

LEGISLATIVE COUNCIL ENVIRONMENT AND PLANNING COMMITTEE

Inquiry into recycling and waste management

Melbourne—Tuesday, 6 August 2019

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WITNESSES

Mr Peter Merrylees, Stop the Tip

Ms Marion Martin, Stop the Tip, and

Ms Marlene Gorman, Stop the Tip.

The CHAIR: I would like to welcome our next set of witnesses from Stop the Tip in the outer west, and I would like to welcome Ms Marion Martin, Mr Peter Merrylees and Ms Marlene Gorman. Thank you again for making yourself available today, even though we are running about an hour behind schedule, and I appreciate that you actually stayed behind.

All evidence taken at this hearing is protected by parliamentary privilege as provided by the Constitution Act 1975 and further subject to the provisions of the Legislative Council standing orders. Therefore the information you give today is protected by law. However, any comment repeated outside this hearing may not be protected. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament. All evidence is being recorded, and you will be provided with a proof version of the transcript in the next few days.

As we have received your submission and we have got your submission on file—and that will be taken into evidence—can I suggest maybe in your opening statement if you are able to focus on the particular issue of why Stop the Tip started, and the particular issue, from my understanding, is the Ravenhall tip. Who wants to kick off first? Say, if I allow 5 or 10 minutes, we will then go to questions.

Mr MERRYLEES: Mr Chairman, we are concerned mostly about waste management rather than waste recycling, because it is the waste management aspect that has driven the creation of the Stop the Tip organisation. The impact of a particular landfill on the surrounding community of the west is what has driven the establishment of Stop the Tip. We see that the major problem with Victorian landfill policy, putrescible waste policy, at the present time is that government has decided that the bigger the better, so that we now have four landfills which cater to the city of Melbourne—the metropolitan area of Melbourne—just four landfills. The biggest of those is the Ravenhall landfill.

When this fight—Stop the Tip—started, the Ravenhall landfill received 750 000 to 780 000 tonnes of putrescible waste per annum. The other three landfills were all substantially less than that but probably around about half a million tonnes per annum. The documentation supplied to EPA with the works approval application by Ravenhall back in 2016 indicated that by 2018–19 the waste stream coming into Ravenhall would be in excess of 1.5 million tonnes per annum. At that rate it is probably around about half Melbourne's putrescible waste generation rate—all going to one landfill. The effect of that is, in our experience, the regulator is unable to cope with that landfill. That landfill is too big to fail. That landfill receives up to 100 trucks an hour depositing waste onto its tip face. That is up to 1000 trucks a day. How does the regulator stop that landfill from operating? The number one tool in the arsenal of controls that EPA has is licence suspension. How do you suspend the licence of a landfill that is that big, that critically important and relied upon like that one is. The answer is: you cannot.

Everyone agrees that for a landfill to control its odour it needs to limit its tip face size. EPA agrees with that. It is a fundamental part of EPA's licensing. The landfill at Ravenhall has a maximum tip face size of 1800 metres. Any Google map search or Nearmap search over the past two years will demonstrate to you that it hardly ever complies with that limit. Everybody knows that if you double that limit, you will double the amount of odour generated by that landfill. If you quadruple it, you will quadruple the amount of odour generated from that landfill. The residents of the west have been complaining to EPA for years. Through the period June 2017 to June 2018 they were complaining at the rate of 18 residents per month. Did EPA do anything about the failure of the Ravenhall landfill to comply with this pivotal condition of its licence? The answer is no. EPA is unconcerned about failure to comply with this pivotal condition. EPA could easily have suspended Ravenhall's licence at any time over the past 12 months through this key failure to police its licence. It has not done so, and we have to ask why. The challenge for this committee, in our opinion, is to find a way to get EPA to actually discharge its obligations under its legislation, because without EPA doing that the citizens of the west of

Melbourne are going to put up with another generation of ambient odour problems that are going to drive them from their homes.

