

Community consultation for waste management and recycling facilities

Updated September 2010¹

EPA 328/10: This guideline replaces EPA Technical Bulletin No. 19, 'Community consultation for waste management and recycling facilities' (July 2000). The facilities covered by the guidelines include landfills, transfer stations, recycling centres, material recovery facilities (MRF) and composting facilities.

Introduction

The Environment Protection Authority (EPA) has prepared this information to assist the process of community consultation and participation in the planning, development and operation of waste management and recycling facilities.

In addition to these guidelines, the EPA has its own regulatory requirements regarding the establishment of waste management and recycling facilities, and the notification and remediation of any pollution emissions to the environment caused by the operation of those facilities.

Public consultation is an integral part of the decision-making process for the establishment of waste management and recycling facilities. This information should be used as a tool by planners, developers, consultants and government authorities, when considering the siting of waste management and recycling facilities and during the operation of those facilities.

There are four main principles underlying the preparation of these guidelines:

- 1 Community consultation should be conducted at an early stage, preferably during the project conceptual stage and prior to the development of a waste management or recycling facility. This is essential to enable public concerns, interests, perceptions and the degree of support to be clearly identified.
- 2 The organisation proposing the development of a waste management or recycling facility should disclose all information pertaining to the potential impacts the facility may have on the surrounding area. This information should be clearly displayed and communicated during the community consultation process prior to the establishment of the facility.
- 3 Interaction with the community should not be limited to a technical process only. It needs to embrace the less formal but essential processes associated with active listening and communication to enable public perceptions to be identified.

¹ Last updated September 2003.

- 4 Community consultation needs to be maintained during the operating life of the waste management or recycling facility, so that any actual or perceived issues that may arise at some point in the future can be identified and addressed.

Goals of community consultation

A community consultation strategy is an essential part of the assessment process for the establishment of waste management and recycling facilities. Consultation and communication goals should be quite specific, well understood by the organisation responsible for carrying out the consultation process, and communicated to all stakeholders at the beginning of the consultation process.

There are eight major community consultation goals:

- The decision-making process associated with the establishment of a waste management or recycling facility should be fully and clearly communicated to the community to enable community understanding.
- The consultation process adopted should enable easy public participation.
- The process should clearly inform the stakeholders of what the proponent has done, is doing, plans to do, and what it cannot do and why.
- The process should provide maximum opportunity for community input.
- The process should be designed to deal with the resolution of any conflicts.
- The process should follow a logical sequence of events by first defining the problems, then exploring the issues associated with the problems, and then developing and analysing possible solutions to the problems.
- The process should be fair and not alienate any particular communities from participation.
- The process should demonstrate and maintain credibility with all stakeholders and interest groups.

Successful consultation and communication can only be achieved if stakeholders establish trust in a decision-making process that is committed to protecting the environment and public health.

The public should be kept well-informed about the project and opportunities for participation through the decision-making process, particularly for high-interest or controversial projects. It is important to anticipate potentially contentious or controversial issues relating to the project—for example, contamination issues, future use of the facility, public and worker health and safety, and amenity issues which may impact on the public.

Community perceptions and concerns

In developing a community consultation strategy, the organisation responsible for undertaking the process should be aware of a number of questions and concerns commonly raised by the community to proposals to develop waste management and recycling facilities. It should also be recognised that simple acknowledgment of these matters will not substitute for implementation of the consultation process required to fully explore community concerns. These concerns are often deeply felt, and can involve matters that impact on the immediate living environments of individuals and families. As such, these concerns must be considered with respect and understanding, and they demand considered and complete responses.

Below are some typical concerns that can be raised.

Public health and lifestyle concerns

- Will we be compensated for the loss of value in our homes?
- What is the danger to my health and that of my family if the development of the nearby landfill goes ahead?
- I have a vegetable garden and use the groundwater for irrigation and stock water. What impacts will the proposed 'dump' have on my vegetables, livestock, soil and groundwater?

