

# STATES OF JERSEY



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

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Lodged au Greffe on 4th July 2023  
by the Minister for Infrastructure  
Earliest date for debate: 18th July 2023

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STATES GREFFE

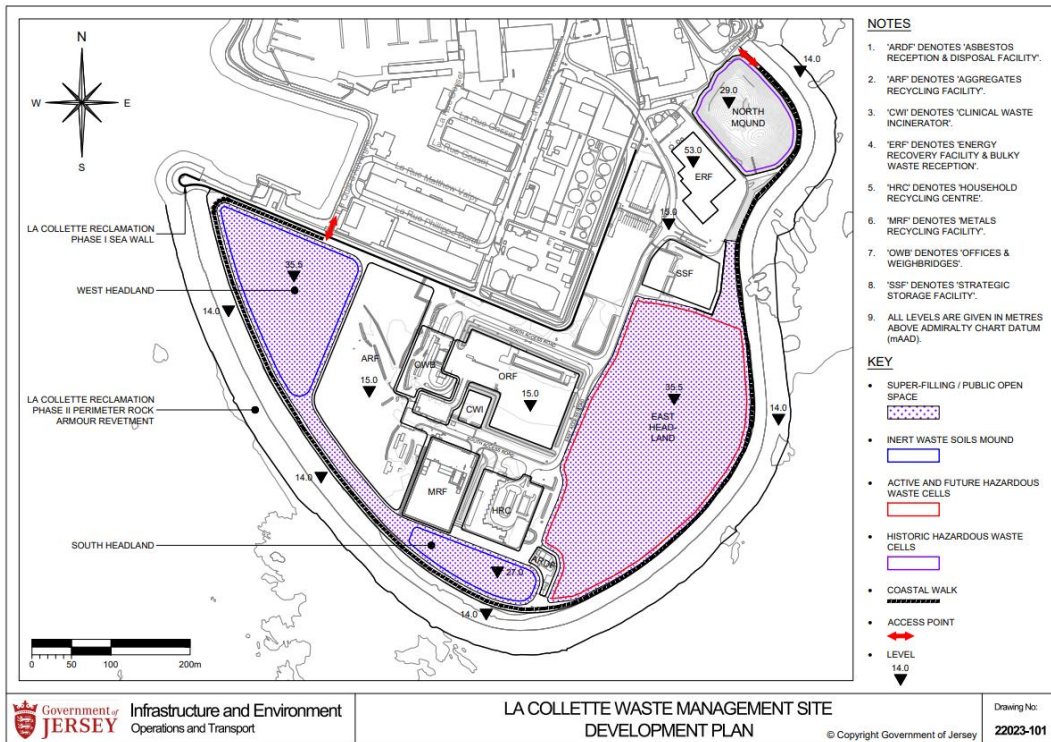
LACOLLETTE WASTE MANAGEMENT SITE – DEVELOPMENT PLAN  
(P.17/2023): SECOND AMENDMENT

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 “20223-101” 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”.

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

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

“(iii) the formation of the south headland and west headland by deposition of inert waste to a maximum height, including capping, 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”

**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; and
  - (ii) identification of future sites for inert and hazardous waste management.”

