES NOT CONSTITUTE AN APPROVAL IN PRINCIPLE OR OTHERWISE BY THE LAND CUSTODIAN IN RELATION TO THE PROPOSED DEVELOPMENT.

Privacy Notice
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Business Hours: 9.30am to 4.30pm weekdays (excluding Public Holidays)
 Phone: (02) 6207 3929
 Email: epd.customer.service@act.gov.au
 Website: www.planning.act.gov.au

Bruan, Nicole

From: Adam Perry [REDACTED]@accessrecycling.com.au>
Sent: Tuesday, 19 June 2018 11:38 AM
To: Haraldson, Greg
Cc: Trushell, Michael
Subject: Re: Kingston Rail - planning contact [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Thanks very much Greg, most appreciated.

Cheers
 Adam

Adam Perry
 Access Recycling

[REDACTED]
www.accessrecycling.com.au

On 19 Jun 2018, at 11:05, Haraldson, Greg <Greg.Haraldson@act.gov.au> wrote:

Hi Adam

I've asked around, and the most relevant person to discuss future plans for the Kingston Railway Station would be Brett Phillips, Executive Director of the Planning Delivery Division in EPSDD. His email address is: brett.phillips@act.gov.au

If you send him an email you could arrange discussion with him or one of his team.

Regards

Greg Haraldson | Manager, Industry Development

Phone: 02 6205 6037 | Email greg.haraldson@act.gov.au

ACT NoWaste | Transport Canberra and City Services Directorate | ACT Government

Level 2, 490 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

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Bruan, Nicole

From: Adam Perry <[REDACTED]@accessrecycling.com.au>
Sent: Wednesday, 13 June 2018 9:09 AM
To: Haraldson, Greg
Cc: Trushell, Michael; Swincer, Sharon
Subject: RE: Meeting - Fyshwick proposal [SEC=UNCLASSIFIED]

Thanks Greg, terrific.

Thanks again for our meeting last week also.

Cheers
 Adam

Adam Perry
 Director
 Access Recycling

www.accessrecycling.com.au



From: Haraldson, Greg <Greg.Haraldson@act.gov.au>
Sent: Wednesday, June 13, 2018 9:02 AM
To: Adam Perry <[REDACTED]@accessrecycling.com.au>
Cc: Trushell, Michael <Michael.Trushell@act.gov.au>; Swincer, Sharon <Sharon.Swincer@act.gov.au>
Subject: RE: Meeting - Fyshwick proposal [SEC=UNCLASSIFIED]

Hi Adam

Further to our discussion on Thursday, you may wish to speak to [REDACTED] from [REDACTED] about the possibility of having your [REDACTED] but through the [REDACTED]. He is Sydney based but frequently deals with the Canberra operations.



Regards

Greg

From: Adam Perry [REDACTED]@accessrecycling.com.au
 Sent: Thursday, 5 April 2018 12:03 PM
 To: Haraldson, Greg <Greg.Haraldson@act.gov.au>
 Cc: Liston, Tegan <Tegan.Liston@act.gov.au>; Trushell, Michael <Michael.Trushell@act.gov.au>
 Subject: RE: Meeting - Fyshwick proposal [SEC=UNCLASSIFIED]

Thanks very much Greg.
 Adam

*Adam Perry
 Director
 Access Recycling*



From: Haraldson, Greg <Greg.Haraldson@act.gov.au>
 Sent: Thursday, April 5, 2018 11:41 AM
 To: Adam Perry [REDACTED]@accessrecycling.com.au
 Cc: Liston, Tegan <Tegan.Liston@act.gov.au>; Trushell, Michael <Michael.Trushell@act.gov.au>
 Subject: RE: Meeting - Fyshwick proposal [SEC=UNCLASSIFIED]

Hi Adam

Thanks for the follow-up. I can't provide any further update on the Waste Feasibility Study report other than we expect it to be announced by the Minister shortly.

