

## 4. WASTE HIERARCHY

### 4.1 National Waste Management Policy

The foundation policy statement on waste management ‘*Changing Our Ways*’ was published by the Department of the Environment and Local Government in September 1998. This statement firmly bases national policy on the EU Waste Management Hierarchy. In descending order, the current preference is:

- > Prevention;
- > Preparing for Reuse;
- > Recycling;
- > Other Recovery (including energy recovery); and,
- > Disposal.

The 2002 policy statement ‘*Preventing and Recycling Waste - Delivering Change*’ identified initiatives to achieve progress at the top of the Waste Hierarchy to prevent waste arising and increase recycling rates.

In ‘*Waste Management – Taking Stock and Moving Forward*’ 2004, the significant improvement in recycling rates achieved since 1998 were recognised, but the need for further expansion was emphasised. The statement confirmed that Ireland’s national policy approach remained ‘grounded in the concept of integrated waste management, based on the internationally recognised waste hierarchy, designed to achieve, by 2013, the ambitious targets set out in ‘*Changing Our Ways*’.

In 2006, the National Biodegradable Waste Strategy was published. Its primary focus was to achieve the targets set for the quantity of biodegradable municipal waste that can be landfilled under the Landfill Directive (1999/31/EC). A key element was the collection of source separated household and commercial food waste or “brown bin” material and its treatment.

In 2008, the Government initiated a review of waste policy, to identify possible changes to policy at national level that would assist Ireland to move towards a sustainable resource and waste policy, including minimising the creation of waste and self-sufficiency in the reuse and recycling of materials. The review also addressed the application of alternative waste management technologies.

The EU Waste Framework Directive 2008/98/EC was introduced to co-ordinate waste management in Member States, with the objective of limiting the generation of waste and optimising the organisation of waste treatment and disposal. The Directive, which also established the first EU wide recycling targets, was transposed into Irish Law by the European Communities (Waste Directive) Regulations 2011 (S. I. No.126 of 2011).

In response, the Government initiated a further review of national waste policy, one of whose objectives was to provide the necessary measures to ensure that waste undergoes recovery operations in accordance with Articles 4 and 13 of the Directive. A consultation document issued by the Department stated that classification of a treatment process as a recovery activity depends on the level of success in either recovering wastes, or producing heat and/or power.

The most recent Policy Statement ‘*A Resource Opportunity Waste Management Policy in Ireland*’ 2012 is also based on the EU Waste Management Hierarchy and encompasses a range of measures across all tiers namely, prevention and minimisation, reuse, recycling, recovery and disposal.

The Statement sets out how the higher tiers can reduce Ireland’s reliance on finite resources, virtually eliminate reliance on landfill and minimise the impact of waste management on the environment. It is a

policy objective that when waste is generated the maximum value must be extracted from it by ensuring that it is reused, recycled or recovered.

## 4.2 Waste Framework Directive 2008 (2008/98/EC)

The Waste Framework Directive 2008 (2008/98/EC) (WFD) sets out the overall structure for an ‘effective and safe waste management regime’ in Europe and was transposed into Irish Law in 2011.

The WFD gives Member States the provision to take action in encouraging the prevention, recycling and processing of waste as established within the ‘Waste Management Hierarchy’, as shown in Figure 1-1 below. The WFD also requires Member States to adopt waste management and waste prevention programmes.