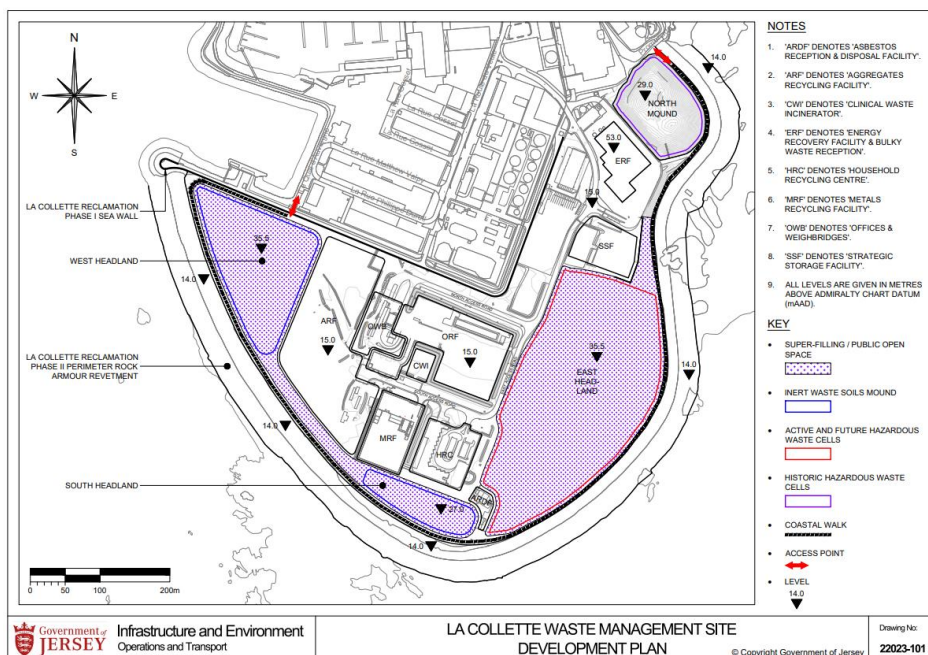
**MINISTER FOR INFRASTRUCTURE**

**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;
  - (iii) the formation of the South Headland and West Headland by deposition of inert waste 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;
  - (iv) the landscaping and restoration of the East Headland and South Headland and West Headland;
  - (v) the creation of a publicly accessible 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) identification of future sites for inert and hazardous waste management.



## REPORT

### Introduction

The La Collette Waste Management Site occupies the reclaimed land within La Collette Reclamation Phase II. The site is the location of the majority of the Island's solid waste management facilities. Since completion of the reclamation site construction, the La Collette Waste Management Site has evolved as land has been progressively reclaimed, waste management facilities in other locations have reached the end of their service life, and in response to the Island's changing waste management needs. The development of the site has been in accordance with policy and planning permissions have been sought as the site has developed. An application made for permission to create the 'La Collette Headland' through the deposition of hazardous waste in cells has recently been refused. A retrospective planning application has been submitted to enable the receipt of hazardous waste through to the end of 2023, but thereafter, the island will be without a facility for the management of hazardous waste. Furthermore, permissions for the disposal of inert waste soils at the site will be exceeded in the short term.

The Minister for Infrastructure is proposing a short to medium-term plan which responds to the previous application's reasons for refusal, and proposes a significant reduction in headland height, as shown on drawing number **Ref: 22023-101**, that will address the immediate issues the Island faces in relation to the management of hazardous waste and inert waste soils. This plan will also provide the necessary time to develop and implement a long-term strategy to deliver on the Government's solid waste related policy objectives.

### Background

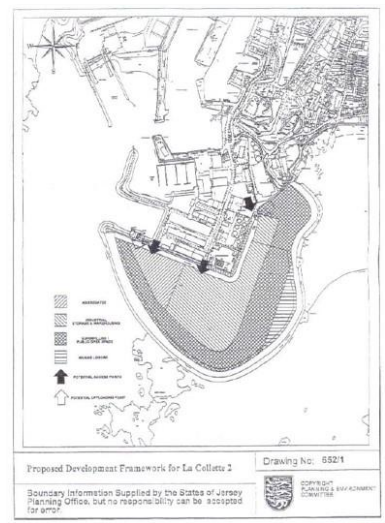
The relevant planning history to the reclamation site and in relation to the deposition of waste at the La Collette Waste Management Site is considered as commencing in 1993 when, in the October of that year, permission was granted under application **17742** for the construction of the rock armour revetment (a full breakdown of all related planning applications/approvals can be found in Table 5. In the appendices)

Further planning applications **17742/A** and **17742/B** enabled filling the reclamation site up to the level of the breakwater for inert waste soils and hazardous waste respectively. Planning application **17742/C** allowed landscaped tipping of the North Mound to a height of 10m above the top of the breakwater

On 11th July 2000, the States Assembly approved proposition **P.96/2000** and the proposed [La Collette Reclamation Site Phase II - Development Framework](#)

This provided the framework for the future development of land at La Collette Reclamation Site Phase II, including the designation of:

- i. an area of reclaimed land for the purposes of industrial, storage and warehousing use,
- ii. an area of reclaimed land to be used for super-filling and subsequently for the purposes of providing a major landscaped feature and an area of



- reclaimed land to the south of the tanker berth for the public open space,
- iii. purposes of storing aggregate material imported through St. Helier Harbour as an option pending the outcome of a feasibility study to assess the viability of this use,
  - iv. an area of reclaimed land for access to the water at all states of the tide and for associated facilities for marine leisure craft.