I'll ensure we arrange a meeting as soon as practicable after the report is made public.

Regards

Greg Haraldson | Manager, Industry Development
 Phone: 02 6205 6087 | Email greg.haraldson@act.gov.au
 ACT NoWaste | Transport Canberra and City Services Directorate | ACT Government
 Level 2, 490 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

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From: Adam Perry [REDACTED]@accessrecycling.com.au
 Sent: Wednesday, 4 April 2018 2:51 PM

To: Haraldson, Greg <Greg.Haraldson@act.gov.au>
 Co: Lliston, Tegan <Tegan.Lliston@act.gov.au>
 Subject: RE: Meeting - Fyshwick proposal [SEC=UNCLASSIFIED]

Hi Greg,

It has been a couple of weeks since we spoke, I was wondering if you had any updates on when we might be able to meet with your team and discuss our waste management proposal?

Kind regards
 Adam

Adam Perry
 Director
 Access Recycling



www.accessrecycling.com.au



From: Haraldson, Greg <Greg.Haraldson@act.gov.au>
 Sent: Tuesday, March 6, 2018 2:13 PM
 To: Adam Perry <[REDACTED]@accessrecycling.com.au>
 Co: Lliston, Tegan <Tegan.Lliston@act.gov.au>; Trushell, Michael <Michael.Trushell@act.gov.au>
 Subject: RE: Meeting - Fyshwick proposal [SEC=UNCLASSIFIED]

Hi Adam

I don't think we have met, but I have been working on the Waste Feasibility Study final 'roadmap' report to government. Tegan passed-on your email to me for a response.

With regards to the reference to the Waste Feasibility Study in the greenwaste tender, I believe this was mentioned as background to potential tenderers that organics processing is something that the Study had considered closely. Further information will be outlined in the Study's final outcomes once they are announced.

With regards to the Market Sounding, the attached letter from Emma Thomas, Director General of TCCS, was emailed to Market Sounding participants in September as an update and thanks for participation. The Market Sounding provided the Study a greater understanding of industry's capabilities and capacity to deliver.

We are expecting the outcomes of the Waste Feasibility Study to be announced by the Minister shortly and followed by a period of public and industry consultation to discuss how the study recommendations could be implemented.

As a previous member of the Study's reference groups, you should receive an email as soon the announcement is made. Until then, ACT NoWaste will not be in a position to discuss the matters in your email to Tegan in any meaningful way.

I've copied the Director of NoWaste, Michael Trushell, so he is aware of the matters you are interested in. Otherwise I look forward to speaking to you and the wider industry once the outcomes of the Study are announced.

Regards

Greg Haraldson | Manager, Industry Development
 Phone: 02 6205 6037 | Email greg.haraldson@act.gov.au
 ACT NoWaste | Transport Canberra and City Services Directorate | ACT Government
 Level 2, 490 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

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From: Lliston, Tegan
 Sent: Tuesday, 6 March 2018 12:31 PM
 To: Haraldson, Greg <Greg.Haraldson@act.gov.au>
 Subject: FW: Meeting - Fyshwick proposal [SEC=UNCLASSIFIED]

Hi Greg

Would you be able to advise or contact Adam regarding discussions about the Waste Feasibility Study?

Thanks, Tegan

From: Adam Perry [redacted] <[\[redacted\]@accessrecycling.com.au](mailto:[redacted]@accessrecycling.com.au)>
 Sent: Monday, 5 March 2018 3:28 PM
 To: Lliston, Tegan <Tegan.Lliston@act.gov.au>
 Subject: RE: Meeting - Fyshwick proposal

Hi Tegan,

We have seen the greenwaste management tender come out, the tender documents discuss the waste feasibility study. Is this the announcement we were waiting on before resuming talks as per the email below?

