

# TRANSCRIPT

## LEGISLATIVE COUNCIL ECONOMY AND INFRASTRUCTURE COMMITTEE

### The Development and Expansion of Waste-to-Energy Infrastructure in Victoria

Melbourne – Friday 8 May 2026

#### MEMBERS

Georgie Purcell – Chair

Richard Welch – Deputy Chair

John Berger

Gaelle Broad

Katherine Copsey

Moira Deeming

Tom McIntosh

Evan Mulholland

Sonja Terpstra

**WITNESSES**

Tracey Anton, Friends of Latrobe Water;

Philip Sinclair, Member, General Committee, Friends of Merri Creek;

Sue Lanigan;

Carmen Lahiff-Jenkins; and

Vernadette Bilbao Dickson, Treasurer, Lynbrook Residents Association.

**The CHAIR:** I declare open the Legislative Council Economy and Infrastructure Committee's public hearing for the Inquiry into the Development and Expansion of Waste-to-Energy Infrastructure in Victoria. Please ensure that mobile phones have been switched to silent and that background noise is minimised.

I would like to begin this hearing by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various lands we are gathered on today, and pay my respects to their ancestors, elders and families. I particularly welcome any elders or community members who are here today to impart their knowledge of this issue to the committee or who are watching the live broadcast of these proceedings. I also welcome any other members of the public watching via the live broadcast and in the public gallery.

To kick off, we will just have committee members introduce themselves to you, starting with Mr Berger.

**John BERGER:** John Berger, Member for Southern Metro.

**David ETTERS HANK:** Hi. I am David Ettershank, Western Metropolitan Region.

**The CHAIR:** Georgie Purcell, Northern Victoria Region.

**Sarah MANSFIELD:** Sarah Mansfield, Member for Western Victoria.

**The CHAIR:** Thank you so much for coming along today. All evidence taken is protected by parliamentary privilege as provided by the *Constitution Act* and further subject to the provisions of the Legislative Council standing orders. Therefore the information you provide during this hearing is protected by law. You are protected against any action for what you say during this hearing, but if you go elsewhere and repeat the same things, those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is being recorded. You will be provided with a proof version of the transcript following the hearing, and then transcripts will ultimately be made public and posted on the committee's website.

For the Hansard record, could you all please state your full names and any organisation you are appearing on behalf of, and we will just start down here.

**Philip SINCLAIR:** My name is Philip Sinclair. I am attending on behalf of the Friends of Merri Creek.

**Carmen LAHIFF-JENKINS:** My name is Carmen Lahiff-Jenkins. I am attending on behalf of the Darebin neighbourhood house network.

**Sue LANIGAN:** I am Sue Lanigan. I am here on behalf of Dandenong South.

**Tracey ANTON:** Tracey Anton, Friends of Latrobe Water.

**Vernadette BILBAO DICKSON:** Vernadette Bilbao Dickson, on behalf of the Lynbrook Residents Association.

**The CHAIR:** Wonderful. Thank you so much for coming along. We now welcome your opening comments. I am not sure if you have had a discussion among you sort of how you want to do this, but what we might do given that it is a larger panel, and what we did earlier today, is we will probably allow a little bit more

time for opening remarks. We tend to give 10 to 15 minutes as a group, but if it takes longer, it is just important that everyone gets to have their say. So we might just have to reduce time for questions, if that works for everyone. Great. Does anyone want to volunteer to speak first?

**Tracey ANTON:** I will – surprise, surprise. Thank you for the opportunity to present to the inquiry today. I am a community advocate living in Latrobe Valley, the hub of Victoria’s power generation and heavy industry. I am on Opal and AGL’s community reference group. I have interest in CCS and Esso decommissioning. I based my submission primarily on inadequate regulatory frameworks, and I stand by that, as policy is not aligned and harmonised across the departments. I could give you plenty of updates today in regards to Opal. I do not have a bias against waste-to-energy plants, as I live on the same farm road as a state significant waste-to-energy anaerobic digestion plant for chicken litter. But I do have a bias against the EPA with their new duties models, the existing regulatory framework, consultants undermining risk reports and new statutory authorities created to deliver policy on waste-to-energy for this point in time to address a short-term fix. As a member of Friends of Latrobe Water and Concerned Waterways Alliance, we are privy to numerous policy briefings seeking our feedback across numerous departments. We also have a current letter of concern with the EPA board on how their new general environmental duty does not and cannot prevent harm. The way Victoria approves waste-to-energy projects in the planning stage is fragmented, creating barriers to rational decision-making. This includes how best practice technology, as words on paper, can be undermined via EPA’s permissioning and licensing framework, with the applicant able to use the get-out clause ‘as far as reasonably practicable’, which is an economic excuse not proportionate to the risk. But when risks are undermined and standards are weak, the economic, social and legal burden falls on the immediate community, as demonstrated by Sunbury panel members yesterday, and then the taxpayers in general.