One of the key objectives of this framework was based on the rationale that: *“Given the difficulties in finding a satisfactory alternative for the future disposal of inert and non-combustible waste materials, it is considered to be in the Island’s best interests to maximise the lifetime of La Collette as a tip site and to incorporate super-filling. This will also enable the creation a landscaped buffer, screening the site from the east, and provide an area of public open space.”*

At the time the framework was adopted, ‘**Safety Zones**’ around the fuel storage facilities had not been conceived (pre Buncefield event - 11th December 2005), with these now used to determine appropriate types of development in proximity to the bulk fuel storage facilities (which fall predominantly in the DPZ, Inner Zone and Middle Zone). As a result, the nature of the public open space (refer point ii.) that the La Collette Headland can provide is restricted, and likely to be limited to a small range of options which will again be limited by space and commerciality as follows:

- A landscaped backdrop
- A coastal walk (and/or cycle path) around the perimeter of La Collette
- Appropriate public amenities

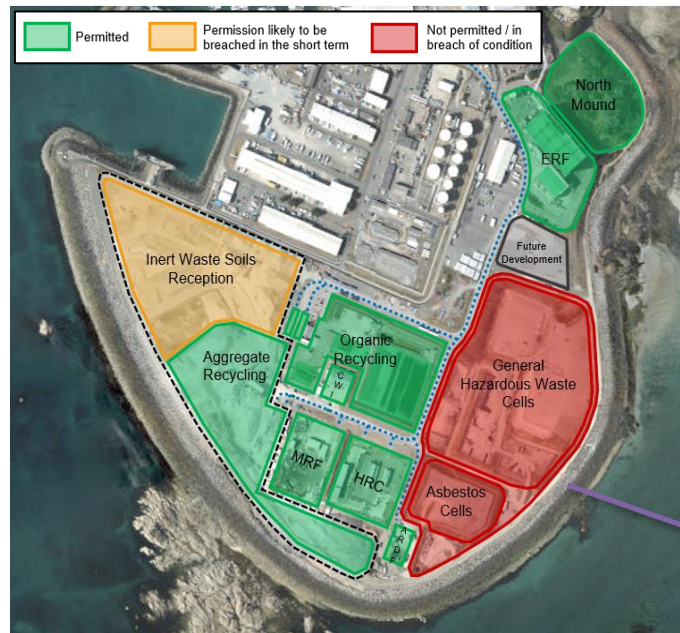
#### **Recognising Challenges at La Collette – The Island Plan**

As early as 2002, the Island Plan recognised that La Collette was filling faster than predicted:

**Section 14.28** - The Solid Waste Management Strategy recognises the need to provide additional capacity for waste disposal in Jersey. The Strategy recommends that additional space be created at La Collette through land raising by developing a landform above the sea wall level.

Furthermore, the current Bridging Island Plan recognises that: ‘The Government of Jersey landfill facility at La Collette is, currently, the only licensed terrestrial inert waste disposal site in the island. The facility is reaching the end of its operational life’.

## The La Collette Waste Management site



The waste operation at La Collette includes the management of municipal and bulky waste through the Energy Recycling Facility (ERF), the Clinical Waste Incinerator (CWI), Household Recycling Centre (HRC), Metals Recycling Facility (MRF), organic recycling, aggregate recycling, inert waste, and hazardous waste, including asbestos.

The one hectare of remaining land is to be used for bulky waste storage to enable the ongoing management of Islanders municipal and bulky waste disposal during the ERF scheduled maintenance periods. This is subject to a future planning application.

With the ongoing high volumes received into the site, issues surround the management of hazardous waste, which is now in breach of its permission condition, and inert waste, which is likely to breach its condition in the short term.