Regards
 Adam

Adam Perry
 Director
 Access Recycling

www.accessrecycling.com.au

From: Adam Perry
 Sent: Thursday, February 15, 2018 5:28 PM
 To: Liston, Tegan <Tegan.Liston@act.gov.au>
 Cc: [REDACTED]
 Subject: Re: Meeting - Fyshwick proposal

Hi Tegan,

Yes I would be very grateful for that meeting, I will prepare the list and send it to you.

Many thanks
 Adam

Adam Perry
 Access Recycling



www.accessrecycling.com.au

On 15 Feb 2018, at 17:05, Liston, Tegan <Tegan.Liston@act.gov.au> wrote:

Hi Adam

I have checked availability with my executive. Are you available to meet 9:30-10am on 22 February?

Also, if you could provide a brief summary of the key items you would like to discuss at the meeting that would be great.

Kind regards, Tegan

Tegan Liston
 Phone 02 6205 9649
 A/g Senior Manager - Impact Assessment and Business Improvement | Environment, Planning and Sustainable
 Development Directorate | ACT Government
 Level 1, South Building, Dame Pattie Menzies House, 16 Challs Street, Dickson | GPO Box 158 Canberra ACT 2601 |
www.environment.act.gov.au

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From: Adam Perry
 Sent: Friday, February 16, 2018 10:38 AM
 To: Lliston, Tegan <Tegan.Lliston@act.gov.au>
 Cc: [REDACTED]
 Subject: RE: Meeting - Fyshwick proposal

Hi Tegan,

As requested, these are the items I would like to discuss:

- 1) Background
 - a. Waste feasibility study
 - b. Market sounding - update
 - c. CRS seeks approval - minister rules it out (in paper?)
- 2) CRS draft EIS pending - EIS specifics
- 3) ACT waste levy?
- 4) MSW waste stream
- 5) Policy consequences - ACT waste residues to Woodlawn
- 6) [REDACTED]

Many thanks
 Adam

Adam Perry
 Director
 Access Recycling
 1 Mandamah Road
 BARMEDMAN 2668
 Ph: 02 6976 2000
 M: [REDACTED]
www.accessrecycling.com.au



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CRS + MT, CU, SS

7/8/0

1. Licence + reg. work → building block

↳ Cost of processing - trying to understand price market

2. FOGO - planning for site

[Redacted]

(CRF ARE)

[Redacted]

[Redacted]



FOGO

Serial No. for

[Redacted]

Wage Lane - duration longer
Welcome ways

Intended in ROP

Big shed

Flexible

GH - WTE → whole of Community view needed -

MC - Budget process -

- Better structure

- Length -

- provided a lot of \$ previous years -

- We don't get as well as we asked

- Waste mgmt system

- data collection

- design + Reg

- Reg policy

- Waste Levy

EM → What level Regs on the levy levels:

→ what can we do without extra money

- "fiscal approach of the gov"

→ several considerations - 'potentially'

Structure

WTS policy suggest create waste levied goods

levy - need resources + have to

lawyers and what the cost

NSW + Act levy differences

CDS NSW/Act

→ NSW not locally gov a levy in the region

→ Waste Levy - across the board

\$7 → limit is achieved

Local gov levy

reduced

↳ technically not levy

\$70 - \$100 across the jurisdiction

→ provide avoid + evade

(14) Fogo → adds cost to the process
ahead of the census

(15) 18-19 - planning → Fogo & site (no waste)
(Muzga Asatranah)
= lots of interest for local to the waste
business

- Councils → some of the community
- other medical council delivery

EM Technologies solutions will change on time
market price

↓
change level pooled

(16) Fogo - virus explained. 18-19 planning

Large waste management system + project
MUDS → Delmas → roads → opportunities

* Delimita to be measured → platform / the core
making small

Reg → DC → CDS → 20 other
contracts

6 Fogo being engaged. #

most business case not business

Fogo → community focus

- solution how fast
- recycling next

Q. ?



contract coming up -
one year rail → on work
landed

300 - planning etc
market survey 250K.

