

# The Werribee Toxic Dump – Strategic Planning to Mobilise a Community

Harry van Moorst (1999)

## ***Background to the Werribee Toxic Dump***

In 1995 CSR decided to turn its Werribee quarry into a “prescribed waste landfill”, referred to by local residents and the media as a “toxic dump”. At the beginning of 1996 the Minister for Planning, Mr Rob Maclellan, directed CSR to prepare an Environmental Effects Statement (EES). In March 1996 Werribee residents first learnt of the proposal and began a lengthy campaign of opposition. This campaign led to an unprecedented public meeting of 15,000 residents at the Werribee racecourse on a cold Monday evening in May 1998 which unanimously condemned the proposal. It also led to a major challenge to traditional industrial waste management policies in Victoria.

At the beginning of the community campaign residents were warned that they would have little chance of winning: CSR was one of Australia’s largest multinational corporations, and the Kennett Government was seen as the toughest state government seen in Australia for some decades. It became a typical ‘David and Goliath’ struggle, with a similar outcome.

## ***Details of the toxic dump proposal***

The CSR proposal was to fill the old part of a large quarry hole with prescribed waste while continuing to quarry at other sections of the site. Prescribed waste is defined by the EPA as “the most hazardous category of waste. If not managed properly, these wastes may pose a threat to the life or health of living organisms due to their toxic properties” (EPA Information Bulletin No. 448, Sept. 1995).

CSR claimed that the facility was needed because the Tullamarine prescribed waste landfill was due to close and a replacement was required. Opponents argued that CSR had grossly overestimated the need, ignoring the emphasis on waste minimisation by EPA policy and ignoring the growing possibilities for alternative recycling and treatment options. To provide cheap dumping of prescribed waste would be an incentive to continue to create it.

In its EES CSR claimed that it would dump 120,000 tonnes of prescribed waste into the double clay-lined quarry hole each year, for 10 to 15 years. It would also construct Australia’s largest windrow (open mound) composting facility and develop the overall site as a major ‘waste management facility’.

CSR claimed that the facility would be perfectly safe because it:

- would be protected by a double clay liner and a leachate collection system (this was later amended to include a plastic membrane for further protection);
- would be ‘world’s best practice’ and ‘state of the art’;
- would accord with all planning and EPA regulations;
- would be monitored by the EPA.

Residents were not convinced, and expressed their reservations at meetings and in reports. The primary concerns of residents (as outlined in one of the leaflets) were that:

- “It contravenes EPA environmental policies.
- It threatens the health and well being of the families of Werribee and surrounding areas.
- It threatens the Werribee farms and market gardens, both directly (e.g. in case of fires, spillages, dust storms, major leakages) and through the public perception of possible contamination of crops.
- It threatens the growing tourist industry (including the zoo and its international breeding programme, the Mansion and State Rose Garden).
- It threatens the Werribee and Pt Lillias wetlands, in contravention of international (Ramsar) treaty obligations and will pollute Port Philip Bay, where the leakages will eventually end up.
- It is totally unnecessary. We have provided the Government with a ‘win-win’ scenario which implements EPA’s policies (a win for the environment, a win for the community and a win for industry) and provides an alternative technology and management process.”

### ***The development of a strategy to confront Goliath***

A resident committee was formed in April-May 1996 to organise a campaign to try to stop the development of the waste facility. The committee, calling itself the Werribee Residents Against Toxic Dump (WRATD), initially comprised 6 people but rapidly grew to 20 – 30 residents representing most ‘walks of life’ in the area. Academics, scientists and teachers, farmers, factory workers, estate agents, people engaged in home duties, nurses and many others became involved during the first few months. A broad range of expertise, skills and experience was tapped during this time, and considerable contacts and networks developed over the next months.

Werribee has a strong history of market gardening, and is the major market garden centre in Victoria. The threat that the proposal created for these market gardens was seen to be a substantial local issue and a strong alliance was developed with the market gardeners from the outset.

### **Understanding the obstacles and opposition**

One of the first tasks undertaken by the newly formed committee was to discuss the aims of the campaign and the nature of the opposition. The aims were principally to prevent the development of the toxic dump and composting facility in Werribee, but secondary aims and goals were also articulated, and these became instrumental in the ultimate success of the campaign.