### Inert Waste

Inert waste soils are generated through island wide developments. The vast majority of inert waste soils are received at the Inert Waste Soils Reception at the La Collette Waste Management Site, which is one component of the overall inert waste soils and aggregate recycling operation at the site. There are number of small facilities around the island that can receive and recycle inert waste soils. However, the La Collette Waste Management Site is the only facility that has permission for disposal of any surplus non-recyclable content.

Approximately 200,000 tonnes of inert materials are received at La Collette Waste Management site annually. Of this, approximately 120,000 tonnes are recycled into aggregates for use in construction. The surplus 80,000 tonnes are disposed of at the site.

The current planning permissions covering the inert waste soils and aggregate recycling operation permit disposal and landfilling up to the top of the rock armour revetment that forms the perimeter of the site. Stockpiling of soils and aggregates to an average height of 10m and a maximum height of 20m above the top of the revetment is also permitted. The site is currently full and soils and recycled aggregate products are now being stockpiled. At current rates of reception and recycling, it is expected that the permitted stockpiling limits will be exceeded in the short term. This is subject to a future planning application.

## **Hazardous Waste**

Hazardous waste generation is a consequence of essential functions that support Island life. There are three main hazardous waste streams in Jersey:

- Ash and residues from incineration of waste (ERF, CWI, and ACI – Animal Carcass Incinerator)
- Asbestos containing materials (ACMs)
- Contaminated soils

There are other hazardous waste types generated on Island, primarily through industrial activity such as boat cleaning, however, the quantities of these types of waste are relatively small.

The majority of ash and residues come from the ERF and are exported to the UK. This is possible and permitted by the relevant UK authorities as this waste is exported for recovery so is moved up the waste hierarchy by exporting from Jersey. Relatively small quantities of ash and residues arise from the CWI and ACI.

Asbestos containing materials arise from the refurbishment and demolition of buildings, received from homeowners undertaking work on their property and commercial customers and licensed asbestos removal contractors carrying out refurbishment and demolition works for others. Asbestos waste cannot be exported as permission has been refused by the relevant UK authorities.

Contaminated soils are generated through development of contaminated land which exists across the island and are normally the result of historic industrial and commercial operations, for example:

- Old gas works sites & petrol stations
- Scrapyards
- Land reclamation and waste landfilling
- Industrial plant waste storage and treatment facilities

Hazardous waste is disposed of in waste containment cells at the La Collette Waste Management Site. The design, construction and operation of these cells is stringently regulated under the Waste Management (Jersey) Law 2005. The site has a Waste Management Licence issued under this law for the receipt and disposal of hazardous waste. It is a condition of this licence that the design of cells is undertaken by independent specialists and meets the requirements of international standards. The design must be approved by the Waste Regulator prior to construction. Construction of cells is supervised by an independent Construction Quality Assurance (CQA) Engineer. A CQA Validation Report confirming cells have been properly constructed, in accordance with the design, must be sent to the Waste Regulator for approval before the cell can become operational. The waste deposition operation is undertaken in accordance with a Waste Regulator approved Working Plan.

Over the last 10 years, approximately 250,000 tonnes of hazardous waste have been disposed of at La Collette. The producers and sources of this waste is summarised in the following table 1:



Producer	Ash and residues from waste incineration			Asbestos containing materials	Contaminated soils	Total
	ERF	CWI	ACI			
Government	61,900	200	800	500	24,300	87,700
ALO's	0	0	0	100	145,300	145,400
Third party	0	0	0	6,700	12,700	19,400
<b>Total</b>	61,900	200	800	7,300	182,300	252,500

1. All quantities are given in tonnes to the nearest 100 tonnes.
2. The majority of the 24,300 tonnes of contaminated soils produced by Government of Jersey was due to the construction of the New Sewage Treatment Works.
3. ALO – Arms-Length Organisation

Some significant activities that will generate hazardous waste in the future are listed in the following table 2:

Activity	Producer	Hazardous Waste Type	Quantity (tonnes)
Animal carcass incineration	Government	Ash / Residue	150 pa
Clinical waste incineration	Government	Ash / Residue	40 pa
General asbestos removal	-	Asbestos	730 pa
New Healthcare Facilities	Government	Asbestos / Contaminated Soils	Unknown
Tunnel St / Gas Place development	Government	Contaminated Soils	Unknown
Overdale Hospital works	Government	Asbestos / Contaminated Soils	Unknown
Southwest St Helier Masterplan	ALO	Contaminated Soils	360,000
Elizabeth Harbour redevelopment	ALO	Contaminated Soils	Unknown

With the exception of the 'North Mound' which has specific permission linked to the ERF permission (P17742/C), planning permits for disposal of hazardous waste at the site generally give permission for waste to be filled to the top of the rock armour revetment. Hazardous waste super-filling is already above this with the highest point being approximately 17m above the top of the revetment.