(AP) budget capacity: conservative to go.
- better the coming out.
- we have a lot of space.

Poster range -> of budget gives the best
time -> to make other



= Fitzsimons + Woodhouse
etc. MRF 7.5m euros

(AP) new CTD.

Extract quarry -> transit -> bunched w. waste
Shows the pit.



Use as a transport
glass

WPS on site compliance 7 students a green.
learnings -> blue, red + yellow
bu:



(RDP) - social + commercial
opportunities ->

leadership/plaster board.
-> Community is celebrating of
products + 'beefy'.

MRF market survey 7 role - purpose.
WPS first half of WPS may have been awarded.



Send -> Admin party.

(RDP)

(MRF) happy with the site degraded.
300K + some funding



MINISTERIAL BRIEF

Transport Canberra and City Services

UNCLASSIFIED

To:	Minister for Transport and City Services	Tracking No: B17-124
From:	A/g Director-General, Transport Canberra and City Services	
Subject:	Capital Recycling Solutions Recycling and Waste-to-Energy Plant	
Critical Date:	21 July 2017	
Critical Reason:	Immediate media and community interest	

Purpose

Today's Canberra Times has published a front page article on a proposal by Capital Recycling Solutions to develop a recycling and waste-to-energy plant at Fyshwick.

This brief provides some information and speaking points on this matter.

Recommendations

That you note the information contained in this brief.

Noted / Please Discuss

Meegan Fitzharris MLA *MFG* *21.7.2017*

Minister's Office Feedback *please provide a status update on Waste Feasibility Study progress, as well as a briefing on the market sounding exercise & outcomes*

1. Capital Recycling Solutions Pty Ltd (CRS) has submitted a proposal for a recycling and waste-to-energy facility at 18 Ipswich Street in Fyshwick. This is the site of the former fuel depot.
2. ACT Planning and Land Authority is about to commence an Environmental Impact Statement process for this proposal.
3. CRS is a joint venture formed by [redacted] [redacted] The Canberra Times article notes CRS will partner with Actaw AGL, through a 50:50 joint venture, to deliver the waste-to-energy plant.
4. The proposal will seek both kerbside garbage (red-lid) bin waste as well as commercial garbage that currently goes to landfill.

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5. [Redacted]

6. [Redacted]

7. [Redacted]

8. On 12 September 2017, in response to the number of unsolicited bids being received by the Territory, the Director-General of TCCS wrote to the waste industry advising of the intention to undertake a market sounding.

9. [Redacted]

10. [Redacted]

11. [Redacted] Regional Council expressed support for this proposal at a meeting with you in your office on 27 April 2017.

Issues

12. It is encouraging that the waste sector views the ACT as a good place to investment in new waste management infrastructure.

13. [Redacted]

14. However caution should be exercised in providing an opinion publicly on the particular merit of the [Redacted] proposal whilst it is subject to an EIS process.

15. [Redacted]

16. [Redacted] proposes to [Redacted]

17. The ACT Waste Management Strategy 2011-2025 contains a strategy to "investigate new energy-from-waste technologies to generate energy".

18. The viability of the [Redacted]

19. [Redacted] will [Redacted]

20. [Redacted]

21. The facility if approved would be subject to license conditions imposed by the EPA and Waste Manager under the Waste Management and Resource Recovery Act 2016.

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22. Opponents of waste-to-energy raise concerns about the lack of a waste-to-energy regulatory policy in the ACT, and point to the NSW EPA policy as an example of the type of policy the ACT should adopt. The NSW EPA regulatory policy is particularly restrictive, and there is no consistency in regulatory policy across jurisdictions.
28. The article incorrectly states that Mugga Lane is close to running out of space. This statement is not correct. Subject to provision of funding for future cells, stage 5 of the Mugga Lane landfill has capacity for the foreseeable future. The 2017-18 Budget contains funding for cells 3 and 4, which will provide landfill capacity until 2023.