Listening to yesterday’s presentation by community and independent experts highlighted issues with the processes – or lack thereof – with a heavy focus on the end result from negative emissions, roles of social licence and creation of a new waste stream with toxic fly ash and bottom ash. The Gippsland Maryvale project would create, if we are looking at their total amount, what they have said is 655,000 tonnes. Ten per cent of that would be 65,000 tonnes of ash, with the three Latrobe Valley coalmines trying to offload their own coal ash for the same reuse products. This is a new waste stream assumed as being viable. But what if it is not, and where will the ash be stored and contained without creating significant nuisance, dust and health impacts? The CE Act is silent on this, as are industry and consultants. Rather, we get flippant comments about creating a reusable by-product but not the details of how this new industry will operate and where. Toxics Free Australia clearly articulated the facts yesterday on the many chemical substances in plastic and residual waste and how these hazardous substances are managed internationally, but not in Australia. This falls under national management in consultation with the state and territory environment ministers forum, which I believe our environment ministers need to be more proactive on – and I will say ‘ministers’ because we have had numerous.

To define residual waste as all rubbish in the red-lidded bin is reckless in the absence of better education and opportunities for recycling. In Victoria we have a fire in a truck once a day from batteries. The recent March 2026 environment ministers meeting communiqué noted consideration of the economic impacts of any regulatory scheme but did not put the emphasis back on the federal government and the role they should be leading. Currently each state has different standards for contaminant levels, with no national consistency, let alone aligning with the respected US Agency for Toxic Substances and Disease Registry. PFAS is an example. While our international partners classify PFAS as toxic and hazardous, Australia does not, and it has been called out internationally for its poor health messaging. This is relevant for WorkSafe. National and state air quality standards are dangerously outdated, as called out by the United Nations special rapporteur on toxics in his visit to Australia in 2023. The Victorian environment minister has a significant role to advocate that a national EPA matches best practice international standards for pollutants and best practice waste-to-energy risk assessment for public health and the environment, and it should be informed using updated national guidelines that are harmonised with WorkSafe Victoria. I will leave it at that. Thank you.

**Carmen LAHIFF-JENKINS:** I will go next if that is okay. I am speaking on behalf of the Darebin neighbourhood house network and also Span neighbourhood house, where I work directly. I undertook a master’s research and climate justice project on heat and its impacts on the community. It was funded by the Greater Melbourne Foundation, and it was assessing neighbourhood houses as cooling refuges. My work has been around the broader literature around the risk of heat. Outer suburbs and communities like Wollert and Sunbury, which have been considered as sites, already face severe heat island conditions. Vegetation has already been cleared at scale in those specific communities because of their scale of development. Residents are

baking and there is minimal shade. The waste-to-energy incineration requires continuous high-temperature industrial combustion. This heat enters already thermally stressed environments. When I raised this during the EPA consultation – I have attended a few of these consultations – I received no substantive response, and the cumulative thermal impact has not been adequately modelled. That is a really important issue, again, for these two communities as our planet heats. That is unfortunately what we would call a heat health justice gap. The communities that are least able to actually adapt to heat are in these specific communities, and that is why it is so important to review and be thoughtful about the decision-making around these incinerators.

I also participated in the consultation process, and I would like to speak to that as a witness. What I observed was the performance of consultation, not what I would consider the real thing. In neighbourhood houses, we do very good participatory consultation with our communities. When I asked the EPA what the consultation would involve, I was told that they lack capacity to post on, say, local Facebook pages and that they were unable to letterbox the area because the area was too large. When we asked how the community would work out that there were meetings and that the EPA and Cleanaway were hosting consultations, they just said that people would find it out on their websites or via the Engage website. When we spoke to at least seven residents, they were not aware of some of these functions or abilities. They also were not aware of any of the consultations unless they were told by the ‘save Wollert’ group. That was really troubling. Members of our network spoke to around six or seven households living in close proximity to the site, and they had not received anything from the EPA or Cleanaway. They told us – and we spoke to them all individually, not as a group – that they learned of the campaign through us. It was not adequate notice, so they were not able to actually speak for themselves, and again, because they are such a marginalised community, that is really concerning. It is really concerning to us in neighbourhood houses, the way people have been approached.

The evidence also suggests that community-led approaches found that decentralising composting and recycling networks consistently outperform large-scale technological solutions on waste reduction and that actually having communities involved in their waste reduction – including front-end waste participation – means we actually have better results in managing rubbish in those communities. There have been some really excellent examples of those in other countries around the world where this has been undertaken instead of waste-to-energy incinerators, specifically in Indonesia. I just thought that that was really important information, because we can transfer and use those models here – there are other ways to do this.

The Darebin neighbourhood house network works with people navigating cost-of-living pressure, health challenges and climate stress every day. We are asking you to take this really seriously, because we are very concerned about these communities that are going to be bearing this risk for the entire state when they are the least able to manage this. Thank you.

**Philip SINCLAIR:** Good afternoon. My name is Phil Sinclair. I am appearing on behalf of the Friends of Merri Creek. Thank you for having us at this inquiry – I think it is very important. I would reiterate some of the things I have heard about the community consultation process that I was involved in as well. I just thought it was inadequate and poor. The EPA’s inability to respond was – I used to work with the EPA, and I thought it was very poor, to be honest. I am an environmental scientist. I have worked in contamination and pollution for more than 50 years, so I know a little about this. I am not going to go into much detail – I think it has been covered by others fairly well. I have prepared the submissions for Friends of Merri Creek on the proposed Wollert incinerator, because it sits on part of Curly Sedge Creek, which runs into the Merri Creek, which is the focus of our work as volunteers.