#### **Planning Application – Hazardous Waste**

In 2016, planning application P/2016/1647 – 'Construction of La Collette Headland for super-filling with hazardous waste' was submitted. The resolution of the planning application has been delayed significantly, and in March 2023, whilst the Planning Officer recommended the application be approved, the Planning Committee chose to refuse the application, citing:

1. Policy MW3 – In this instance, insufficient information has been submitted with the application to satisfy the comprehensive after-use restoration plan requirement of the policy,
2. Policy GD9 – given the proposed siting, height, scale, and profile of the development proposed, together with a lack of information to demonstrate

- how this proposal can be satisfactorily mitigated, the development will result in visual harm to the skyline, and
3. Policy GD9 – the development given its siting, height, scale, and profile in this location will obstruct significant views to the Noirmont Headland

This is due for formal confirmation of the refusal on the 7th September 2023.

The application included a proposed Landscaping Strategy, Landscaping & Restoration Drawings, Construction Environmental Action Plan, and Working Plan required under the facility Waste Management Licence which were submitted alongside the application. The Landscape and visual impact were covered in the application, and an assessment in accordance with recognised standards was undertaken and described in the Environment Impact Assessment. This EIA concluded that the Headland would see no significant impact, and instead deliver moderate benefits. It was also felt, as the Headland would provide an essential facility for the Island for which **there is no viable alternative**, that the overall community benefit outweighs the adverse effects. This proposal responds to the reasons for refusal as covered in the short-medium-term plan which follows.

### **The Impacts of Planning Refusal**

Given that the La Collette Waste Management Site is already exceeding its permission with regards to hazardous waste, the site will need to close to the receipt of hazardous waste from the 7th September 2023 once the planning refusal is confirmed. A retrospective planning application (see details below) has been submitted and a future state application is due to be submitted prior to the 7th September. This will allow for the continued receipt of hazardous (and inert) waste at La Collette until such time as the planning application is determined. Should the retrospective planning application or future state application be refused, then the island will be **without a facility or solution for the management of Hazardous Waste** either from the 7<sup>th</sup> September or at the point the future state application is refused accordingly.

The result of this means that existing activities generating hazardous materials will need to cease –including:

1. Clinical waste and animal carcass incineration
2. Asbestos removal and disposal
3. Any construction/development on a contaminated site (as listed with Environmental Health or otherwise)
4. Boat washings and any other small scale domestic hazardous waste creation. e.g. driveway planings, etc.

*For a full list of current/ongoing activities that will need to cease, refer to table 6 in appendices.*

Additionally, future developments on contaminated sites (detailed in table 2.) would not be able to progress, with Planning already advising likely refusal of some applications on the basis of the Hazardous Waste decision. Finally, there is a significant increase in the environmental risk of fly-tipping hazardous materials on Jersey.

This is likely to impact all aspects of the Governments' ability to deliver the seven priorities for change under the common strategic policy. Furthermore, this will significantly hinder the future housing growth strategy as defined in the Bridging Island Plan.

### **Retrospective Planning Application**

Following the refusal of planning application **P/2016/1647**, the Regulation Department has requested a two-part approach to the hazardous waste and inert waste operation at La Collette:

1. A retrospective planning application to cover the current state of the super-filled hazardous waste landfill since 2016, including the predicted additional landfill through to the end of 2023.
2. An additional planning application to address the future use of La Collette with regards to the operation and storage of hazardous waste and inert waste beyond 2023 (see short to medium-term plan)

The retrospective planning application has been submitted as requested and is based on the current and anticipated volumes through to the end of 2023. The proposal has also considered some levelling off of cells to enable the landscaping and restoration to take place.