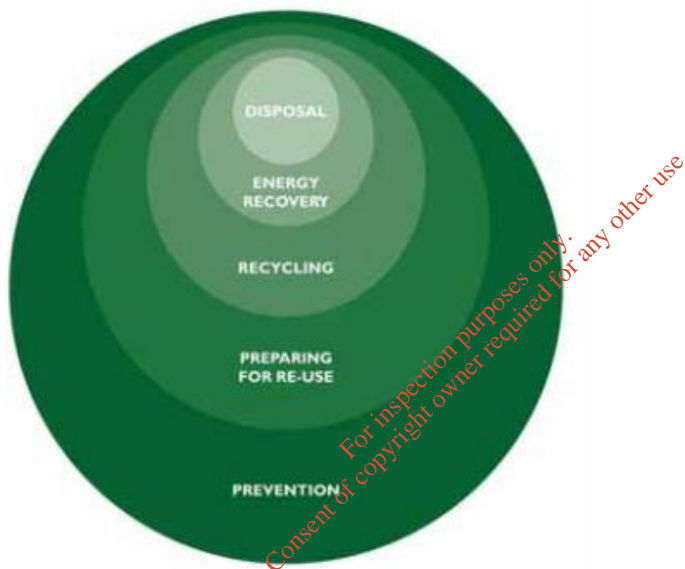


Figure 4-1 Waste Management Hierarchy

The WFD has set targets for Member States to achieve by 2020 as set out below, however, these are considered ‘live’ and are reviewed and revised as considered appropriate over the lifetime of the waste management plans.

- 50% preparing for reuse and recycling of certain household and similar waste materials; and
- 70% preparing for reuse, recycling and other recovery of construction and demolition waste (C&D)

The proposed development will contribute to the achievement of 70% reuse / recovery of C&D waste and any future waste management targets established within the proposed 20-year lifetime of the permission.

4.3

## Waste Action Plan for a Circular Economy

The Department of the Environment, Climate and Communications (DECC) published its ‘Waste Action Plan for a Circular Economy’ in early September 2020. This new national waste policy will inform and give direction to waste planning and management in Ireland over the coming years. The previous national waste policy, ‘A Resource Opportunity – Waste Management in Ireland’, drove delivery on national targets under EU legislation, but the Irish and international waste context has changed in the years since its launch. The need to embed climate action in all strands of public policy aligns with the goals of the European Green Deal.

The key objectives within the new waste policy document include:

- Recycling targets for waste collectors.
- Waste recovery levy to encourage recycling.
- Education and awareness campaign to improve waste segregation.
- Single use plastics to be banned from July 2021.
- All packaging to be reusable or recyclable by 2030.
- Halve the country’s food waste by 2030.
- Mandatory Extended Producer Responsibility for all packaging producers before 2024 EU deadline.
- Revision of the 2006 Best Practice Guidelines for Construction and Demolition (C&D) Waste.
- Unauthorised sites Action Plan and Anti-Dumping toolkit.
- Review State support for development of recycling infrastructure.
- Develop circular economy sectoral roadmaps.

Consideration to this new National Waste Action Plan has been given in the preparation of this EIAR. The proposed development provides a beneficial route for the re-use of inert waste soil and stone in the restoration of the site to an agricultural use.

4.4

## Eastern Midlands Region Waste Management Plan 2015-2021

The waste framework legislation establishes the legal structure for the prevention and management of waste. The European Commission has prepared waste framework legislation to govern this broad approach and the principles for managing waste across all Member States. The principal European framework legislation includes:

- European Directive (2008/98/EC) on Waste (Waste Framework Directive);
- Council Decision (200/532/EC) establishing a list of wastes; and
- Regulation (1013/2006) on the shipments of waste.

The Eastern Midlands Region Waste Management Plan 2015-2021, hereafter referred to as the EMRWMP, was launched in May 2015 in compliance with the above framework, *Waste Management Act 1996* and the *Waste Management (Planning) Regulations 1997* (as amended) and Government’s blueprint for a ‘Circular Waste Economy’ as set out in *A Resource Opportunity – Waste Management Policy in Ireland* (2012). A ‘Resource Opportunity’ established a new framework for the provision of effective and efficient waste management services. The purpose of this Plan is to set out the strategy, policies and actions required to manage waste in a safe and compliant manner in the Southern Region. The EMRWMP is a statutory document prepared by the local authorities of the region, including Kildare County Council.