There is another organisation related to us, which is Merri Creek Management Committee. It has done research into the presence of critters in the catchment, including in Curly Sedge Creek, and the growling grass frog is certainly something that has been picked up in parts of Curly Sedge Creek. That was not found and not reported in the studies that were done for the proposed Wollert waste incinerator. We are quite concerned what might happen to that species – it is very vulnerable. There are measures and activities going on to try and increase their occurrence and improve their habitat, but this would just send things backwards. Amphibians are very sensitive to the sorts of chemicals that would fall out from the waste incinerator or be washed off that site. Because they are wet-skinned creatures, they take in a lot of things from the water straight into their system, and their endocrine systems can be disrupted by those chemicals. In some cases some animals can change sex. They cannot breed properly. They can have poor development. So there is a whole lot of impact that can happen from those chemicals, particularly on aquatic species and amphibians.

One of the things about waste incinerators in the catchment we are trying to look after is that the things that come out of the stacks just accumulate over time. There are so many persistent chemicals that come out of this. Even if they come out at what is considered an acceptable concentration, the load that goes into the catchment will be something that just goes up and up and up. It will not decrease. These things are not biodegradable, a lot of them, and they will just then wash out into the systems and accumulate or bioaccumulate in the organisms. Particularly things like invertebrates in the waterways, that group of animals are in particular food for other species that are in the waterways, like the native rats, the rakali. If they are there, if platypus were there – and we are hoping we could reintroduce those to Merri Creek – then that would be an issue for them.

We think it is a fairly simple story with these waste incinerators: what comes out the chimney will fall onto the land, end up in the water and affect the ecosystems of not just Merri Creek but any waterway in a catchment where they occur. I think some of the things that have been mentioned about alternative ways of dealing with our waste disposal problem are things that government should be exploring and should not just jump to this old-fashioned solution. Human beings have been burning waste for thousands of years, and all we have done is wreck bits of the planet. I think we have got to stop now and just think of smarter ways to deal with it. We took over this land uninvited from the people who had looked after it for a long time. We work with them to try and improve the land. We are just mucking it up.

**Vernadette BILBAO DICKSON:** Good afternoon, Chair and committee members. Thank you for the opportunity to speak today. My name is Vernadette Dickson, and I am here on behalf of the Lynbrook Residents Association, representing residents of the Melbourne south-east. I am also a Veolia CRG member, for well over six years. Our community's experience with the proposed Hampton Park waste transfer station has highlighted a number of broader concerns that we believe are directly relevant to this inquiry. Our community experienced firsthand the challenges of planning major waste infrastructure alongside established and rapidly growing residential communities. More specifically it has raised significant concerns regarding transparency, strategic planning, governance oversight and the adequacy of community consultation, as I am sure my cohorts have addressed before.

From the community's perspective key consortium arrangements and the long-term waste agreement had already been progressing well before most of our residents became aware of the implications in Hampton Park and surrounding communities. By that stage councils had already entered into a 25-year waste supply agreement, creating a strong perception within the community that critical strategic decisions had effectively already been made before genuine community engagement had occurred. Even then the consultation process that followed was widely received by residents as inadequate and deeply disappointing, perceived by many as little more than a mere tick-box exercise rather than genuine community consultation.

When the City of Casey was under administration and without elected councillors, community frustration and distrust grew significantly. Despite more than 1000 resident objections many residents felt their concerns were dismissed or not properly considered. There was a strong perception that the proposal was being treated as effectively predetermined, that administrators have absolutely no option but to follow state government waste policy objectives, limiting opportunities for meaningful local participation and consideration of community wellbeing. Even now there remains a lingering perception of overreach by existing officers.

Importantly, our community is a highly multicultural and lower socio-economic area that has endured living alongside a major landfill operation for decades. Residents have lived with the impacts of odour, heavy-vehicle traffic, dust and ongoing environmental concerns for many, many years. As a result there is a growing perception that communities like ours are repeatedly expected to absorb infrastructure that may face far greater resistance elsewhere. We have also observed strong similarities between our experience and those of other communities facing comparable waste infrastructure pressures across Victoria, including Sunbury, Wollert and Dandenong South. This raises broader questions about whether certain outer suburban communities are being disproportionately relied upon to carry Melbourne's long-term waste burden.

Importantly, the EPA refused the development licence for Hampton Park waste transfer station on the basis that it posed unacceptable risk to human health and environment, and that decision was upheld subsequently by VCAT. But it is also important to acknowledge that sustained community advocacy played a critical role in ensuring these issues received the level of scrutiny that they warranted. We believe this demonstrates the importance of precaution, strong independent oversight and transparent planning processes in decision-making regarding waste infrastructure here in Victoria; communities should not rely on late-stage regulatory

interventions after major strategic commitments and long-term waste arrangements have already substantially progressed. The broader concern is whether meaningful scrutiny is occurring early enough in the process, before years of procurement progression, strategic alignment and contractual momentum have already been formed.