Several problems were obvious from the outset. Firstly, residents could not count on much support from their council because it was comprised of government-appointed commissioners, not elected representatives. Elections were not due until the following year, and even this was uncertain in view of the State Government’s attempt to control and limit local government.

Secondly, there was a substantial ‘planning vacuum’ which not only left the Government at the mercy of proponent-driven ‘planning’, and hence dependent on the CSR proposal for its ‘solution’, but also left residents without the protection of planning policies and

regulations. It was recognised by WRATD that EPA policy was not adequate to the task of protecting the community from proposals of this kind. This related to a third problem, namely the narrow mind-set of all those involved in industrial waste management. There was a general complacency in industry and the EPA which saw the dumping of prescribed waste into a lined hole in the ground as perfectly natural, safe and desirable. While such a mind-set continued it would be very difficult to gain many allies outside the local community and some sectors of the environmental movement (many residents had no experience of the environmental movement and were initially very cynical about 'greenies').

Finally, WRATD members were very conscious of the NIMBY accusation that would be made against them, namely that all they wanted to do was to put it into somebody else's backyard instead of their own. It was decided that, while NIMBY concerns were perfectly valid, and if everyone took this attitude there would be no toxic dumps anywhere, WRATD would try to do something more than simply be a NIMBY campaign.

### **The guiding principles**

The first strategic principle that was accepted by WRATD was the contention that all sectors, including government, industry, and even CSR, would be treated as potential supporters. WRATD decided to invite support from all identifiable stakeholders and determined that only if stakeholders proved their opposition would they be treated as an opponent. This approach ensured good relations with most stakeholders even when there were substantial differences of opinion, and assisted to minimise the support eventually received by CSR for its proposal. It also served to unite the community (which at the previous election had become a 'swinging seat'). CSR became an actual opponent very early in the campaign, especially after a series of heated EES meetings and refusals to divulge information to residents. On the other hand, the Government remained a potential ally, 'hiding' behind the EES process to refrain from comment or discussion, until the beginning of 1998, when the Premier pre-empted the decision-making process by publicly endorsing the CSR proposal. Even at this late stage, WRATD made numerous attempts to meet with the Premier and other ministers to try to avoid the looming conflict and discuss alternatives. Most of these attempts fell on deaf ears and WRATD eventually adopted a policy of direct opposition to the Government and a demand that the Government be dismissed at the next election.

The second principle was one of non-violence in all its activities. WRATD was not a militant or traditional political organisation: it was a group of family people, inexperienced in political matters and representing a relatively conservative community that had returned a Labor member in the State elections by the narrow margin of approximately 500 votes. In this context an overtly non-violent, non-aggressive strategy was crucial for maintaining local credibility and legitimacy. It was also supported on broader strategic and moral grounds.

The third principle was for WRATD to be, and remain, a 'grass roots' organisation, always focussing on developing resident understanding of the issues and mobilising the local community in opposition to the CSR proposal. Therefore the main thrust of WRATD activities was towards community education and mobilising instead of lobbying politicians or begging support from industry or media. From the outset the focus was on developing community strength as the basis for other forms of opposition. This was not always adopted by all members, and several differences within WRATD revolved around the efforts that should be made in lobbying members of Parliament. Compromises were

readily achieved and significant lobbying occurred during several periods of the campaign, but always as a secondary activity to community mobilising.

The final principle was that WRATD would be pro-active about the issue of industrial prescribed waste, and would try to develop alternatives to the dumping of waste into landfill, so that no other community would have to face what Werribee was facing. WRATD resolved to intervene with the EPA (through its industrial waste management review) and with the government to develop alternative policies. WRATD wanted to change the mind-set that saw the landfill disposal of prescribed waste as acceptable, and that saw any location owned by a large company as worthwhile of consideration, regardless of community opposition.