The Ravenhall landfill is located in the middle of a growth corridor. The population in this growth corridor, as we have indicated in our submission, is going to explode over the course of the next 25 years. The numbers of people that are going to be exposed to this landfill are going to increase by thousands and are increasing by thousands every year. The major developments close to this landfill are to the south. The suburb of Tarnait will be developed, according to current residential development plans, to a 2-kilometre distance to the south of the landfill. Our modelling indicated that the odour plume from the current landfill clearly penetrates way beyond the 2-kilometre limit to the south, clearly down to Dohertys Road, which is about 3½ kilometres south, and all of that land north of Dohertys Road to Boundary Road is all zoned for residential development. As we sit here, it is all being developed and people are moving in in their hundreds and thousands. The area to the north-west is the Mt Atkinson estate. That is yet to be developed but is starting very soon. That will house thousands of people. All of these people are going to be within 2 to 3 kilometres of this landfill. If EPA will not enforce this condition that requires the tip face to be limited to 1800 metres, all of these people are going to be affected. That is really the point that we wanted to make.

The CHAIR: Thank you. I will start the line of questioning as I declare my conflict of interest. I am actually very close to that issue you are talking about, and I support your submission and the views you have raised. They are very valid points and need to be addressed, because I live in the area and I know what it is like. I think it is fair to say that since Cleanaway have taken over that tip it has improved sixfold, but there are still challenges. My question to you is, going forward, where do you see the solution? For example, banning organic material, banning anything which creates methane, going to landfill will work towards that solution. Waste to energy is another issue you have raised in your submission. Can you share with us what you think, apart from closing the tip tomorrow, which is not going to happen, what are the practical solutions—short-term, medium and long-term—you see from all the work you have been doing in the last three or four years going forward?

Mr MERRYLEES: Well, waste to energy is now becoming a topic that is generally discussed in the media, and clearly Australia is a little bit behind in terms of adopting waste-to-energy technology. There are a number of instances, at least two to three instances, now before Victorian government instrumentalities—the EPA and Sustainability Victoria—one involving Maryvale in the Latrobe Valley, another one involving the Maddingley brown coal facility at Bacchus Marsh. These facilities are generally somewhat small scale by way of comparison with a waste input of 1.5 million tonnes per annum. A waste-to-energy plant, as I understand it, tends to peak out at about 150 000 tonnes per annum. But they are clearly the way forward, and multiple plants of 150 000 tonnes per annum—if you have 10 of those, you have 1.5 million and you are well on the way to solving our waste crisis. So the question is: how do we get the industry to stump up the millions of dollars—many millions of dollars—involved in putting together a waste-to-energy plant, and that is where the Sustainability Fund comes in.

Government is well and truly on board with the need for waste to energy. Metro group have just done a business plan on waste to energy. They have given it the big tick. They say yes, it is a goer. We need to get it moving, we need to get councils behind it and we need to go down this path quickly. How do we go down this path when we have got four landfills that are all sucking in all the waste they can get their hands on? Well, maybe we move down the path in this way: maybe we change the rules so those four dominant landfills are required to put in waste-to-energy plants in the next five years. There might be government support for it in terms of dollars, but they already have the waste. They do not have to go out and find it, they have got it there and they can divert that waste into a waste-to-energy plant on their current premises and get the show on the road. As I understand the way this technology gets rolled out it is that you first use your 150 000 tonnes into your plant and once you have got that settled down, then you set up a second plant next door and you take another 150 000 tonnes and move it into there. So over the course of a five or 10-year period we could make substantial inroads into the waste-to-energy industry. I think that is where we should be going given we have got those four dominant players now. We cannot close them down but we can change what they do.

The CHAIR: My understanding is that the cost of converting is now very competitive with landfill, so therefore the cost is not the biggest issue. So you say probably a change of policy might be a good driver to make that happen. If the state make a sort of policy change—for example, banning these types of wastes which

create methane and leach et cetera from going to landfill—is that something you are looking for, to change that policy?

Mr MERRYLEES: Not necessarily. Methane is a very valuable by-product of landfill and can be converted into energy very readily.

The CHAIR: But it is not the most environmental method.