This was not a community trying to obstruct progress – we need to highlight that. It is a community seeking proper scrutiny, independent assessment and transparency around decisions with potentially long-term consequences. Given the scale and lifespan of waste-to-energy infrastructure we believe such proposals, including waste transfer stations, should be subject to a comprehensive and independent environment effects statement assessment. This is essential to ensure cumulative environmental, health, transport and planning impacts are fully understood before approvals are considered. The level of scrutiny is particularly important given Victoria now has one of the largest waste-to-energy project pipelines in Australia – 11 licences approved.

By comparison, several other jurisdictions have adopted a more cautious approach, with limited or no large-scale waste-to-energy development. In fact ACT, as we know, forbids it. They have maintained a policy position against thermal waste-to-energy altogether. Yet we have got 11 licences issued.

The LRA is not opposed to progress, and we need to highlight that. We do recognise the challenges Victoria faces in reducing landfill reliance and managing waste sustainably. However, experience has shown that waste-to-energy infrastructure must not advance faster than the governance, environmental and community standards and safeguards designed to protect every Victorian and future generations. We believe this inquiry presents an important opportunity to ensure Victoria's waste strategy remains aligned with transparency, precaution, circular economy principles and the long-term public interest. Thank you again for the opportunity to speak today.

**Sue LANIGAN:** Gee, that is a tough act to follow. My name is Sue Lanigan. I am actually representing Dandenong South and the broader community, including Hampton Park, Lynbrook and everything else, because obviously the whole thing is mashed together, virtually, around 450 hectares of industrial estate. I am speaking on the proposed energy gasification facility in Dandenong South and the broader direction of waste policy in Victoria.

If we are serious about protecting communities then we should be reducing waste at its source, not building infrastructure that depends on burning it. When I moved to my house 40 years ago in Hampton Park I was surrounded by three farms, and now my neighbourhood is surrounded on three sides by 450 hectares of industrial estate. Dandenong South and the surrounding suburbs have already carried the disproportionate burden of industrial and waste-related impacts, being one of the largest industrial precincts in Victoria. We experience heavy vehicle traffic, industrial emissions and cumulative environmental pressure on an everyday basis. We also deal with ongoing concerns associated with two landfills – so Vernadette was talking about the Hampton Park one; there is also the Dandenong South one, which is a prescribed waste dump, which is actually considered a toxic dump – and their impacts, such as odour, dust and amenity, and of course the enduring trauma of the proposed waste transfer station that Vernadette was referring to that would have been the largest in Victoria, lying between six residential suburbs.

So when we talk about introducing a large-scale thermal waste facility into this environment, we are not starting at zero. We are actually adding to this already cumulative burden. The proposed Great Southern Waste Technologies facility is expected to process up to 100,000 tonnes of waste each year, including significant volumes of plastic waste. Plastic wastes are not simple material. They are chemically complex products containing chlorine, brominated flame retardants, heavy metals, fluorinated compounds and a wide range of industrial additives. When subjected to thermal processes such as gasification or incineration they break down to a wide range of emissions, including acid gas, particulate matter, volatile organic compounds such as benzene and styrene, heavy metals and persistent organic pollutants such as dioxins and furans.

For the record, my understanding is that dioxins are among the most toxic substances and are measured in trillionths of a gram, because even extremely small quantities can pose a risk to human health and the environment. This should raise warning bells. We are told that this facility will be low-risk. A facility of this scale, even operating lawfully, can still emit tonnes and tonnes of pollutants annually alongside the trace amounts of toxic substances capable of accumulating in soil, waterways, ecosystems, food chains and human

tissue over time. And if anyone does not know the Dandenong area, we have a lot of wetlands. There is a lot of water running throughout those estates.

Compliance does not remove the risk of community exposure. It merely defines the level of pollution regulators currently permit, and making it worse, many of these pollutants are not being routinely monitored in the surrounding environment. For the record, there is no actual air monitoring in the Dandenong South industrial estate – 450 hectares. We are supposed to trust that these proponents are doing the right thing, and the EPA might get out there once a year to make sure that they are. And the numerous complaints – like from the Lynbrook Residents Association and the numerous suburbs around who constantly complain about the odours at the Hampton Park landfill – are the only way that the EPA actually came out to have a look and see what was going on.

Going back to the fact that there is no air monitoring in the Dandenong South industrial estate and the only ambient air monitoring station is located kilometres away in the actual city of Dandenong and measures only six toxins and one metal, excluding most of the emissions that would come from the burning of plastics, therefore, folks, the other 30-plus toxic emissions are not even getting a look in. Residents are angry that, again, we have to fight for our homes and our health, and the question is why? Projects of this scale would normally require an environment effects statement, Victoria's highest level of environmental scrutiny, designed to assess long-term impacts, cumulative risks and alternatives. Yet this requirement has been waived, again with much evidence from overseas, which is based on science, not emotions or the dollars. Why has the planning minister waived doing the EES? May I add that I am actually disappointed that, knowing about the severity of this inquiry, the planning minister herself is not present at this inquiry to listen firsthand to the concerned communities, as she is one of the main players who will be deciding communities' futures. The *Environment Protection Act* requires risks to be minimised and applies the state of knowledge and precautionary principle where there is uncertainty and potential harm. When dealing with one of the most chemically complex waste streams ever created, without doing a full assessment or comprehensive monitoring, again the question is why aren't we doing this EES for all the facilities?