Within the first twelve months a further principle was added to the strategic directions of WRATD. As CSR and government intransigence began to manifest itself it became clear to the resident group that a major underlying issue, and an issue facing many other communities, was that of *community rights*. It appeared to Werribee residents that their rights were being ignored in favour of the profit desires of CSR. It was resolved to promote the idea of community rights and to support other community groups facing similar issues.

About a year into the campaign a slogan was developed that encompassed most of the concerns of the community: *The wrong technology, in the wrong location, by the wrong company*. This slogan reflected the strategic work by WRATD to show the weaknesses of the landfill technology and to develop alternatives, the failure of planners to develop effective locational criteria for the siting of industrial waste facilities (regulations only covered municipal waste – there was a deafening silence about prescribed waste), and the growing concern with CSR's own environmental record.

### ***Implementing the strategy – 3 years of campaigning***

Since April 1996, as the strategy was developed, mounting pressure was placed on CSR and, later, the state government. The implementation of the strategy went through a research and educative phase to a mobilising phase. The mobilising phase went from mobilising residents and local business (including market gardeners) to mobilising people outside Werribee. And the mobilisation, as discussed below, went from lobbying and submission writing to protest and eventually to direct resistance.

The first 12 months of the campaign involved substantial research and the use of the local media to publicise the research findings. Overseas evidence of toxic dump leakages, health impacts and other problems were obtained and publicised. Reports were printed, leaflets prepared and public meetings held to develop community awareness and support. A petition was circulated in the local community and 19,000 residents signed over a period of two months. The aim of the petition was not primarily to impress the government, but to engage the local community with the issue.

The committee became heavily involved in the EES process and several members spent many days as part of the "Community Consultative Committee" which was supposed to advise CSR about the EES studies being undertaken. Many members of WRATD believed that the EES process would provide a valuable forum for discussing the community's concerns and for obtaining information about the process and its risks. As the EES process developed it became evident that CSR had no intention of contemplating any outcome other than support for the project, and its hired consultants provided a barrage of highly limited data which did little to impress the community representatives. Long before the EES was finished the community representatives had reported their

dismay in the proceedings, and had developed highly cynical attitudes towards both CSR and the EES process itself (for further information about the EES process for this development see van Moorst, 1998).

Nevertheless, WRATD persevered with the EES both as a necessity for retaining legitimacy amongst the various stakeholders, and to ensure that what little new information was being provided by CSR was available to the community.

WRATD employed the usual complement of community tactics, including public meetings, leaflet distribution, rallies, letters to newspapers, etc. to create greater public awareness of the proposal. At one of the public rallies the Commissioners were obliged to be present "on behalf of the Council" and were strongly rebuked by residents. The subsequent elections for the new Council, held 12 months after the commencement of the campaign, saw every candidate place opposition to the toxic dump as their foremost policy. A strong alliance developed between WRATD and the Council after the elections.

From mid-1996, WRATD members prepared submissions and held discussions with the EPA as part of the Industrial Waste Policy Review. WRATD pressured EPA to reject the notion of "disposal to landfill" in favour of a policy of developing safe and "properly engineered repositories" for the storage, and possible retrieval (for re-use, recycling or treatment) of such waste. The EPA adopted this in their final policy, as published in its *Zeroing in on Waste* (EPA, 1998). This in turn meant that the EPA would find it difficult to approve CSR's "dry tomb" landfill for dumping toxic waste without contravening its own policy. By this work WRATD had significantly outmanoeuvred CSR (which had failed to even discuss the matter with the EPA) and had gained a major strategical advantage during the forthcoming policy debates. On the other hand, WRATD was fully aware of the pressure that CSR and the Government would place on the EPA to give CSR its approval. Further visits and dialogue with the EPA ensued, and no final decision was reached.

WRATD and the Council spent considerable energy on showing the ridiculousness of placing a toxic waste facility in the middle of a growth corridor, adjacent to farms and internationally protected wetlands, close to vital market gardens and Port Phillip Bay, and in the middle of a growing tourist area. This "failure of planning" was a theme strongly promoted by WRATD.