- Tips and transfer stations can produce wind-blown litter that may be seen on public roads and drains kilometres away from the facility. How is the developer going to prevent this problem from occurring at this facility?
- My house is only 500 m from the proposed waste management site. Rats and mice transmit diseases and are attracted to waste facilities. What guarantees can the developer give that this will not happen?
- Composting facilities, landfills and transfer stations emit odours. How is this going to be managed so that I am not affected?
- Waste management and recycling facilities are ugly. How is the site going to be screened?
- The waste management or recycling facility is going to produce extra traffic on nearby public roads. How is the traffic volume increase going to be managed?
- What would be the operating hours of the facility? Earthmoving machinery is noisy and my house is only a kilometre away from the proposed location of the facility.
- Would the developer adequately manage dust generated within the facility so that public roads, nearby houses and industry are not affected?
- Are there any fire risks associated with the establishment of waste management and recycling facilities? How would these be minimised? How will we be protected?
- We are already at risk because of specific environmental issues. Will the establishment of the facility increase our risk?

Data and information related concerns

- How sure are you that the landfill will not impact on groundwater? You just told us that all landfills leak.
- What is the worst case scenario? What are you doing to minimise its risk?
- What do these numbers mean and how did you get them?
- How do we know your studies are correct?
- What about considering other avenues for the management of wastes?
- We would need to have all studies reviewed by a third party.
- How does your design compare to world's best practices?
- You say that problems will not occur; why not?

Concerns with the decision-making process

- How will we be involved in the decision-making process?
- How do you propose to update us on the latest outcomes and will we be allowed to access all information related to this project? Will you keep us well informed?
- Why should we trust you? The company proposing the development has a bad record with the relevant authorities.
- Who can we contact with any questions?
- Are there any other organisations involved in the decision-making process for the development? Will other organisations be involved in the construction and management of the facility?
- When will we hear from you?
- Have you considered alternative sites for your development?

Guiding principles for consultation

Community consultation can produce beneficial, worthwhile and workable outcomes. In particular, it is important to give as much weight to meeting stakeholder concerns as is given to meeting regulations and statutory requirements.

Below are some issues to be considered:

- Identify advocacy groups and allow debate amongst stakeholders. Stakeholders should be regarded as partners in the project from the start of the development /siting process. After all, the facility is going to have an impact on them.
- The community consultation strategy needs to be carefully developed to accommodate the different goals and perceptions that each stakeholder group has. The consultation process should begin with clear, explicit objectives or goals and should provide stakeholders with a range of solutions/options to solving the problem. For example, it may be possible to nominate several alternative locations for the establishment of the waste management or recycling facility and to provide the advantages and disadvantages for each location. Also, ensure that appropriate questions are asked to assist stakeholders to provide the necessary feedback.
- Allow sufficient time for the consultation process to proceed by incorporating appropriate timelines in the consultation strategy.
- Listen to the individual concerns and perceptions of stakeholders. Assumptions should not be made about what people know, think or want.
- Establish credibility from the start of the decision-making process and maintain it throughout the development and operation of the facility. This can be achieved by ensuring that stakeholders have reasonable access to information on the development and, where possible, by involving stakeholders in the preparation of any necessary investigations and the review of results.
- Try to meet the needs of stakeholders. If this is not possible, explain clearly why certain needs cannot be met by outlining the competing priorities and considerations. This needs to be done with understanding and respect for the reasonable concerns of those stakeholders.
- Evaluate the performance of the consultation process by recording and monitoring stakeholder contributions throughout the consultation program.
- Allow stakeholders to have input on how they can participate.

Community participation process

A community consultation process would be beneficial for the development of most waste management and recycling facilities. This section describes a general process for the preparation and implementation of a meaningful community participation process.

Step one: prepare a waste management strategy

Prepare a waste management strategy or a discussion paper. If the project requires major planning investigations—as for a regional landfill or a hazardous waste management facility—consideration should be given to the preparation of an Environmental Impact Statement (EIS). Preparation of an EIS may be a statutory requirement.

The waste management strategy or discussion paper should list the objectives and priorities for the management of the particular waste stream to be dealt with. This will include recyclables for the establishment of a transfer station, recycling facility or MRF; waste materials (to include solid inert, putrescible, low level contaminated and prescribed wastes) in the establishment of a landfill facility; and green wastes in the establishment of a composting facility. All facilities should also outline how wastes banned from landfill (as per the Environment Protection (Waste to Resources) Policy 2010) will be managed.

Strategies should be prepared for waste collection and transport, and for waste minimisation and resource recovery when planning a landfill facility. This is not only a statutory goal but will demonstrate the organisation's commitment to minimising the potentially adverse environmental impacts associated with the landfilling of wastes.