The overall maximum height of the mound will be realised in the East Headland (North), peaking at 31m above chart datum, and 17m above the height of the armour wall revetment. The Headland will be formed by capping the hazardous waste cells in accordance with all regulatory and environmental requirements associated with this, and thereafter covering with a layer of soil and landscaping. The Headland has been structured to maximise environmental, landscape, and visual impact benefits.

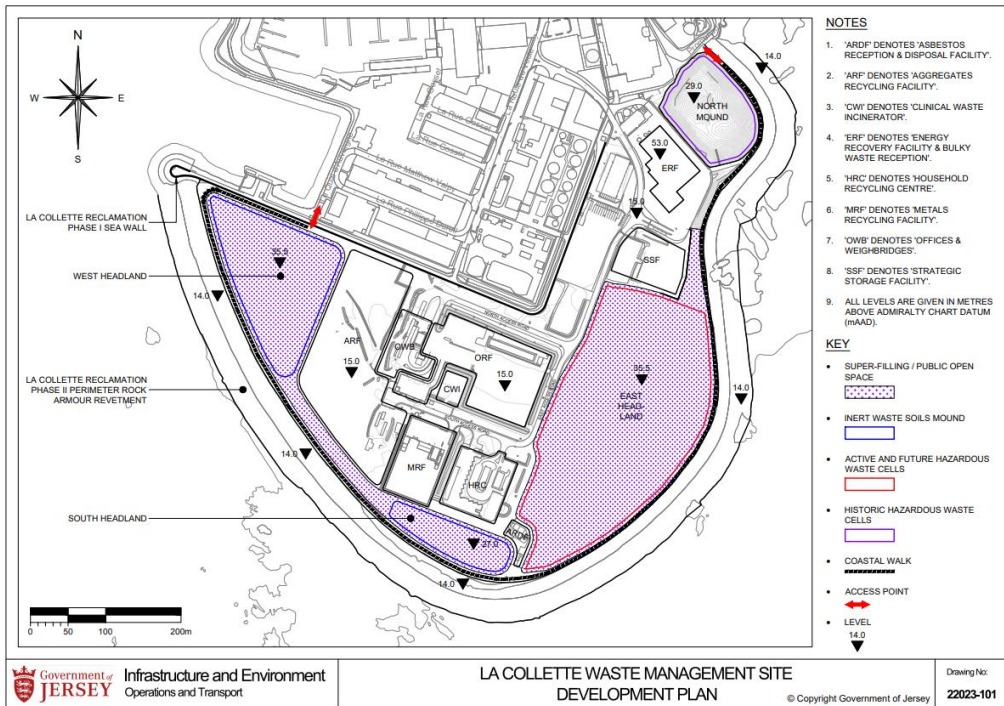
### **Short / Medium-Term Plan – The Future State Plan**

In the short to medium-term, there are no other viable solutions (refer Table 3 in appendices) for managing non-recyclable inert waste and hazardous waste, and as such extending the life of La Collette with continued filling will provide the island with an ongoing disposal option for these waste streams.

Under this proposition, it is proposed in the short to medium-term to:

- Continue filling of hazardous waste in the east headland by a further 4.5m above that contained within the retrospective planning application
- The creation of a south headland and a west headland mound for the deposition of non-recyclable inert waste, also creating a visual barrier to the waste operation within La Collette and enabling public open space around the perimeter of the Headland
- The south and west headland will not exceed the height of the east headland
- The creation of a publicly accessible coastal walk and cycle path, with appropriate public amenities developed in consideration of the safety zone limitations around the perimeter of the site once landscaping and restoration is complete

In cognisance of the 2016 planning application (impact on the vista), the height of the mounds in the future state application have been reduced by 5.5m. This is the absolute minimum height to enable the operation of La Collette waste management site to continue through the short to medium-term whilst the long-term plan is developed and implemented. The proposals are illustrated on drawing number 22023-101 below:



The short to medium-term plan will provide a solution to the Islands essential need for the management of non-recyclable inert waste and hazardous waste, whilst also providing additional community benefit, environmental benefits, and enhancements to the landscape and seascape character as prescribed in the Bridging Island Plan.