By the end of the first year WRATD was using Freedom of Information legislation to discover CSR's environmental record in the area. This led to a report of numerous breaches of EPA license requirements for the Werribee quarry, some of which reportedly resulted in the deaths of a number of significant, 200-year-old river red gums. Subsequent research on CSR's Wittenoom disaster and its serious spillages at Mt Gambier and Dartmoor provided a strong argument that CSR was not competent to manage toxic waste facilities. A report was presented to the community and at the Panel hearings, and was published in March 1998. At the launch of the Report, undertaken by prominent member of parliament and ex-Minister of Science, Mr Barry Jones, WRATD called for a public boycott of CSR products. Although this tactic had been discussed early in the campaign, it was not utilised until this time, in response to what was now publicly recognised as irrevocable intransigence by CSR to the community's wishes and arguments, and to the growing ability of WRATD to make such a boycott significant.

During the first 18 months of the campaign WRATD had participated in all the 'formal' processes, while simultaneously mobilising the community. While there had been consistent coverage, mostly favourable, in the local newspapers, there had been very little

coverage in the daily media. WRATD spent much of June-July 1997 preparing its written responses to the EES (3-volume) document. About 10 members of WRATD worked to prepare a 40,000 word response, showing the unwarranted assumptions, unsupported modelling inputs, unscientific methods used, and many other flaws in CSR's consultants' reports. WRATD also prepared 'kits' to assist other residents to prepare their submissions, and a total of 816 written submissions were received by the EPA in response to the EES, only 13 of which were favourable to CSR.

From October to December in 1997 WRATD was intensely involved in the public hearings before the Ministerially appointed Panel. Many residents were involved in the hearings: about 10 WRATD members spent most of their time during these months at the hearings, and more than 30 residents gave evidence before the Panel. WRATD had decided to treat the Panel on its merits, and not to use the Panel hearings for campaigning at a public level. This decision was based on the belief that no panel, no matter how supportive of the government or how development oriented, could support such a flawed EES report or such a stupid proposal as this one. It might have been better for WRATD to have been more cynical and aggressive in its involvement at these hearings.

By the end of the Panel hearings many residents were optimistic that "justice would be done" and the proposal would be disallowed. WRATD had made strong submissions to the Panel showing the flaws in the proposal and providing alternatives for safe waste management. The Panel began its private deliberations in mid-December and delivered its report at the end of February 1998. To the dismay of the community, the Panel dismissed community concerns, calling the community "emotional", and claiming that, despite acknowledged weaknesses in the EES, the facility would be safe and should be acceptable to the community.

It was after this shock report that the past 2 years of campaigning exploded into community action. Until this time the rallies and activities of WRATD had mobilised no more than about 2,000 residents at any one time. The public meeting held under the auspices of the City Council attracted over 5,000 residents, with many turned away. The meeting was furious and strongly urged the Minister to reject the Panel recommendations.

A strenuous month of activity followed to pressure the Minister to reject the proposal, including meetings, lobbying, protests, and a flurry of media attention. For the first time many other Melburnians became aware of the issue. Vigils, letters, petitions and a blockade of the CSR quarry site all added to the pressure on the government and to the interest from the media. A "community day of protest" involved many thousands of residents and students in Werribee in activities against the proposed toxic dump, including an arts display in shop windows, the opening of an "action centre" for sending letters and faxes to politicians, a youth concert in the street, and the rapid expansion of the 'core group' of WRATD from the initial 30 or so to nearly 100.

It was at this time that the Premier, Mr Jeff Kennett, entered the fray and gave unequivocal support to the CSR proposal, despite growing evidence of his own lack of knowledge of the issues involved. In several radio interviews the Premier appeared foolish in his ignorance of the waste proposal, but this did not stop him from publicly committing his government to supporting it.

Even at this stage many residents were hopeful that the Minister for Planning, whose responsibility it was, would not approve the proposal. This confidence was heightened by parliamentary assurances from the Minister that he would wait for the EPA policy to be

released and would abide by that policy. In view of the significant input WRATD had to this policy, there appeared to be good grounds for hope. At a meeting with the Minister he acknowledged that he was not bound by the Panel and that "Panels sometimes get it wrong". It was perhaps the penultimate expression of political cynicism when, 24 hours after the EPA issued its policy recommending in favour of properly designed repositories (and hence against "dry tomb" landfill), the Minister gave approval for the Werribee toxic dump, simultaneously giving approval to the Niddrie contaminated soil landfill (also the source of strong resident opposition) and recommending a *5-year extension of Tullamarine* (despite the fact that Tullamarine's "imminent" closure was the rationale for a new facility in the first place!).