Evaluate prospective waste management or recycling facility sites within the region. The evaluation should take into account issues of community concern, including impacts of additional traffic flow on public roads, proximity of proposed facilities to residential areas, and potential environmental impacts (including groundwater, nearby surface waters and

wind blown litter). If possible, the consultant should identify more than one potential site for the development of a waste management or recycling facility.

Provide a schedule of known or probable closure dates of existing waste management sites applicable to the waste streams being dealt with in the region, and establish a program for replacing the waste management facilities.

Make a list of equipment, facilities, staffing and operating hours necessary to comply with relevant state environment protection and industrial policies.

Step two: identify stakeholders

Identify the stakeholders and interest groups that may influence or be affected by any outcomes. Stakeholders will include nearby residents, residents within the municipality where the facility is proposed to be established, environmental groups, the local media, councils and other government agencies such as water and fire authorities, land and agricultural management groups, environment agencies and planning authorities.

Stakeholders can be identified within four distinct groups:

- primary stakeholders—those whose activities are directly affected by the establishment of the waste management or recycling facility, such as neighbouring householders or those whose properties will be acquired for the development
- interested stakeholders—those affected by any solution to the waste management issue, but likely to experience impacts that are substantially less immediate than those experienced by primary stakeholders, for example, environmental groups
- supporting stakeholders—those who may experience no direct impact from the waste management or recycling facility development, but have a relationship with another group which is affected, such as local councils
- the media, who may have an interest in the project with a focus on any controversial aspects, and could contribute to the development of community awareness and perceptions.

Step three: prepare a community consultation strategy

Prepare and document a community consultation strategy. It may be necessary to develop strategies with regard to each of the stakeholder groups noted above, taking into account the characteristics of each and ensuring that needs and perceptions are identified by targeting each group's particular interest areas.

The strategy should define the roles and responsibilities of all parties or stakeholder groups to be involved in the decision-making process. The strategy should clearly outline the type of community consultation and participation that is going to be implemented. This may include workshops, meetings or even mail-outs.

It might be feasible to allow stakeholders to review the strategy before it is finalised. The strategy could need to be updated on a regular basis to take into account project changes and the decision-making process.

Step four: notify stakeholders

Invite stakeholders to participate in the community consultation process by either advertising in regional newspapers or special interest publications. Alternatively, the distribution of direct correspondence to individual stakeholders could be necessary. This could apply, for instance, where supporting stakeholder groups have been identified for consultation.

The organisation responsible for developing the consultation process should include in the advertisement a brief description of the proposal, the venue and time of any workshop or consultation meeting(s), and if this is the chosen community consultation strategy. Additional meeting venues may be necessary to accommodate stakeholders in adjoining regions or areas. The advertisement should also explain that a waste management strategy or discussion paper is available for collection by interested stakeholders from the local council or the EPA. Alternatively, the organisation might wish to request stakeholders to register their interest in participating in the consultation process, and a mail-out of the waste management strategy/discussion paper can follow.

The benefit of presenting stakeholder groups with a waste management strategy/discussion paper prior to any consultation meeting is that it enables participants to be better informed of the issues and in a position to provide more considered comments.

Step five: implement the consultation strategy

Implement the community consultation strategy, and monitor and review its progress at appropriate points. The consultation process may require establishment of a formal consultation committee representing key stakeholder groups, especially if an EIS is being developed. During the consultation process, any outcomes and agreements should be documented.

Step six: provide feedback and options

It is important to advise all stakeholders and interested parties of any preferred options and outcomes to any issues raised during the consultation process—for example, the selection of a preferred site. Preferred outcomes might have been decided by a regulatory body or be subject to an independent review of the proposal and, as a result, might not reflect all of the preferences of other stakeholders. However, it is important that all interested parties are fully informed of these outcomes.

Step seven: ongoing monitoring and review

Once decisions have been reached, approvals from necessary authorities have been obtained and stakeholders have been informed of the outcomes, the development of the waste facility can commence. Community consultation will need to be maintained during the construction stages and throughout the life of the facility's operation.

Community participation during the construction and operational stages should be based on a monitoring role. An environmental monitoring committee could be formed to provide for this role. It should comprise key stakeholders that were involved in the initial participation stages, and should focus on surveillance of the operation against environmental and public health objectives and the decisions made during the initial consultation phase.

It may be necessary for the developer and operator to regularly submit construction and/or operational reports to the environmental monitoring committee. These could include environmental monitoring results of groundwater and surface water testing, and other details as required by the EPA.