Mr MERRYLEES: No. One of the waste-to-energy systems is very much all about taking the methane and using the methane to produce electricity and indeed to produce fuel.

Dr CUMMING: But you could do that to an old tip.

The CHAIR: The point I am making is: where the current method is used—at Ravenhall, for example, where methane is generated and converted to gas and they already have that facility—the biggest issue is that it is creating the odour and all of these other complicated factors. What I am saying is that what you are saying to us is that we need to look at a different method than the current method that is being used to deal with waste—putting it in landfill—and looking at, for example, waste to energy and other waste management, not necessarily incineration, but various other methods we should be using instead of just simply sending it to landfill. That is the message I am getting from you.

Mr MERRYLEES: I agree, and the Ravenhall example is not about taking the waste and producing methane out of it—it is simply pulling the landfill gas out of the landfill. It is putting the waste all in the landfill—all of it—and then pulling the gas off. That is all they do there. But a waste-to-energy plant does not just do that. It does not do that at all. All it does is put the residue of the process into the landfill. Ravenhall does the reverse. It puts the entire waste into the landfill and then just takes off the gas.

Dr RATNAM: Thank you so much for your presentation. I know you have been advocating for a number of years for the environmental protection of your community, and you have got my absolute agreement that we need to be reducing the amount that we send to landfill and that landfills are not the answer, and hopefully we move to a circular economy where we are actually moving towards zero waste to landfill and diverting as much to recycling. Hopefully our industry is able to cope with that as well and gets the investment to do that.

I guess I want to take up the conversation that has just occurred as well, because I understand that you are strong proponents of waste to energy. One of the concerns that is arising from waste to energy is that it is not the clean solution that it has been framed to be. For example, there are a couple of perverse impacts of it. One is that it will reduce the incentive to reduce the amount that is going to landfill where you have to lock in huge contracts, and currently with the four proposals in train it would lock in current levels of waste for 20 to 25 years at the same time we are trying to divert, for example, organics, which would reduce the amount of waste that we are generating by 40 to 50 per cent. So at the same time we are trying to reduce the amount that is going to landfill you have got a system that is locking in current or increased waste levels, and so you have got this incentive, for the commercial generation of these plants, to not reduce the amount that is going to landfill and to not increase recycling.

But the other impact that we are hearing more about, and I would be really interested if you all have been briefed on this or if you have done some work in this—I would be really interested to hear your insights into it—is the amount of toxic by-product it also produces. At least a third of it becomes ash. So you have got the cake filter, which is very toxic, which would have to be disposed of at a toxic processing facility—Lyndhurst, which is also filling up. So you have got these cakes that are produced at the top of the waste energy that are burning—incineration I am talking particularly about—and the incineration plants will rely on plastics being burnt because that is the accelerant, not the organics as such. It is the plastics that would be burnt. So essentially what you are doing is burning oil for energy, so it is an oil burning plant, but also a third of it is becoming fly ash that could potentially end up in mounds of ash—hopefully not in the communities you are trying to move landfill away from. So I am just wondering whether you have been briefed on that, whether you have any extra information on that, in terms of what we would do with these huge mounds of tonnes and tonnes—thousands of tonnes—of ash, that we would then have to dispose of somewhere, bury or stockpile, and the ash has the potential too to fly over communities. So I am just wondering if you have thought about those impacts and what

can be done to mitigate that before these proposals get down to a point where there is no turning back and we have locked in contracts for all of Victoria's waste for the next 20 to 30 years.

Mr MERRYLEES: Waste-to-energy plants need to be licensed by EPA. They need to be subject to works approvals. So all of those issues, those by-products at the facility, need to be managed. The volume of the material that will be left at the end of the day will be a very low percentage compared with the amount of waste that is being diverted through that system. So you will be managing a much, much lower volume of material at the end of the day, so you will not need landfills like currently.

Dr RATNAM: Do you have a sense of the quantum that you are talking about? Because we have heard it could be around a third of the waste, which is not a small residual amount. You are actually just reducing that.

Dr CUMMING: No, it is a lot less.

