

STATES OF JERSEY



LA COLLETTE WASTE MANAGEMENT SITE – DEVELOPMENT PLAN (P.17/2023): SECOND AMENDMENT (P.17/2023 AMD.(2)) – AMENDMENT

Lodged au Greffe on 11th July 2023
by Deputy A.F. Curtis of St. Clement
Earliest date for debate: 18th July 2023

STATES GREFFE

LA COLLETTE WASTE MANAGEMENT SITE – DEVELOPMENT PLAN
(P.17/2023): SECOND AMENDMENT (P.17/2023 AMD. (2)) –
AMENDMENT

1 PAGE 2, PART 3 –

After the words “maximum height of the East Headland” insert the words “, provided the waste is essential or arising from small scale works”

2 PAGE 3, PART 4 –

Before the words “formation of the south headland” insert the word “initial”.

Substitute the word “capping,” with the word “any”.

After the words “inert waste to a maximum” insert the word “temporary”.

4 PAGE 3, PART 5 –

After the words “and West Headland” insert the words “, any landscaping of either South or West Headland to be temporary.”

5 PAGE 3, PART 7 –

After the proposed sub-paragraph (ii), insert the following new sub-paragraphs –

- “(iii) a review of the existing safety zones around hazardous installations to ensure they appropriately control and enable future development within the zones; and
- (iv) installation of Infrastructure & Environment – Operations & Transport – Solid Waste as a statutory consultee, under terms of reference to be agreed, for planning applications that involve the generation of inert or hazardous waste.”

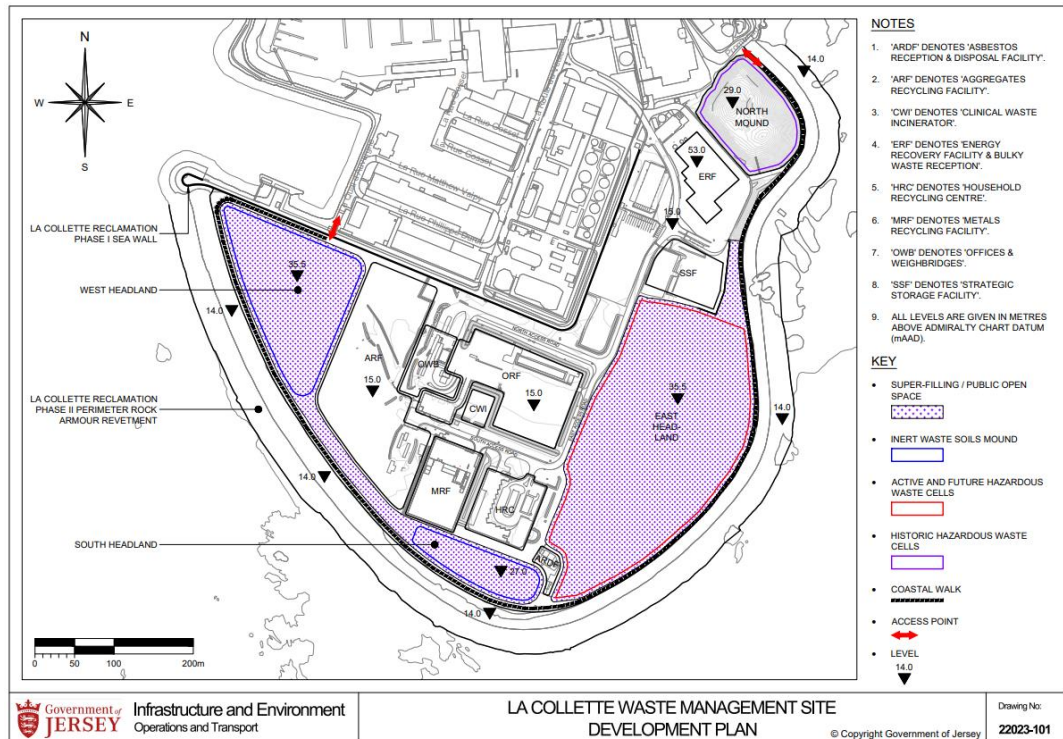
Note: After this amendment, the second amendment to the proposition would read as follows –

1 PAGE 2, PARAGRAPH (a) –

After the words “medium term Plan for”, for the words “Waste Management at La Collette Reclamation Site Phase II” substitute “the continuation of the management and storage of hazardous waste and inert waste at the La Collette Waste Management site.”.

2 PAGE 2, PARAGRAPH (a) SUB-PARAGRAPH (i) –

After the words “as detailed in drawing”, for “22023-100” substitute “202223-101” and, for the drawing that forms part of the proposition, substitute the following –



3. Page 2, PARAGRAPH (a) SUB-PARAGRAPH (ii)

After the words “waste in cells”, for the words “as per plans submitted under application P/2016/1647” substitute “to a maximum height, including capping, restoration soils, and landscaping, of no more than 4.5 metres above the current maximum height of the East Headland, provided the waste is essential or arising from small scale works.”.