Consultation techniques

Selection of an appropriate consultation approach will depend on a number of factors, including:

- the particular nature and location of the project, and the reasons leading stakeholders are involved
- the nature of the stakeholder groups involved and their willingness to participate
- the likely impact that establishment of the facility will have on the community and environment
- any compulsory project time-lines, such as the need to establish a new landfill facility before the remaining life of the current facility expires.

Consultation approaches

There is a range of consultation approaches appropriate for use in relation to the development of waste management and recycling facilities, including the following:

- Public meetings—preferably of up to approximately 20 people who were self selected by advertised invitation. Public meetings are highly visible and could be controversial, depending on the public interest and the nature of the project. If the project is controversial, the meeting could be volatile and emotional. Potential problems should be anticipated.

- On-site meetings—open air community meetings held on or adjacent to the site, or at a developer’s site currently in operation. The community will gain a more practical understanding of the proposal, and may also be able to see a similar operation in practice.
- Workshops—participants are usually involved in a less formal discussion and this can encourage a more open expression of concerns and ideas aimed at producing solutions.
- Consultative committees—preferably a maximum of up to 12 people, either elected or appointed, meeting regularly to monitor stakeholder views and provide ongoing advice and feedback on behalf of the community.
- Submissions—either oral or written, to enable people or organisations to register their ideas and concerns. This may take the form of a questionnaire, or a call for public submissions to be verbally presented to a selected panel of experts.

Techniques for effective communication

Once a consultation technique has been adopted, the organisation responsible for managing the consultation process should observe the following communication techniques:

- Clearly define all technical terms at the start of the process. Do not use language that may not be understood by stakeholders and the community.
- Use visual presentations to emphasise key points or to explain the proposed layout of the facility. For example, aerial photographs are useful in presenting what the existing landscape looks like prior to the development. This is particularly useful in landfill development where the proposed site is currently a quarry.
- Clarify inaccurate allegations and assertions.
- Provide clear information on what is proposed and the process to achieve it.
- Use neutral rather than emotive terminology.
- Remain calm and use questions to generate and lead meaningful discussion.
- Maintain clarity by asking whether you have made yourself clear.
- Promise only what can be delivered.
- Present goals achieved, and describe ongoing efforts to meet best practice results.
- If humour is used, direct it at yourself and do not use it in relation to safety, health or environmental issues.
- Refer to the importance of health, safety and environmental issues and considerations, in addition to economic considerations.
- Explain how any problems arising from the establishment of the facility will be managed, and which organisation(s) will be responsible.

Effective communication can also be facilitated by:

- the issue of media releases
- the distribution of print material, such as information sheets, newsletters and progress reports (with project updates being provided at key milestones)
- the presentation of exhibits in public buildings in the area, such as the local library, shopping centres and council offices
- the establishment of information centres which have a range of printed material for display and collection
- mail-outs to interested individuals, to notify them of the availability of information, project sheets and time-frames for public comment, ensuring that all enquiries from the public are responded to promptly, with factual and accurate information.

Concluding remarks

The decisions made with regard to the location, development and operation of waste management and recycling facilities can impact directly on the immediate living environments of people in the community. As a result, community concerns are often deeply held, and should be considered with respect and understanding.

The best time to deal with public concerns is at the outset of any project, before those concerns grow to become controversial issues requiring time and resource intensive resolution. The proper planning and implementation of effective consultation processes involving all stakeholders will enable the identification of potential issues and ensure that they are addressed appropriately.

It is also important that effective consultation continues throughout the life of a project. In this way, any actual or perceived issues, which arise, can be quickly identified and effectively addressed.

Clearly, it is in the best interests of all parties that appropriate consultation processes are put in place to facilitate the dissemination of information, enable community input, assist the timely resolution of conflicts and generate solutions which are well understood and equitable.

Disclaimer

This publication is a guide only and does not necessarily provide adequate information in relation to every situation. This publication seeks to explain your possible obligations in a helpful and accessible way. In doing so, however, some detail may not be captured. It is important, therefore, that you seek information from the EPA itself regarding your possible obligations and, where appropriate, that you seek your own legal advice.

Further information

Legislation

Legislation may be viewed at: <www.legislation.sa.gov.au>

Copies of legislation are available for purchase from:

Service SA Government Legislation Outlet
Adelaide Service SA Centre
108 North Terrace
Adelaide SA 5000

Telephone: 13 23 24
Facsimile: (08) 8204 1909
Website: <shop.service.sa.gov.au>

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