Furthermore, this is consistent with the Bridging Island Plan commentary relating to waste operations, in that;

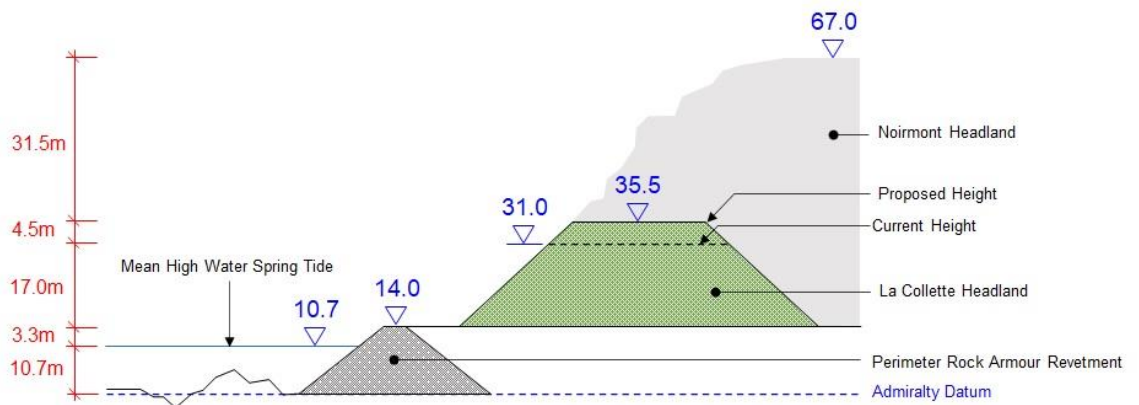
*“The co-location of complementary waste management facilities and activities on one site can provide environmental benefits through the reduction of overall traffic volumes and by enabling flexible integrated facilities to be developed. The plan is, therefore, supportive of some intensified or extended use of existing facilities where the site is capable of withstanding the growth and where it will provide integrated waste management practices in accordance with the waste hierarchy, thus reducing the need for additional sites in new locations across the island.”*

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. Notwithstanding this, the creation of the coastal path and other public amenities will be delivered as a matter of priority throughout this period and in line with any Health and Safety and operational constraints.

It is critical that during this period afforded by the short to medium-term plan, that we work closely with Industry and the Department for the Environment – Regulation, to develop and implement waste minimisation solutions, approaches, policy, and pricing.

In response to the refused application **P/2016/1647**, the future state planning application pays particular heed to the importance of delivering a landscaped solution akin to the character of the area, whilst providing a usable public open space and maximising the opportunity afforded by the La Collette Headlands.

This application also considers the impact on the vista and views afforded by the headland, most notably in relation to the coastal views of the Noirmont Headland. The revised application and associated landscaping plans propose Headlands that are 5.5m lower than those requested in **P/2016/1647** and will fall 31.5m below the height of Noirmont Point, thereby minimising any impact on the visibility of this key area of natural beauty.



### Long-Term Plan

During the period proffered by the short to medium-term plan within this proposition, it is critical to commence work on the long-term plan for the future of waste management on Jersey relating to both hazardous waste and non-recyclable inert waste.

Under this proposition, it is proposed that the Minister for Infrastructure and the Minister for the Environment work collectively to establish the long-term plan, inclusive of the following aspects:

- Using policy, regulation, enforcement, and disposal charges to drive behaviour change with the aim to minimise the generation of waste at source
- Identify future locations for the management and storage of hazardous waste and non-recyclable inert waste once La Collette has reached capacity as per the short to medium-term plan

Reducing waste at source (and thereby reducing volumes) is fundamental to the lifespan of La Collette, and this can be achieved through the Bridging Island Plan's waste management policies which reflect and endorse the hierarchy of waste management principles. This hierarchy, illustrated below, ranks the options according to their relative environmental benefits or dis-benefits and seeks to ensure that, before waste is finally disposed of in landfill, all alternative measures have been considered.