Werribee residents first learnt of the decision from the media, and immediately responded with a call for a public meeting the following Monday evening (4 days after the announcement). At least 15,000 people attended the public meeting, held at the local racecourse because no other local venue would have been adequate, and a further 5,000 or more were estimated to have turned back due to the traffic jams and lack of space inside. This unprecedented turnout was an irrefutable expression of the strength of local opposition to the CSR toxic dump. It was also a total vindication of the strategy and massive amounts of work done by WRATD in the previous two years.

For the two years prior to this WRATD had been urged by several members to consider how far they were prepared to go in the event of the Minister approving the project. While various possibilities were raised, limited attention was given to the development of a "post-approval" strategy until March 1998. From this time on, however, considerable energies were devoted to just such a strategy. At the "Community Day of Protest" a 'blockade' of the CSR site was organised, not only as a protest action, but as a preparation for more determined resistance in the future. At the large, 15,000-strong meeting in May, a motion was put to support pickets of the site to prevent any construction or operation of the proposed dump. This was strongly supported by acclamation and cheers, and by pledges of support from many residents after the meeting.

### **From Protest to Resistance**

The campaign took a qualitative shift beyond the formally acceptable submission writing and protest activity: a move from protest to resistance. This was possible because WRATD had retained its credibility throughout the previous period and clearly had full community support for escalating its campaign. The resistance phase of the campaign would, from this moment on, provide the backdrop for any discussions, lobbying and government planning. The full strength of the Werribee opposition was now becoming apparent. WRATD could have taken a resistance posture early in the campaign, but this could have been dismissed as a bluff. However, when 15,000 people at a public meeting vote unanimously to endorse pickets, and residents show their determination through their organising efforts (a picket report was prepared in July to show the extent of preparations for the pickets) it is not easily dismissed as a bluff. WRATD decided within the first few months of its existence that any 'threats' or promises made by WRATD would be based on a genuine belief that WRATD could deliver on such threats or promises. Hence, the development of the picketing strategy was left until it became absolutely necessary, and obvious to the whole community that this might prove the only way that Werribee could protect itself from the proposed toxic dump.

A subsequent meeting to organise a picket committee, at which 30 to 50 people had been expected, resulted in 150 residents attending, all anxious to stop the dump and willing to assist with the organisation of pickets. A series of working groups were established and

community pickets could be called at very short notice to stop any trucks or construction workers from entering the site. The public support of Trades Hall for the campaign, and the union decision not to cross community picket lines, added a further dimension to the problems facing CSR and the government.

During this phase of the campaign the pressure on CSR has also been escalated. Appeals to shareholders, boycotts of products and appeals to industrial waste producers, were all designed to put pressure on the CSR Board of Directors. Part of the appeal to the Board was based on the lack of profitability entailed in a proposal encountering this much opposition. A report was prepared showing the financial problems of the proposal, including the shrinking market for toxic dumping. Pressure on the government, including regular protests outside or inside functions attended by them, continues. In addition, WRATD members continued working to develop the repository designs required for the alternative technology as well as working with planning organisations and authorities to develop more effective locational criteria for storing toxic waste. While it would be totally defensible to argue that it is the government's and industry's responsibility to provide such alternatives, the proactive strategy of WRATD moved beyond such an approach, and WRATD may prove instrumental in stimulating "world's best practice" for industrial prescribed waste management.

During the federal election campaign WRATD developed a National Policy Outline for Hazardous Waste Management which was subsequently endorsed by the Australian Democrats and Greens, by most environmental groups, including the ACF, Environment Victoria, the NSW Environment Council, and by the Victorian Town and Country Planning Association. The policy is gaining support from the ALP and may become a major aspect of future developments. Earlier in the year, in June, WRATD had obtained 96,000 signatures (obtained in less than 4 weeks) on a petition to the federal Minister for the Environment, Senator Hill, calling on the government to protect the Werribee wetlands. A bus load of children and parents, sponsored by local schools and businesses, delivered the petition to Canberra. This high-profile event was partly aimed at emphasising the federal nature of the toxic waste problem, in order to lay the groundwork for a national policy proposal.