Dr RATNAM: Have you got any evidence to suggest that it is less than that?

The CHAIR: Maybe what we can do is take that issue separately.

Dr CUMMING: I could provide that to you.

The CHAIR: I think it is a good point that you have raised. I think it depends what method is actually used, whether it is incineration, gasification, pyrolysis, digestion—there are so many technologies. I think the metro regional group have actually developed a series. There are about half a dozen technologies. I think incineration did not get much of a tick but the others have, so we can actually maybe take that up.

Ms MARTIN: Before you go on can I just make a point? We are now receiving acid sulphate soil into the tip, and that is coming through our streets now. That has been happening for quite a while. The EPA have accepted the new lot of soil that is coming out of the tunnels, which is supposed to be quite contaminated. That is also going into Ravenhall. So we are breathing that. We are breathing that now.

Ms TAYLOR: That leads in perfectly to my question, because with the waste that you imagine going into a waste-to-energy plant I am wondering—and if you do not have the stats here, if they can be provided later it would be great—about the proportions of residential versus commercial waste. So you are talking about commercial waste there, and I am not arguing with that at all, but it would be nice to know the breakdown, because I am thinking with residential waste what actually is the stuff that people are putting in there? If they recycle and they have organic waste, what is actually left? For me personally it is kitty litter and the odd biro, so I do not know what the waste is that people have to put into waste to energy—I am talking about residences—if we have recycling set up appropriately and they have organic waste. What is left? What is it that people are having to put in there? I kind of need help with that.

Mr MERRYLEES: I do not want to put myself up as an expert on waste to energy.

Ms TAYLOR: No.

Mr MERRYLEES: I have accepted and made a few comments here today, but I am a humble lawyer; I am not a waste-to-energy expert, but on my reading of articles about waste to energy, pretty much everything goes into waste to energy except the sort of recycled products that you would pull out anyway. So all of the rocks and metals and things of that nature come out in the normal way that we recycle products now. Products for which there is a market all come out of the waste stream. The organics stay in because the organics are used in an anaerobic digester. Those organics produce biogas, and that biogas is used in a number of ways: one, to spark an engine, to drive a generator to produce electricity; and another, to produce biodiesel. So organic waste, which is largely what you are getting out of your kitchen bin, is perfect fodder for producing energy from waste through an anaerobic digester.

Ms TAYLOR: I guess the point I was making is: if we were diverting it from landfill appropriately, why would we want to be using waste to energy? But I am allowing for commercial waste. I am just wondering: what individual residences, if we have the waste set up appropriately, are needing to continually put into waste to energy. That is what I do not quite understand. Do not worry if you do not have those answers, but it would

be nice to know the relative proportions, because if there is a lot of commercial waste that cannot be dealt with otherwise, then I can see you probably do need something like waste to energy. But if we are appropriately managing waste, why are we continually—do you know what I am saying?

Mr MERRYLEES: I would be suggesting that the waste-to-energy avenue is the most appropriate way to deal with anaerobic waste, organic waste. It is highly beneficial to the environment.

Dr CUMMING: And that is your opinion.

Mr MERRYLEES: Can I put that to you? It is highly beneficial to the environment. In the first place, it takes away the methane that is coming out of the landfill. Waste biodegrades and generates methane. Methane is, I think, 20 or 30 times more deleterious to the environment than carbon dioxide. We need to get hold of it and control it and use it to develop energy. If we take it out of the waste stream, put it in an anaerobic digester, capture it, we have saved all that gas going to the environment, and what we have done is we have saved having to use fossil fuel to create electricity. So it is a win-win. We need to get onto this and be doing it.

The CHAIR: Anything further?

Dr CUMMING: Just to the Chair, I am happy to provide the report that I received from the waste-to-energy facility—from Hawaii, where I attended in April. I am going to circulate copies of that, so that might answer some of Dr Ratnam's questions around percentages of ash that is placed or allowed. But I guess the point that I understand from my years of understanding waste management—and I am wondering if your organisation supports this—about diverting organic waste from landfill is that it is an old practice, putting organic waste into landfill, and it should be diverted and made into compost. We have those facilities available, so we do not need to have that old practice. The other point, I guess from Dr Ratnam and one from Ms Taylor, is around the concerns that some people have around waste-to-energy operations. Are you concerned that these plants would be a disincentive for recycling and waste avoidance?