The Strategic Vision of the EMRWMP is as follows:

*“The strategic vision of the regional waste plan is to rethink our approach to managing waste, by viewing our waste streams as valuable material resources, leading to a healthier environment and sustainable commercial opportunities for our economy.”*

In this regard, a fundamental principle of this approach is to place a stronger emphasis on waste prevention and material reuse activities through ‘self-sufficiency and proximity’; specifically, for non-hazardous waste, the aim of government policy is to develop indigenous recovery infrastructure to replace landfill activities in favour of higher value recovery options, such as the proposed soil recovery facility.

This vision has been developed in line with the European Commission’s guidance on circular economies, as summarised below from their 7<sup>th</sup> Environment Action Programme,

*“Our prosperity and healthy environment stem from an innovative, circular economy where nothing is wasted and where natural resources are managed sustainably, and biodiversity is protected and restored in ways that enhance society’s resilience.”*

The EMRWMP acknowledges that realising the Circular Economy, as shown below in Figure 1-2, will require extensive policy support at European, national, regional and local levels.

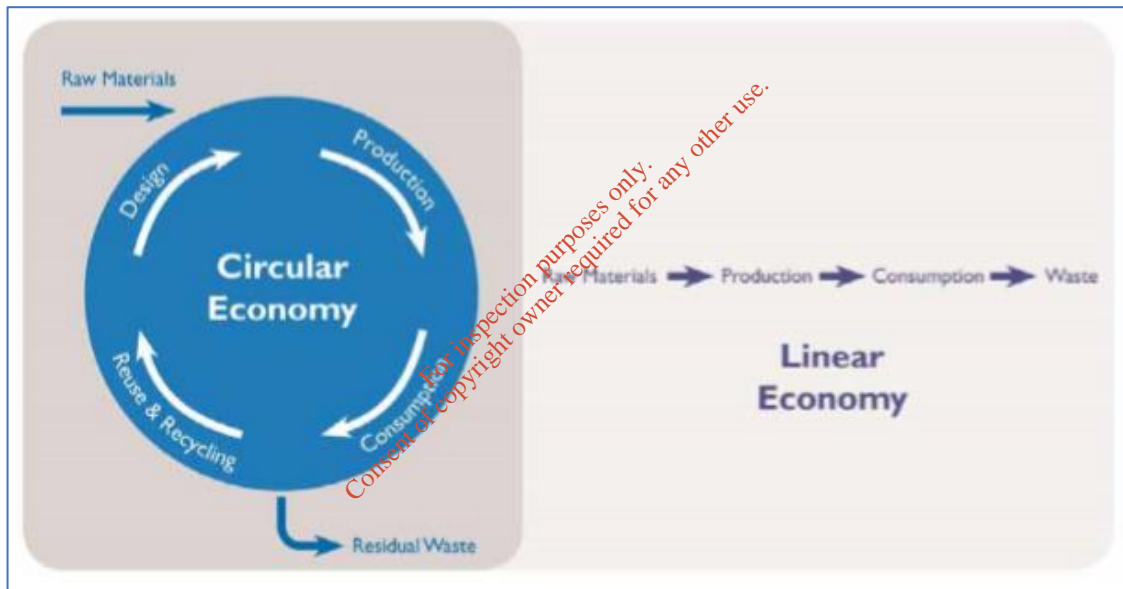


Figure 4-2 Circular / Linear Economies (Source: Eastern Midlands Region Waste Management Plan)

The approach of the waste strategy is to put into place objectives and actions which support Ireland’s move to an economy defined by higher resource efficiency and productivity. As such, the Plan sets out **Policies A1, A3 and A4** as reproduced below, designed to ensure greater integration and implementation of the waste hierarchy within waste and environmental management processes, e.g. the Circular Economy:

- Policy A1: Take measures to ensure the best overall environmental outcome by applying the waste hierarchy to the management of waste streams.
- Policy A3: Contribute to the improvement of management performance across all waste streams through the implementation of policy actions and monitor progress towards national targets.
- Policy A4: Aim to improve regional and national self-sufficiency of waste management infrastructure for the reprocessing and recovery of particular waste streams in accordance with the proximity principle.