Then there is a broader policy contradiction. We are told that under the APCO targets and the *National Plastics Plan*, plastic waste will be reduced, problematic plastics will be phased out and the recycling will be improved. Communities, councils, organisations here and abroad are doing their part. In most of the world and in Australia the public is responding to and we have actually phased out, or are in the process of phasing out, single-use plastics, replacing these plastic items with biodegradable products designed to break down in landfill, so doesn't it seem ridiculous that they would never make it to landfill if we actually burned it? This seems to be counterintuitive to me.

So I have to question further: why aren't we putting in place the removal of problematic plastics? Why is plastic pollution still increasing, especially as we know the damage that it is causing? Why are manufacturers not required to reduce production or redesign packaging? If we are serious about cutting plastic pollution, then why isn't the state government enforcing manufacturers to comply? I work in a sustainable school, where our visual communications design teachers actively encourage students to create environmentally sustainable packaging and products. We are teaching the next generation to reduce waste, rethink plastics and design reasonably for the future – their future. Their solutions are real solutions, and every day, more and more products are becoming available to support that change.

Victoria's Sustainability Fund could be far better directed towards preventing waste in the first place by supporting the redesign of packaging materials and genuinely recyclable, compostable or biodegradable material, instead of investing public money into managing volumes of waste after it is created. If the Victorian government is serious about reducing waste and achieving a circular economy, then funding should prioritise eliminating unnecessary plastic non-recyclable packaging, not simply building infrastructure that depends on waste continuing forever. Reducing waste at the source is cheaper, safer and more sustainable than trying to burn, bury or manage the toxic waste, so it deeply concerns me that while schools are promoting sustainability, government policy does not appear to be enforcing these same principles strongly enough at an industry level. If we are teaching students that sustainable packaging matters, why aren't we seeing stronger action to support these incomes in the real world? Why have efforts to reduce plastic waste slowed up when we know that they are central to solving this problem? Is it because waste incineration depends on high-calorific plastic waste as fuel for energy production, or is it simply the easier option than generally reducing waste at the source, or has the government already decided that large-scale incineration is a part of the long-term agenda, regardless of

what we say here today and regardless of the environmental health and impact concerns raised by communities and the surrounding experts? It seems that we are building infrastructure that relies on the failure of our own waste and plastic reduction policies, and the question remains: why?

In Dandenong South, Sunbury, Wollert, Lara and Maryvale, the same communities are asked again and again to carry the burden. Why us? Is it because we live in low socio-economic areas? Why not put them in affluent areas? I am sure that you will get a different response – or maybe even the same response as us. If these facilities are truly safe, they should withstand the highest level of scrutiny. I then ask why the minister has not been prepared to follow through and prove us all wrong by committing to an EES for all sites. Until this happens, these projects remain fundamentally unjustified. If we are serious about protecting all communities, then we should be reducing waste at the source, not building an infrastructure that depends on it. In the next generation it will be our children in these communities who will have to live with the long-term environmental and health consequences of the decisions we make today. Thank you.

**The CHAIR:** Thank you so much for that. We will now move to questions. I will put 5 minutes on the clock, members, and if there is time we will go around again. I will kick off with Mr Berger.

**John BERGER:** Thank you, Chair. Thank you all for your appearance today. Sue, I am interested in your comments about removing it at its source. I think that is the key to any of these things – and in particular sustainable packaging. I know firsthand when I get a package delivered via an online purchase, it comes in a cardboard box – great – but inside is a plastic thing. It defeats the purpose of what they are trying to achieve in the first instance. How do we get the message across, given that our next generation are probably the biggest consumers online in terms of bringing stuff in from overseas?

**Sue LANIGAN:** We have got a very proud sustainable school and a lot of teachers who are on board with this. We have them studying environmental science at a very young age at our school. It might be a couple of hours a week, but they get into the gardens, they get to know about plastic and they get to know how to garden and weed and recognise what plants are good and what plants are bad. As we go through, we also have the rubbish bin day. You had a question earlier for the school about the CDS program. We actually enforce it. We actually have our own four bins – I know a lot of people do not back the four bins – and the other bin is for the 10-cent returnable. We actually have a FOGO bin, and our disposal method with FOGO is to use flies. We used to have worm farms, but we actually have this type of fly. You are going to ask me what it is, but I will get back to you; I did know, but I have gone off it a bit. Then of course we minimise paper. We encourage digital materials et cetera. You only get to print something if you really need it. Of course all our testing materials are on paper because we need to keep them for compliance for auditing, but the rest of the time it is all digital. We are heavily into this. We grow our own veggies, and we raise our own chickens – and hope to God that they never get contaminated. We actually have an orchard – we are building one right now. We are looking into more and more environmentally friendly things for our wildlife, so we are building boxes for the birds and the like in the trees. We have got a big tree-planting program going on at the moment because we have had to cut a few down, unfortunately, for the new buildings that we are doing. There are solar panels. We have everything. We are so proud of it.