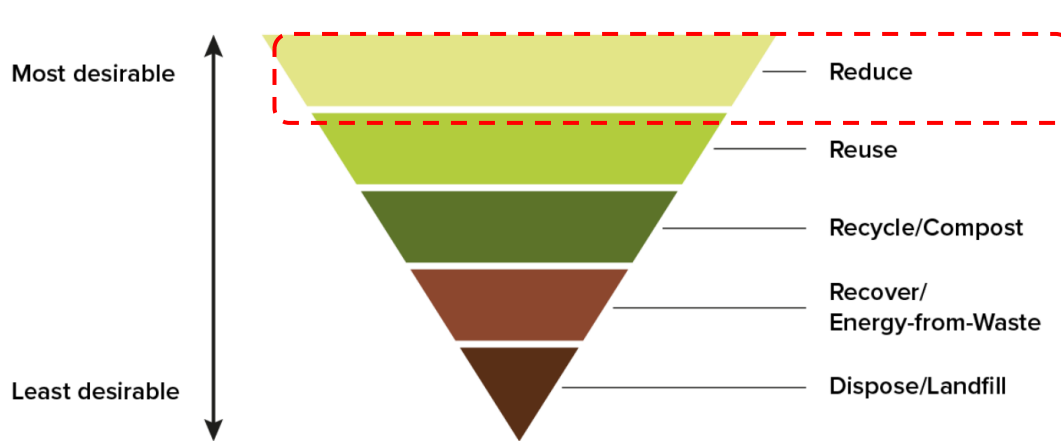


Figure WER1: Waste hierarchy

Policy WER1 already contains the relevant narrative to enable the change in behaviour, and this could be further supported by using the Solid Waste team as a statutory consultee to planning applications where hazardous waste and non-recyclable inert waste volumes are to be generated. This will enable expert GoJ opinion on waste management and effective treatment, and validate the waste volumes associated with the planning application.

There are several options which will need to be considered for the future location of waste management for hazardous waste and non-recyclable inert waste, and these are:

1. Continue to use La Collette by way of an additional planning application to further increase the height of the east, south, and west headlands above that made in the future state application
2. Identify and develop new or existing on-island waste management sites, taking into consideration the proposed use of La Gigoulande Quarry to manage inert waste as part of the current BIP
3. Utilise non-recyclable inert waste in future reclamation projects (i.e. Shoreline Management Plan) from La Collette, creating capacity for additional hazardous and non-recyclable waste storage

It is also worth noting that there is **no** option to export hazardous waste given that any Duly Reasoned Request (DRR) to do so would be rejected due to Basel Convention and DEFRA requirements. Furthermore the cost to export hazardous waste would be significant:

Export existing stock to UK: **£100,000,000** (approx. 505,000t over last 20 years)  
 Exporting expected Waterfront volumes to UK: **£72,000,000** (over next 10-15 years)  
 Normal operational volumes exported to the UK: **£50,000,000** (over next 10 years)  
**~£200 cost per tonne**

## **Financial and manpower implications**

- (i) The hazardous waste budget is designed to cover the operational and infrastructure costs and therefore there are no financial implications relating to hazardous waste attributed to this proposition. The management operation is outsourced and as such, there are also no manpower implications from this proposal.
- (ii) Annual budgeted net income for inert waste is £2.3M, with circa £100k of internal manpower resource allocated to the waste management operation for inert waste. Support of this proposition will confirm the States agreement of the Future State Plan, which should enable planning permission to be considered in this context, and the continuation of this operation and therefore, income.
- (iii) There will be an additional cost incurred for the landscaping and restoration of the east, south, and west headlands, however the quantum of this is unknown at this time.
- (iv) In the event that the management of inert waste moves to Granite Products as per the Bridging Island Plan, or another on island location, then there will be a reduction of income received at La Collette for the management of this waste stream. This could be up to the total value as detailed in point (ii)
- (v) Successful behaviour change brought about by policy, regulation, and enforcement will reduce volumes delivered to La Collette, and as such will result in a reduction of income received at La Collette for the management of inert waste.
- (vi) Changes to inert waste and hazardous waste charges will impact the income received by the solid waste team, although the value of this is unknown as price increase should reduce demand (change behaviour) and so smaller volumes will be received at increased prices. The elasticity of demand in this area is unknown.