The EMRWMP states that Ireland’s resource efficiency and productivity need to be improved with more value extracted from the resources used and discarded in order to become more efficient and less wasteful. Other enabling actions identified by the Plan to realise a Circular Economy in the context of Mining and Extractive industries include increased coordination across the region and stakeholders, achieving the right balance of waste infrastructure to manage waste in a manner which optimises material value and future market opportunities and protect against potentially adverse environmental effects. The following Strategic Objectives as considered particularly relevant to the proposed development:

- **Policy and Legislation:** Implement EU and national waste and related environmental policy, legislation, guidance and codes of practice to improve management of material resources and wastes;
- **Resource Efficiency:** Encourage the transition from a waste management economy to a green circular economy to enhance employment and increase the value recovery and recirculation of resources;
- **Coordination:** Coordinate the activities of the regions and work with relevant stakeholders to ensure the effective implementation of objectives;
- **Infrastructure Planning:** Promote sustainable waste management treatment in keeping with the waste hierarchy and the move towards a circular economy and greater self-sufficiency; and
- **Protection:** Apply the relevant environmental and planning legislation to waste activities in order to protect the environment, in particular European sites, and human health against adverse impacts of waste generated.

In the context of the proposed development, it is proposed that the material will be sourced from construction projects in the region, including the Athy N78 Bypass, several proposed housing schemes and other such similar projects. The subject lands were previously used for sand and gravel extraction and will provide additional void space for soils and stones in the Kildare area with the benefit of restoring an existing sand and gravel pit to beneficial after-use. The EMRWMP notes that construction and demolition (C&D) waste is primarily collected by private authorised collectors with stone and soil accounting for c. 68% of C&D waste collected. As such, the Plan notes that it is imperative that C&D waste plans for developments are put in place and enforced, and furthermore, there are appropriate processing facilities in place to increase reuse, recycling and recovery in this particular waste stream.

A reuse and recycling target of 60% - 70%, equivalent to current best practice across Europe, has been set by the Authorities as the benchmark for the regions and Ireland to aim for in 2030. The successful implementation of the proposed development will assist in achieving these targets.

## 4.5 Need for the Development

The need to drive waste up the waste hierarchy and away from landfill is clearly established in the Waste Framework Directive, national waste policy and regional waste policy.

The recent upturn in the economy and thus the construction industry has led to a significant increase in the generation of inert soils and stone in the Eastern-Midlands Region including Kildare. As a result, there is an urgent need for Local Authorities in the region to provide for soil recovery facilities to meet demand for recovery and re-use of inert materials.

In terms of the providing future capacities the regional waste plans provide guidance on the type of soil recovery sites required and other considerations. In summary these are:

- The authorisation of future backfilling or soil recovery capacity in the regions should be co-ordinated by regulatory bodies so the right scale and balanced capacity is developed. Imbalances in a region are to be avoided where possible as well as inadequate supply;

- The plans favours the development of large, longer life restoration sites, such as old quarries, ahead of shorter span sites (e.g. permitted or registered sites) for soil recovery activities; and
- The environmental protection criteria as set out in the plan which guide the siting of new facilities must be complied. The regulatory threshold for environmental protection has been increased and applicants must demonstrate the protection of environmental receptors from future site activities.

Given that there is a large void space available for infilling at the site, and that the site is readily accessible from the National Road network, it is considered that the application area is suitable for the development of a soils waste recovery facility at this location. In addition, the application site can avail of the existing site infrastructure, site management procedures and the experienced staff all of which contributes to this being the most sustainable option for the development of such a facility.

The need for the proposed project is also driven by its beneficial after-use which is integral to the sustainable extraction of aggregates. The restoration of the quarry void will return the site area to a land use which is in keeping with its surrounds i.e. grassed field systems.

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