**John BERGER:** Tracey, you mentioned coal ash. In your experience, down in the Latrobe Valley, where is that at?

**Tracey ANTON:** With each of the three coalmines, the chemical substances involved in each of them are different. The Yallourn one has a higher magnesium content, and that is quite viable for a magnesium plant that has been constructed down there. With Loy Yang it is another different one there. They are having trouble. They are trying to work and see if they can mix it to profile the batters, and it is being quite problematic there. At Hazelwood their internal ash dump is supporting a wall that sits beside the freeway, so they cannot do that. It is really hard. We commissioned a paper – and even EPA said it was such a complex subject and that we did a really good job – trying to educate the community about how there is a volume of waste stream that is huge and can be toxic for another 100 years. With the storage in the mines, the area it takes up is massive. If we are looking at the amount of waste-to-energy, they are all saying they are going to make a by-product that is reusable.

**John BERGER:** That is into concrete and roads and building products?

**Tracey ANTON:** Yes, roads. And it has got to go somewhere, but there is no detail on that.

**John BERGER:** Are there any overseas experiences where they have been able to recycle those materials?

**Tracey ANTON:** Yes, there are – and the Opal one, as the previous presenter Andy said. They have got a very good sort of centre where they do explain that and show the product and what they do. They can encapsulate it all, but you do not know when it breaks down. It still contains the toxins, so if it breaks down in road surfaces and paving and all that, that then gets into the stormwater. We just do not know enough about that. So yes, the toxins will eventually go somewhere when it breaks down.

**John BERGER:** Thank you, Chair. I think I have got 15 or 14 seconds left.

**The CHAIR:** Thanks, Mr Berger. We will go to Mr Ettershank.

**David ETTERS HANK:** Thank you, Chair. Sue, I believe you have been chasing the mysterious issue of what sort of tonnage we are actually contemplating. I am wondering if you could just share with the committee briefly the history of your efforts to try and elicit the extent of the waste-to-energy that is being proposed by Recycling Victoria?

**Sue LANIGAN:** Thank you. I think I have got a sad life now, because I watch a lot of Hansard. I think I actually have to wonder. I watched one of the Hansard reports where Rachel asked the environment minister about expanding emissions monitoring at the Dandenong South landfill, and one thing led to another. It was more about the air monitoring system at first. What happened was he came back with a response saying that with the air emissions there was air monitoring et cetera. That kind of got me infuriated, because I know for a fact that there is no air monitoring there. So I started to target more and more of what he was saying, considering that is what this is all about – this is about us and the environment.

I then came across another thing, about the cap licences on the EPA website, and it says that there are seven cap licences and we will be burning 2.5 million tonnes. But when you look at the Engage Victoria site, it does talk about the other four incinerators, EOLs, they are called, ‘existing operator licences’, but it does not have any tonnages attached to it. And I am thinking, ‘What’s going on here?’ I had heard various rumours from certain other parties here about how much potentially each of those sites are going to be. Lara was one of them. Dandenong South was another, and Coolaroo, and the other one escapes me. So I started to write to him and ask him what was going on, and he came back to me with a response: it is approximately 1.1 million tonnes. I then asked the question: is that built into the 2.5 million tonnes or is it separate? He actually said it was built in, and I thought, ‘Well, it doesn’t add up,’ because if you add up all 11 incinerator sites, it actually comes to 3.6 million tonnes. So I then went back to him and pointed this out. I then received an email from Tony Circelli, who went through four pages telling me that it is 2.5 million tonnes that we are burning. He did not mention the four EOL incinerators, and I was absolutely disgusted.

Then I went through another avenue, and that was the EPA. The EPA did come back to me with a very clear and definite understanding of the two different pathways. The EPA contradicted what Tony Circelli, head of Recycling Victoria, told me, and said that we are burning 3.6 million tonnes. I was absolutely furious. We are hearing the line ‘It is only 2.5 million’, but sorry, folks, it is actually 3.6 million, and I would say that is a minimum.

**David ETTERS HANK:** Thank you for your detective work. I think it will give us something to ask the department when we meet with them.

**Sue LANIGAN:** It was like a dog with a bone, I am telling you, to try to get responses. And that is disappointing because we are supposed to be transparent. We pay for all of this, so we should be treated with respect, and I believe Parliament in itself expects honesty. I really believe, especially when you swear on the Bible, you expect honesty and you expect people to do their jobs and do them well.

**David ETTERS HANK:** Thank you. Chair, I am just about out of time, so I will pass. Thank you, Sue.

**The CHAIR:** Thanks, Mr Ettershank. I will go next. Thank you all for your great opening remarks, by the way. It is really great to get that personal community experience that we have had over the past few days. I really appreciate it. I was keen to hear – obviously you have shared and similar interests, but you are across

different parts of the state, although somewhat close together, in different electorates. So my question was going to be: have you had any engagement with the government? I know that you spoke about the minister, but have you had any engagement on this issue with your local MPs? And if so, what was their response?