Speaking Points

24. The following speaking points will address key issues:
- The Territory is encouraged by the interest from the waste sector in investing in the ACT.
 - The proposal is subject to a formal Territory environment impact and planning assessment processes. These processes provide for wide-spread community consultation.
 - The FOY Group proposal was subject to Territory environmental impact and planning processes and was not endorsed.
 - The Government will receive the Waste Feasibility Study's report in October this year, which will contain recommendations on future treatment of waste in the ACT.
 - The WFS report is expected to provide recommendations on the development of appropriate regulatory policies, noting there is not a consistent approach across Australia.
 - The Canberra Times article incorrectly states the ACT is running out of landfill capacity at Mugga Lane. There is enough space in Stage 5 of the Mugga Lane landfill to meet the ACT's needs for the foreseeable future, and waste going to the Mugga Lane landfill has plateaued.

Financial Implications

25. Nil.

Consultation

26. Nil.

Benefits/Sensitivities

27. As discussed above.

Media Implications

28. This matter is attracting media interest. EPSD have issued a media release ([Attachment A](#)).

Signatory Name:

Jim Corrigan 21.7.17
Jim Corrigan

Phone: X78858

Action Officer:

Michael Trushell – Director, ACT NOWaste

Phone: X72840

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Tracking No:

3



ACT
Government
Transport Canberra
and City Services

DEPUTY DIRECTOR-GENERAL BRIEF

Objective/Term Reference: DGBR18/180

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To: Jim Corrigan, Deputy Director-General TCCS & Waste Manager

From: Michael Trushell, Director, ACT NoWaste

Subject: Waste Manager representations to Capital Recycling Solutions draft EIS

Critical Date: 16 May 2018

Critical Reason: Environment, Planning and Sustainable Development Directorate have requested that representations on the draft EIS be submitted to the Chief Planning Executive by 16 May 2018.

Purpose

For you, as Waste Manager under the *Waste Management and Resource Recovery Act 2016*, to make representations to the Chief Planning Executive regarding Capital Recycling Solutions draft EIS for a Material Recycling Facility in Fyshwick, ACT.

Recommendations

That you:

1. Note the information contained in this brief and Attachment A; and
Note / Please Discuss

2. Sign the letter at Attachment A making representations to the Chief Planning Executive.
Agreed / Not Agreed / Please Discuss

Jim Corrigan, Deputy Director-General 16/5/18

Deputy Director-General's Feedback

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Background

1. Capital Recycling Solutions (CRS) has proposed to construct a Material Recovery Facility (MRF) in Fyshwick, ACT.
2. In accordance with processes under the *Planning and Development Act 2007* (Planning Act), a draft Environmental Impact Statement (EIS) has been developed for the proposal and is open for public comment.
3. The draft EIS outlines a proposal to process waste material originating in the ACT and surrounding region through a MRF, and to separate this material for recycling and disposal. The proposal indicates that inbound materials will be transported by road, with outbound recyclables and residual waste for disposal transported by road and rail.
4. Residual waste is proposed to be transported by rail to the Veolia Woodlawn Bioreactor for disposal.
5. The proposed facility will require a waste facility licence under the *Waste Management and Resource Recovery Act 2016* (Waste Act). Additionally, all businesses transporting waste to and from the facility, by road or rail, will require registration under the Waste Act.
6. Due to recent engagement by the Waste Regulation Team in respect of a licence application for an adjacent facility (operated by a related company), CRS is aware of the requirement for licensing and registration under the Waste Act.
7. Through the abovementioned discussions it is anticipated that CRS will be unlikely to make an application under the Waste Act until there is further progress with the Planning Act processes.
8. Should an application be made by CRS, the application will be assessed in accordance with policies and procedures and is consistent with the requirements of the Waste Act.
9. As compliance with the Waste Act is required in order for CRS's proposal to be viable, it is necessary for a representation by the Waste Manager to be made on the draft EIS.
10. It is recommended that you note the contents of this brief (**Recommendation 1**) and that you sign the letter at Attachment A making representations in regard of the draft EIS (**Recommendation 2**).
11. ACT NoWaste will also make a representation on the draft EIS in regard to the context of the ACT Waste Management Strategy and other relevant matters.