In its strategy to "outflank" CSR on all fronts, WRATD not only mobilised the community to provide a 'last line of defense' on the picket lines, but also placed great pressure on the powers supporting the CSR toxic dump. However, in the final analysis it might be WRATD's efforts to simultaneously stimulate alternative technologies for storing toxic waste and alternative principles for locating toxic waste facilities that had CSR completely surrounded, with no way out except surrender.

The WRATD experience over the past few years underscores the need for perseverance, dedication and determination. In addition, a solid strategy, which moved beyond the expected forms of protest, proved invaluable in the creation of a high level of community respect and media credibility. The expertise that was mobilised from within the Werribee community provided a solid basis for WRATD's concerns and claims. But underlying the success of the campaign was a community determination to prevent the toxic dump from proceeding, no matter what level of resistance was demanded to achieve this. As CSR, industry and government came to understand this, and to recognise that there would not be a toxic dump in Werribee (or anywhere else if WRATD proposals are taken seriously), they had little choice but to develop contingency plans for the management of such waste.

On November 13, 1998 CSR withdrew its proposal, sold the site (below market value and at significant loss) and left the Kennett Government without any contingency plans. WRATD members, apart from engaging in substantial community celebrations, approached the Premier with a proposal to establish a 'task force' to develop a suitable solution, based on WRATD's alternative proposals. In February 1999 the Government announced the establishment of the Hazardous Waste Consultative Committee, with broad terms of reference (including those proposed by WRATD) and with one of WRATD's chief organisers as a member.

Although the victory is far from complete, the growing community opposition in other urban areas to the establishment of such landfills, and the growing opposition in Lyndhurst/Cranbourne to the existing prescribed waste landfill in that region, are maintaining pressure for substantial improvements in Victoria's hazardous waste management procedures.

Ironically, the Government most willing to impose a toxic dump on Werribee may yet become the Government with Australia's best hazardous waste management policies as a direct result of the Werribee campaign.

### **Want to know more:**

This Case Study was written by Harry van Moorst of the Western Region Environment Centre (WREC) in 1999. If you'd like to know more about the Werribee Toxic Dump campaign contact WREC at: (03) 9731 0288 or [wrec@21century.com.au](mailto:wrec@21century.com.au).

You can also find out more about WRATD at: [www.21century.com.au/environment](http://www.21century.com.au/environment).

### **References**

EES Report, 1997, *Western Waste Management Precinct Prescribed Waste Landfill and Composting Facility*, Main Report, prepared for CSR by Woodward-Clyde, June 1997.

EPA, 1998, *Zeroing in on Waste: Pathways to Cleaner Production for Victorian Industries*, April, 1998.

EPA Information Bulletin No. 448, Sept. 1995.

Panel Report, 1998, *Report of a Panel - Amendment L107: Werribee Planning Scheme; Environmental Effects Inquiry: CSR Western Management Precinct; EPA Works Approval Application No. WA31982*, 27 February 1998.

Van Moorst, H. (1998) "Toxic Dumps: Planning Failure and Community Success" in Shaw, K. *Planning*, People's Committee for Melbourne, 1998.

WRATD, 1997, *In Defense of Our Families, Our Community & Our Environment: Submission to the Review Panel for the Wests Road Prescribed Waste Landfill proposed by CSR*, prepared by Werribee Residents Against Toxic Dump, 11 August, 1997.

WRATD, 1997, *Putting Our Lives On Hold: Impact of Prescribed Waste Landfill Proposal on Residents in Westleigh Estate*, a survey of residents and landowners in the Westleigh Estate, September 21, 1997.

WRATD, 1998, *CSR: A History of Environmental Vandalism*, March, 1998.

WRATD, 1997, *Toxic Threat to Werribee Wetlands*, Submission to International Ramsar Committee and Australia Minister for the Environment.