**Sue LANIGAN:** Who are you asking?

**The CHAIR:** All of you.

**Sue LANIGAN:** Would you like to go first?

**Tracey ANTON:** I can do a quick one. Basically, with our local member it is all about the jobs. That is fair enough, as Andy said, for Latrobe Valley. But you cannot put a weight on jobs, which I think Recycling Victoria do, you know, forsaking environmental concerns and the health of the population. There has got to be a balance there. So for Latrobe Valley, we are very normalised by pollution, and that was what came with WorkSafe. It is like a get-out clause. You know, you have got to put up with this to get a job. Just to say it is going to bring jobs seems to be a focus of the Parliament. That is how I read it down here.

**Carmen LAHIFF-JENKINS:** I am aware that my local people, which are Kat Theophanous and Nathan Lambert, have been spoken to many, many times in many, many different ways from the community but have really not kind of had any concrete responses. I have certainly spoken to Darebin council about this, who are like, 'Well, it's not really in our area,' which I find really fascinating because of course these waste-to-energy incinerators affect all communities. I also had some insight into some of the neighbourhood houses that are in the areas where these incinerators are. They are quite nervous to speak out against the incinerators, especially in councils like Whittlesea, where for quite a long time there was no actual representation. So now communities have got this representation, but they are kind of building new stakeholder relationships with councils that they may not have had before. I feel a bit suspicious about that actually, because it was originally going to be over in Hume, and there was pushback from that stronger council and it moved over into Whittlesea. I feel like that community has been really defanged because of their political unrest. I thought that was important to bring up.

**Philip SINCLAIR:** Okay. Friends of Merri Creek support the No Northern Incinerator group, who have engaged quite a lot with the members in this catchment area, to the point where I think four of the members, including the minister Lily D'Ambrosio, have signed petitions against the Wollert incinerator. So essentially 'not in my backyard or in my electorate' type responses is how I interpret them signing those things. I think the engagement there, at least on the surface, gave us a positive message, but it does not seem to have changed anything in the political process. I am probably speaking out for the No Northern Incinerator group more than I ought to, but that is my interpretation of the engagement with politicians.

**Tracey ANTON:** Can I just add to that that the issue with individual ministers sticking up for their electorates is fair and reasonable because there are still people who live there – I should not say ministers, I should say members – but it is the regulatory processes that are failing them. You know, a member does have a right to stand up for their community. I do not have a problem with that. But, yes, the processes are definitely the problem here.

**The CHAIR:** Yes, gotcha. Okay.

**Vernadette BILBAO DICKSON:** Our state MP is Gary Maas. We approached him instantly once Casey council had approved the permit application, and that did not go too well. We asked just to have a meeting with him – simple. Just, 'Can we have a meeting just to fully understand if you know the implications?' He was not really open for having a consultation with us whatsoever. Apparently, we had an agenda with him. We were not sure where that came from. We really had no options but to speak to Ann-Marie Hermans to help us support this parliamentary debate. We tried and we could not get much. I agree, there are a lot of reservations from state MPs.

**The CHAIR:** Gotcha. Thank you for that.

**Sue LANIGAN:** Sorry, I want to admit that I have written to Sonya Kilkenny many times and never received a response about the EES. I have given up writing. I kind of think it is insulting that she cannot be bothered or even get her officers to respond to me at least once. The environment minister I think only responded to me because I called out his question in Parliament, or his information that he provided in

Parliament. Prior to that I had written to him several times – got nothing. As I said, it is only because I have used different ministers who have actually been calling on the subject and I have ridden off the back of their questions that I have got the response. Once again, it is disappointing that we cannot be responded to on an individual basis. It has to go through processes like that. Thank you.

**The CHAIR:** Thanks, everyone. Without criticism of individual members of Parliament, I am always just curious to hear this, because often we find in different communities that government MPs or MPs from different parties can have different perspectives or be joining in on a campaign. That is really useful information. Thank you. I will go to Dr Mansfield.

**Sarah MANSFIELD:** Thank you. Thank you all for your submissions and for appearing today. I might start with you, Tracey, but others might want to chime in on this one. You brought up the subject of regulation and that being one of the big problems in this space. What, from your perspective, are some of the gaps in the current regulatory framework around establishing and also managing these waste-to-energy facilities?

**Tracey ANTON:** Just to make it clear, the EES process is an outdated process, which had an inquiry in 2011. We are already working not with a good standard there. It does not really assess cumulative risk. I will use an example from Sunbury yesterday. So what happened was it was at minister's discretion. They decided they did not require an EES because it did not fit the mandatory criteria, despite the red flags that that community said. That is what is astounding. If I was looking at doing reform from a committee perspective, I would want to go back to that decision and go, 'Well, what is that mandatory criteria? Is that going to service any decisions in the future, and how can we make that better to do that?' Therein you have this regulatory process that can subvert the process. That is at the minister's discretion, as far as I am concerned. Then you should go to an EES – that is outdated. EPA are not part of any approval process at the start because their duties model is not in the planning provisions. That is what we are chasing up at the moment. Everything that you then follow for any mandatory risk assessments is based on outdated standards.