Issues

12. CRS previously proposed to use the Fyshwick site for a waste to energy facility (which would also require licensing under the Waste Act in order to operate). The proposal was withdrawn due to community concerns without an application for licensing under the Waste Act being made.
13. Although the draft EIS is for a different type of facility that does not include a Waste to Energy component, media reports suggest a high level of mistrust of CRS's long term

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Intentions for the site, including a concern that waste to energy will be introduced at a later stage.

Financial Implications

14. Nil

ConsultationInternal

15. Nil

Cross Directorate

16. EP\$DD in respect of procedures for the draft EIS.

External

17. Nil

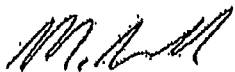
Benefits/Sensitivities

18. It is important that a representation to the draft EIS is made by the Waste Manager, as Statutory Authority under the Waste Act. In doing so, the Waste Manager calls attention to the requirements of the Waste Act for CDS, as well as for other proponents who may be undertaking, or proposing to undertake, waste management activities in the ACT.

19. 

Media Implications

20. The proposal is the subject of media attention in *The Canberra Times*, and has been the focus of social media campaigns by community groups.



Michael Trushell
Director, ACT NoWaste
15 May 2018

Phone: 6207 2840

Action Officer: Alex Taylor
Manager, Waste Regulation

Phone: 6207 8468

Attachment A: Representations from the Waste Manager



ACT
Government

Transport Canberra
and City Services

Mr Ben Ponton
Chief Planning Executive
Environment, Planning and Sustainable Development Directorate
GPO Box 158
Canberra ACT 2601

Dear Mr Ponton 

Materials Recovery Facility – Fyshwick – EIS Application 201700053

I write to make representations regarding draft Environmental Impact Statement (EIS) application 201700053; the proposal by Capital Recycling Solutions Pty Ltd (CRS) to develop a Materials Recovery Facility in Fyshwick, ACT.

On 1 July 2017, the *Waste Management and Resource Recovery Act 2016* (Waste Act) came into effect in the Australian Capital Territory, providing a regulatory framework to support initiatives and interventions under the *ACT Waste Management Strategy* and *Waste Feasibility Study*.

The objects of the Waste Act are to minimise landfilling, maximise resource reuse and recovery, and to encourage investment, innovation and best practice in the waste industry. Under the Waste Act, all waste facilities, irrespective of size, are required to hold a licence in order to operate. Similarly, all businesses moving waste into, out of and within, the ACT are required to be registered as a waste transporter.

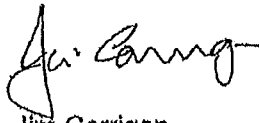
Businesses operating without a licence and/or registration may be subject to penalties of up to \$375,000; Executive Officers may also be subject to criminal prosecution.

As a waste management business proposing to operate a waste facility in the ACT, CRS must obtain a licence under the Waste Act. To enable an efficient assessment process, CRS should make an application at a time when there is certainty over planning approval, and there is clarity of how the proposed facility will operate.

Any business transporting waste to and from the proposed facility, whether by road or rail, must hold a waste transporter registration. Applications for registration as a waste transporter can be made at any time, however that business cannot transport any waste in the ACT until registration has been approved.

I encourage CRS, and any businesses that intends to be involved in transport of waste to and from the proposed facility, to ensure that they are fully aware of their obligations under the Waste Act, timeframes involved in statutory decision making, and the expectations of the regulator in respect of waste management in the ACT.

Yours sincerely



Jim Corrigan
Deputy Director-General
Waste Manager
Transport Canberra and City Services

16 May 2018