



# Legislative Council Economy and Infrastructure Committee

**Inquiry:** Inquiry into the development and expansion of waste-to-energy (WtE) infrastructure in Victoria

**Hearing Date:** 26 May 2026

**Question[s] taken on notice**

**Directed to:** Opal

**Received Date:** 28 July 2026

## 1. **David ETTERSHANK, page 29**

### **Question Asked:**

Can I just ask in terms of the standards – if you look on the EPA register, it is pretty patchy as to what conditions were applied – I am wondering if you can provide the committee with an overview of what environmental conditions were applied to your licence. I am happy for you to take that on notice.

**David JETTNER:** Yes. At a high level, the EPA requires us to manage emissions to air, water and land. Our licence addresses all of those items. It sets standards relevant to the stack emissions, which is where the BREF standards apply. It also required us to do extensive modelling about air emissions and in relation to those emissions when they get down to ground-level concentration. So Victoria has a two-system approach. The first is what is the impact on the community – which is more about ground-level emissions – and what is the impact out of the stack, which is based on the BREF standard. So, happy to provide more detail, but in general it is those three aspects: air, water and land.

**David ETTERSHANK:** I think the devil would be in the detail, so if you could provide us with a comprehensive response, that would be fabulous.

### **Response:**

The Development Licence approval process by the EPA was extensive and involved considerable detail and modelling. On a number of occasions the EPA requested further details and clarifications which we responded to. Ultimately the EPA were satisfied and a Development Licence was issued. I cannot comment on other project approvals as I have not studied other projects in detail. I have no comment on the member's assertion that the conditions are "patchy".

Opals view is that the EPA process was thorough and that the conditions are comprehensive. The conditions seek to address environmental emissions to land, air and water.

The full conditions can be accessed through the EPA, however they included waste composition, facility design, noise analysis, treatment of residues and air emissions standards and compliance.

## 2. **Rachel PAYNE, page 29**

### **Question Asked:**

I have a question in regard to financial support. In particular one of the recommendations made in your submission, David, from Opal, was that financial support be provided via the landfill levy revenues and Victoria's Sustainability Fund. The EPA collects that revenue – is that correct? My understanding is that revenue is collected by the EPA.

**David JETTNER:** I would have to take that on notice. I know that the Treasury department sets the amount of the levy. It is collected and the funds go into the Sustainability Fund.

### **Response:**

Opal's submission included this recommendation – Victorian Government should *“Provide financial support to enable the commercial feasibility of modern combustion Waste to Energy projects, including with landfill levy revenues and Victoria's sustainability fund.”*

The Sustainability fund is a legislated funding mechanism that invests revenue from landfill levies into industry, business and community programs to reduce waste, stimulate viable circular-economy industries, and drive critical climate change mitigation and adaptation initiatives.

Furthermore, the specific 2024 Strategic Objectives of the Sustainability Fund include:

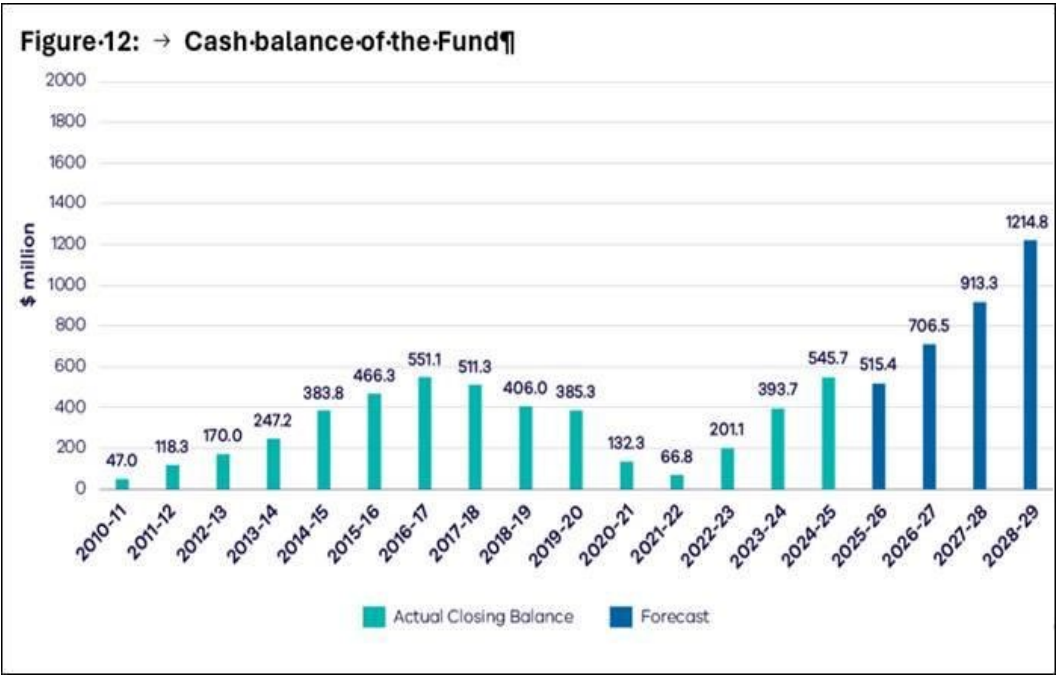
- making alternatives to landfill more viable and cost competitive through the stimulation, creation and expansion of viable markets for recycled and recovered materials
- facilitating a network of best practice waste and resource recovery infrastructure which minimises public health and environmental impacts and maximises resource recovery opportunities
- supporting individuals, communities and industry to transition to a low carbon economy.

Waste to Energy projects clearly align with the Sustainability Fund's objectives.

The Environment Protection Authority (EPA) Victoria collects the state-mandated landfill levy payments. Licensed landfill operators calculate and pay the levy quarterly to the EPA, which then deposits these funds into the

Municipal and Industrial Waste Levy Trust managed by the Victorian Government.

The *Sustainability Fund Activities Report 2024-25*, forecasts that by 2028-29 the Fund’s cash balance will reach more than \$1.2 billion.



With objectives alignment and available funds, Opal again calls on the Victorian Government to make a proportion of these funds available to Waste to Energy projects to help overcome project commercial barriers.