4 PAGE 2, PARAGRAPH (a) sub-paragraph (iii) –

For sub-paragraph (iii) substitute the following new sub-paragraph –

“(iii) the **initial** formation of the south headland and west headland by deposition of inert waste to a maximum **temporary** height, including **any** restoration soils, and landscaping, of no more than 4.5 metres above the current maximum height of the hazardous waste mound;”

5 PAGE 2, PARAGRAPH (a) SUB-PARAGRAPH (iv) –

After the words “South Headland”, for the words “as per the plans submitted under application P/2016/1647” substitute “and West Headland, **any landscaping of either South or West Headland to be temporary**”

6 PAGE 2, PARAGRAPH (a) SUB-PARAGRAPH (v) –

After the words “publicly accessible”, for the words “one-mile-long coastal path around the perimeter of the site once landscaping and restoration is complete” substitute “a coastal walk and cycle path, with appropriate public amenities around the perimeter of the site once landscaping and restoration is complete, and developed in consideration of the safety zone limitations.”

7 PAGE 2, PARAGRAPH (b) –

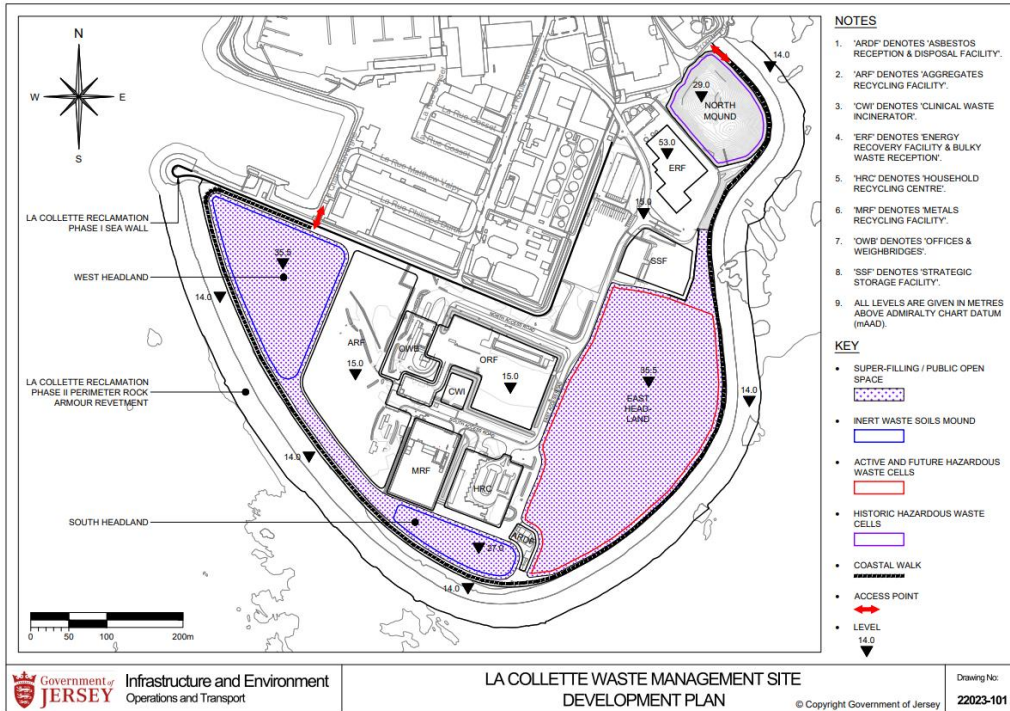
For paragraph (b) substitute the following paragraph –

- “(b) to request that, prior to the next review of the Island Plan, the Minister for Infrastructure and the Minister for the Environment develop a long-term strategy for inert and hazardous waste management, to include:
- (i) changes to policy and supplementary planning guidance based on the waste hierarchy and with a strict focus on waste minimisation;
 - (ii) identification of future sites for inert and hazardous waste management;
 - (iii) **a review of the existing safety zones around hazardous installations to ensure they appropriately control and enable future development within the zones; and**
 - (iv) **installation of Infrastructure & Environment – Operations & Transport – Solid Waste as a statutory consultee, under terms of reference to be agreed, for planning applications that involve the generation of inert or hazardous waste.**