Mr MERRYLEES: Would they?

Dr CUMMING: Would they be a disincentive? If we had a waste-to-energy facility, do you feel that the community would not recycle due to feeling that they could just throw everything into a bin and it would go to waste to energy? I think that is one of the concerns that I hear continually raised.

Mr MERRYLEES: We are in a position through market mechanisms to control incentives any way we want them to go. We create a price for waste. We do it now. It is called the landfill levy, and we can adjust it up or down or create exemptions for some aspect that we want to promote. We are in complete control of what we do with waste because we control the market mechanism. So it is up to us. It is up to you.

Ms MARTIN: Can I just say a few words?

The CHAIR: You certainly can, Ms Martin.

Ms MARTIN: As a resident—and I have been living with this for 11 years, and I complained 11 years ago about it to EPA, and that is a place I will not bother going because that is a waste of time, the EPA—if you put yourself in the situation, the smell that you are living with comes into your house, it goes through your wardrobes, it goes right through your house, you cannot open your windows and you cannot turn on heating or air conditioning. Quite a few times we have had to leave our house and go and spend a night or two nights with our daughter because the smell has been so bad. Two and a half kilometres I live from Ravenhall, and the smell is unbelievable. You get a dry throat, you get stinging in your nose and your lips go numb.

In the last couple of years I have been diagnosed with Parkinson's. Now, I work in the health industry and I went to one of the top specialists for neurology, and he informs me that the environment can cause Parkinson's. So we do not know this, but is there a possibility that this is the sort of thing that is going to happen in the surrounding areas of Ravenhall? I have spoken to people with MS; I have spoken to people with Parkinson's and other neurological problems. It seems to be a really big issue in that area, and I think it is about time the government did some sort of health check on the area and the people.

We get 800 trucks a day of garbage coming into that facility, those big super B-doubles that come in; we get one every 30–25 minutes. They come in and they unload. Somebody has got to do something. The government should have stopped the size of this tip going ahead. It should have been small. We have always had seven or eight smaller landfills in different areas, and everybody took a portion of the waste. Now it is all in Ravenhall.

It is too late for me; my days are numbered. But all of the new generation that we have got in Ravenhall, around Ravenhall—we have got in Brimbank Gardens, we have got in Caroline Springs, we have got in Elements, Rothwell—all those areas. How are the people there coping? What is going to happen? Are we going to have a huge, big cancer area come out of this? Nobody is doing anything. It is all right to say, ‘What’s the best thing to do?’. Shut the thing down. Work out a different way to get rid of our waste, or you are going to kill that whole western area. Nobody seems to care about us in the west. We are not entitled to have clean, fresh air.

I moved out of Footscray to Deer Park and built our house so that I could bring my family up in an area with fresh air, and it was beautiful. We used to love going out at night; you could see the stars. Then all of a sudden they decided to fill in Boral with landfill, and it has just gone from there to being so big it is just unbelievable. What is the government going to do? Something has got to be done. What is going to happen? What are you all going to do when all the recycling starts to build up in there and we have a massive big fire, because it is going to happen? I lived in Footscray when the Butler Transport fire was on. It killed my father. Are we all going to go down the same path? I am to a point where somebody has got to do something but nobody is doing anything.

Dr CUMMING: I care about the west.

The CHAIR: Thank you, Ms Martin—very powerful words, and I agree with your sentiment.

If there is nothing further, thank you very much, the three of you, for giving your time and your presentations. If you have got any further thoughts or issues you want to raise, please feel free to send them across. A copy of the transcript will be sent to you in the next few days, so if you need to do any corrections, please do so before we actually get publishing again. Thank you very much for all your work and effort over the years. Thank you for your contributions.

Witnesses withdrew.