

24 November 2025

Mr Tony Chappel
Chief Executive Officer
NSW Environment Protection Agency

via email: technical.consultation@epa.nsw.gov.au

**CCAA Submission on Draft Environmental Guidelines for Solid Waste Landfills
discussion paper**

Dear Mr Chappel

Cement Concrete and Aggregates Australia (**CCAA**) welcome the opportunity to make a few brief observations on the draft Solid Waste Landfill Guidelines (**the Guidelines**).

CCAA is the voice of the heavy construction materials industry in Australia. CCAA members produce most of Australia's cement, concrete, and aggregates, which are crucial to Australia's building and construction sectors.

Cement concrete stone and sand are critical materials that enables the \$56 billion NSW construction industry, employing 370,000 workers and contributing 45% of the NSW taxation revenue base.

CCAA recognises the amendments proposed to be made to the 2016 version of the guidelines and particularly agrees with those areas relating to amendments relating to enhanced leachate and odour controls.

It also recognises the references to changes to climate change contained on page 11.

However, the guidance is at an extremely high level and so there may be some scope for guidelines to provide a greater explanation as to the types of things that a small-scale landfill licensee may need to do to mitigate climate risks.

Another suggestion is to ensure that, as far as practicable, any requirements for a licensee to take a particular act conforms with national practice.

For example, it is becoming a practice in several industries for greenhouse gas emission measurements and estimates to conform with the *National Greenhouse and Energy Reporting (Measurement) Determination 2008* (Cth).

The Guidelines could suggest the use of the Determination for the purposes of demonstrating control of greenhouse gas emission to remove a need to perform one task in several different ways to satisfy different regulators, with no discernible environmental benefit.

Finally, CCAA believes the Guidelines could provide more advice when recycled aggregate can be used within a licensed landfill site, such as for instance the creation of internal roads or in the enhancement of drainage layers. The current EPA regime utilises a very cumbersome and restrictive exemption process which severely constrains the use of recycled aggregates, clays and other recycled materials. In fact, the EPA almost exclusively requires the use of virgin quarry products during even the most basic drainage uses.

This would facilitate the operation of the circular economy – a concept not mentioned in the Guidelines.

While page 4 of the Guidelines says:

These landfill guidelines must be read in conjunction with the regulations and policy on resource recovery orders and exemptions made under clauses 91 to 93 of the Protection of the Environment Operations (Waste) Regulation 2014 (the Waste Regulation). The regulations and policy enable the EPA to exempt waste applied to land from certain requirements under the waste regulatory framework and to exempt a land application site from the need to be licensed as a waste disposal facility (landfill). An order or exemption may be general or specific. General orders and exemptions, and guidance on how to apply for a specific order or exemption, are published on the EPA's website.

There is some scope to provide a simple matrix or flowchart to show how guidelines relating to the operation of licensed landfill operations (and the regulation of waste to landfill generally) interact with (in the case of this industry):

- other instruments such as resource recovery orders and exemptions, and various planning instruments; and
- the use, storage and handling of products such as building and demolition waste, and other biproducts such as concrete washout and recovered aggregate *below* scheduled activity levels.

The development of such guidance, together with the opportunity to consider adjustments to NSW environmental legislation, such as the adoption of something like the Queensland End of Waste Codes (something generally endorsed in the *Independent Review of the NSW Resource Recovery Framework*) could be considered further through a working party of members of the industry and officers of the EPA and Planning, an idea endorsed by both the Environment and Planning Ministers.

CCAA would appreciate the opportunity to discuss our submission further. Please contact Melinda Pavey, State Director on 0427 203051 or email melinda.pavey@ccaa.com.au.

Yours sincerely



MICHAEL KILGARIFF
Chief Executive Officer