Note: After this amendment, the proposition would read as follows –

THE STATES are asked to decide whether they are of opinion –

- (a) to support the short/medium term Plan for the continuation of the management and storage of hazardous waste and inert waste at the La Collette Waste Management site, to include:
 - (i) a combined waste management approach for hazardous waste and inert soils under a **‘La Collette Waste Management Site – Development Plan’**, as detailed in drawing 22023-101;
 - (ii) the formation of the ‘East Headland’ and ‘South Headland’ by deposition of hazardous waste in cells to a maximum height, including capping, restoration soils, and landscaping, of no more than 4.5 metres above the current maximum height of the East Headland, **provided the waste is essential or arising from small scale works;**
 - (iii) the **initial** formation of the south headland and west headland by deposition of inert waste to a maximum **temporary** height, including **any** restoration soils, and landscaping, of no more than 4.5 metres above the current maximum height of the hazardous waste mound;”
 - (iv) the landscaping and restoration of the East Headland and South Headland and West Headland, **any landscaping of either South or West Headland to be temporary;**
 - (v) the creation of a publicly accessible a coastal walk and cycle path, with appropriate public amenities around the perimeter of the site once landscaping and restoration is complete, and developed in consideration of the safety zone limitations; and;
- (b) to request that prior to the next review of the Island Plan, the Minister for Infrastructure and the Minister for the Environment develop a long-term strategy for inert and hazardous waste management, to include:
 - (i) changes to policy and supplementary planning guidance based on the waste hierarchy and with a strict focus on waste minimisation; and
 - (ii) (ii) identification of future sites for inert and hazardous waste management;
 - (iii) **a review of the existing safety zones around hazardous installations to ensure they appropriately control and enable future development within the zones; and**
 - (iv) **installation of Infrastructure & Environment – Operations & Transport – Solid Waste as a statutory consultee, under terms of reference to be agreed, for planning applications that involve the generation of inert or hazardous waste.**



REPORT

This States Assembly has been put between a ‘rock and a hard place’ with regards to inert and contaminated waste disposal. Hundreds of thousands of tonnes of contaminated waste have been super-filled at La Collette without Planning permission and with no apparent consideration for the public impact of this development.

The Minister for Infrastructure is seeking Assembly approval in principle for the existing works, increased contaminated waste storage, and the formation of two significant headlands created from inert waste. His amendment primarily addresses two concerns; that of public access and the height of the mounds, however I believe the States can provide a clearer direction with regards to certain elements of the proposition.

I thank the Minister and his officers for meeting and discussing the proposition and my original proposed amendment. I have materially altered the contents of this amendment since those discussions and hope this presents a balanced middle ground.

1. Creating extra capacity on the Eastern Headland for contaminated waste

It is understandable why the Minister is requesting the increase in height of the Eastern headland for contaminated waste. Contaminated waste arises from a range of development and operational activities on island, some of which are unavoidable. I do not wish to see the Eastern headland grow any taller however I recognise the significant cost of creating a new facility, and the potential hazardous risks associated with it.

2. Maximising the working life of the Eastern Headland through greater direction on development creating contaminated waste

In recognising that Contaminated waste is a challenge to deal with and the creation of any new storage site is both unlikely, costly, and potentially hazardous, I believe the Assembly should agree that the proposed new capacity in the Eastern headland is carefully managed to ensure it lasts as long as possible. The proposed 4.5m increase is based on assessing the historic trend volumes and extending the life of the headland by four years:

*It is estimated that the short to medium-term plan would extend the life of La Collette by a minimum of 4-years based on historic normal trend annual volumes of waste material. **It is worth noting that the receipt of any significant additional volumes of hazardous waste of non-recyclable inert waste during this period, will reduce the life of La Collette and reduce the period in which to deliver the long-term plan.***
[My highlighting]

Whilst the report also goes on to discuss Waste minimisation within the Planning process, it does not set a clear instruction to prioritise waste sources and the operating life of the western headland. It is not sufficient to recognise a risk of ‘significant additional volumes’ and not mitigate against this. We should be looking at the Eastern headland providing far greater than a four-year operating life.

To achieve this, this amendment proposes inserting the criteria for contaminated waste that the Planning authority should consider in the determination of applications as ‘essential or arising from small scale works.’

Essential waste is categorised as unavoidable waste or that created in development of critical facilities. Examples would include:

- Asbestos
- Incinerator Ash
- Clinical, Animal and Crematorium Incineration
- Waste arising from development of the Liquid waste network
- Development works for the New Healthcare facilities of school facilities (where the principle of waste minimisation has been followed)

Small-scale waste refers to waste arising from development where remediation is required but creates relatively small volumes and the benefit of remediation in enabling development outweighs the creation of contaminated waste. Examples would include:

- Waste arising from fuel stations.
- Waste arising from former boiler contamination.

3. Requiring that the formation of Southern and Western Headlands is temporary.

The proposition and subsequent amendment propose the creation of two significant headlands created from inert waste. This amendment seeks the Assembly to agree the principle that the headlands remain as temporary mounds. This is not only prime land in St. Helier but would create a further blot on the landscape and impact the setting of many St. Helier features including Elizabeth Castle.

Whilst there would be potential cost in the moving of this inert waste, there will be future uses for inert waste, either through recycling or reclamation.

4. Requesting a review of the Safety Zones with a view to enabling development within them.

Health and Safety must always be considered within development of the built environment, however in some cases we follow the letter of a broad policy and don't always apply context sufficiently. The existing Safety zones around the fuel farm significantly limit development in La Collette on safety grounds, despite many businesses and operations trading from within them constantly.

Proposal 36 of the Bridging Island Plan proposes a review of the Safety zones; this amendment seeks to agree the principle that a balance must be struck within the use of Jersey's finite land resources and in the case of the Eastern headland, public access across the whole headland should be considered and not immediately discounted on safety concerns.

Financial and staffing implications

There may be financial implications in the future for the management and disposal of the Southern and Western headlands however this is not currently possible to calculate.