When we look at what happened with Maryvale in human health assessments and then to the environment, they used very outdated standards for a criteria on how to assess it. They used the industrial emissions from the EU of 2010. There is now 2024 industrial emissions data that would take account of PFAS and all the other ones. Going to the point of 2018 with Opal, when EPA gave approval, that approval nowadays would not pass if they used the proper emission. This is where it has to go to the federal space. This is where your state environmental ministers at the ministers forum need to push for a national EPA. You have to push for a national standardised, harmonised waste-to-energy policy, and it has to include all these updated standards for anything new. What does that mean for what we have already got? Can we go back and say, 'That's not good enough'? Because if we cannot, this is why you are going to have human health and environmental impacts in the future. You are going to have long-term risk implications, and they are going to be economic, social, legal and environmental. You are going to have major problems. Does it mean we are going to end up in court? I do not know how this is going to work out, but if we cannot get those processes right, we are in trouble. That is the long and short of it – ban minister's discretion.

**Sarah MANSFIELD:** Does anyone else want to jump in on the regulatory?

**Philip SINCLAIR:** Can I just add to that? If it is okay for the minister to call in these approvals and double the volume of waste that is allowed to be burnt, which means a whole redesign of the plant – which from my perspective should be a whole new planning approach and should be a whole new risk assessment – then surely the most recent standards should be applying. You cannot just take out one bit and say, 'Oh, but we're still going to use 2010 standards.' We need the latest standards.

**Tracey ANTON:** Would we be able to go back and call in some of these approvals? I will put that to the committee.

**Sue LANIGAN:** We are putting you on notice.

**David ETTERS HANK:** We tend not to provide legal advice, I think it is fair to say.

**The CHAIR:** Did you have any more questions, Dr Mansfield?

**Sarah MANSFIELD:** I think another one would just be around, a lot of this focuses on residual versus non-residual – residual non-recyclable waste. We heard earlier today that some of the councils that have entered into contracts have said, ‘Well, you know, everything in the red bin’s just too hard to deal with. That equals “residual waste”, you know, everything that ends up in a red bin.’ Do you think people in the community really understand what residual versus non-residual waste is?’ The sense I got from earlier was we just have to accept that we have got this red, yellow, green bin – maybe with a purple bin – system, and whatever people put in them, we just have to deal with that. That was sort of the impression I got. Do you think people really understand it?

**Tracey ANTON:** No, they do not, and in the regional areas we do not have the option of all the bins. We do not have bins. We have got to chase it and go to somebody else’s house and drop our stuff in. The interesting thing is – this is where, again, it comes to the national thing. Where it comes to market, when you are talking about sustainability, you are talking about wrapping and packaging. Government need to put in place what we need to make sure labelling says that these plastics contain these nasty chemicals, as Toxics Free Australia brought up. If they have that, let the market decide – because it is labelled, ‘Okay, we’re not going to go through that company, so we’re not going to have that’. The frypan – some of the frypans are saying ‘PFAS free’, but not all of them are. So when they know that these ones are very, very toxic, they are putting them into the bin and then they are going to go to these burnings. We need to educate so we are not getting them imported in the first place. Then the batteries – there is a huge education campaign on that, that is needed across the language barrier and the whole thing. Kids are putting plastics, e-waste and everything into it. So not everything that goes into the red bin should be going into the red bin, but it does not say that is what it is.

**Carmen LAHIFF-JENKINS:** Can I also say: at neighbourhood houses we teach people about sustainability and we do a lot of work in sustainability, and we also work with communities and also work with very marginalised communities. Those marginalised communities do not understand waste. That is not their top priority. That is not what they are managing. There is often a lot of litter on the side of public housing and other spaces because it is so difficult to actually manage waste for people in lots of different circumstances. We have lots of people with disabilities or who are having mental health episodes and things like that, so waste mounts, communities get fractured. There is lots of stuff around waste, and we have a lot of problems with waste, especially amongst marginalised communities, because it is expensive to get rid of and it is becoming more and more and more expensive. I do not think the waste transfer fixes that problem at all. In actual fact it is about the people that are making this packaging, as you said, and making these products, having to be responsible for the waste, and if they are made responsible for the waste, it will take the burden away from our communities so they do not have to manage this as well as the other things that they are managing in their lives.

**Sue LANIGAN:** Can I just actually add to that?

**The CHAIR:** Just one really quick one because we have got 1 minute.

**Sue LANIGAN:** Going back to what you were saying, I also received two whitegoods products. Both came in cardboard boxes; one came with polystyrene and the other came with moulded cardboard. Oh my gosh, you could not believe how excited I was. I actually took it to school, showed the kids and said, ‘This is what we’re aiming for,’ and they are all on board with it. I do actually believe that we need to start putting into our school curriculums environmental waste – what their rubbish does. We are already doing it. We are already practising what we are preaching, but I do not see it as a part of the education system. And considering that this is a big part of our future – and their future, even more – we have got to do it. We have to start education with them.

**The CHAIR:** That is a good place to end it. Thank you so much. Thanks for coming along and sharing with us. It has been a really valuable session. We will have to cap it there because I think our next witnesses might be overseas, so that concludes the hearing.

**Witnesses withdrew.**