

Melbourne Regional Landfill Extension

Landfill Ops response to submissions

1 Buffers

1.1 Submissions

- (1) Too close to residential areas, schools and businesses

1, 2, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 21, 22, 23, 24, 25, 27, 30, 31, 33, 34, 37, 38, 39, 40, 41, 42, 47, 49, 52, 53, 56, 58, 64, 65, 67, 69, 70, 71, 74, 83, 89, 90, 91, 94, 95, 103
- (2) Inappropriate buffers – should/should not be internalised on the subject site

79, 82, 86
- (3) The buffer is not sufficient

16, 30, 49, 59, 72, 73, 77, 78, 80, 89, 99
- (4) Putrescible waste filling should not occur adjacent to Hopkins Road and is inappropriate to the future Mt Atkinson and Tarneit Plains PSP; Potential loss of developable land in the Mt Atkinson & Tarneit Plains PSP

77
- (5) The buffer zone should include people in cars; Hopkins Road is within the buffer zone

33
- (6) EPA Guidelines do not consider what buffers and controls are appropriate for a landfill of this size

9, 12, 34, 46, 48, 50, 54, 60, 85, 99, 100
- (7) Discouragement of future residential development nearby/in the western corridor

16, 30, 51, 55

1.2 Landfill Ops response

- (1) The buffers proposed are consistent with BPEM and are sufficient to ensure appropriate management of potential environmental and amenity impacts of the landfill in upset conditions
- (2) The regulatory framework does not require buffers to be internalised on the subject site, and the proposal represents an appropriate balance between internal and external provision of buffers
- (3) Refer to Landfill Ops' submissions and the expert evidence of Tony Kortegast and Michael Barlow in relation to buffers, and of Aleks Todoroski and Christophe Delaire in relation to the management of air quality and noise issues

2 Inequity / inappropriate location

2.1 Submissions

- (1) Inequitable treatment of Western suburbs
1, 4, 6, 7, 8, 11, 22, 23, 25, 36, 37, 47, 55, 64, 69, 70, 71, 73, 75, 91
- (2) Inequitable for MRL to accept waste from other districts in Victoria
30, 33, 47, 65
- (3) Preferable to have a number of landfills, including one in the east, instead of one large landfill so that the adverse impacts are reduced
10, 11, 86
- (4) Strategic assessment should be required to determine best sites for landfill in metropolitan area
13, 59, 60, 61, 74, 83, 90, 94, 95, 96
- (5) The potential expansion site would be better suited to residential or other industrial uses that have a lower impact on amenity
21
- (6) Proximity to train station
1, 3, 22, 38, 39, 41, 42, 43, 83, 103

2.2 Landfill Ops response

- (1) Victoria has a state-wide and metropolitan-wide approach to planning for landfills, as set out in the Best Practice Environmental Management (Siting, Design, Operation and Rehabilitation of Landfills, Publication 788.3, 2015) (**BPEM**), the *State-Wide Waste and Resource Recovery Infrastructure Plan 2015-44* (**State Plan**); and the draft *Metropolitan Waste and Resource Recovery Implementation Plan* (**Metropolitan Plan**).
- (2) A strategic assessment is central to these documents.
- (3) The site is identified as a landfill in both the State Plan and the Metropolitan Plan.
- (4) Refer to Landfill Ops' submissions and the expert evidence of Michael Barlow and Tony Kortegast (need evidence) for consideration of BPEM, the State Plan and the Metropolitan Plan.

3 Expectations

3.1 Submissions

- (1) The expansion was not envisaged when MRL was originally approved
33

- (2) Residents would not have bought in the area had they known the tip would be expanded

20, 22, 23, 25, 38, 41, 52, 58

3.2 Landfill Ops response

- (1) The site has been earmarked and relied upon as a landfill in successive waste management strategies, in 1996, 2009 and 2015. An extension is required for it to meet its long-term strategic role.

4 Strategic planning

4.1 Submissions

- (1) Not consistent with strategic planning, including Plan Melbourne or the WGCP

3, 6, 7, 8, 9, 12, 25, 30, 31, 33, 34, 37, 42, 43, 44, 46, 48, 50, 51, 54, 55, 57, 60, 61, 64, 65, 67, 69, 70, 71, 73, 80, 82, 85, 89, 90, 91, 94, 95, 99, 100

4.2 Landfill Ops response

- (1) Refer to Landfill Ops' submissions and the expert evidence of Michael Barlow.

5 Reliance on quarry

5.1 Submissions

- (1) The proposal presupposes that the quarry will be fully excavated

73

- (2) Quarrying has not yet commenced, so the landfill should not be approved until the void is created

9, 12, 34, 46, 48, 50, 54, 60, 80, 82, 85, 99, 100

5.2 Landfill Ops response

- (1) Boral is contractually obliged to release quarried land to Landfill Ops in accordance with the Live Quarry Plan discussed during the course of the hearing.

- (2) Landfill Ops bears the commercial risk of any failure by Boral to provide quarried land as required.

- (3) There is no reason to expect Boral to cease or reduce quarrying given consistent demand for its products.

- (4) Refer to Landfill Ops' and Boral's submissions.

6 Current landfill operations and operator concerns

6.1 Submissions

- (1) Current impact of landfill already substantial

- (2) Odour impact of current landfill already substantial
2-8, 10-15, 17, 24, 25, 29, 32, 33, 35, 38, 39, 40, 41, 42, 43, 45, 52, 55, 58, 60, 62, 64, 65, 83, 91, 98, 99, 101, 102, 103
- (3) Litter impact of current landfill already substantial
6, 7, 8, 9, 12, 24, 29, 32, 33, 34, 46, 47, 48, 50, 54, 60, 62, 83, 85, 99, 100, 101
- (4) Traffic impact of current landfill already substantial
9, 12, 32, 33, 34, 46, 48, 50, 54, 60, 64, 69, 70, 71, 74, 83, 85, 91, 99, 100, 101
- (5) Noise impact of current landfill already substantial
9, 33, 9, 12, 34, 46, 48, 50, 54, 60, 83, 85, 99, 100
- (6) Mismanagement of the landfill to date indicates that similar problems will occur, particularly on a larger landfill
6, 7, 8, 9, 12, 34, 46, 48, 50, 54, 58, 60, 64, 69-71, 85, 99, 100
- (7) A number of licence conditions have been broken every year
72
- (8) Cleanaway has demonstrated disregard for the concerns of the community
85, 104
- (9) The views of the community should not be ignored
6, 7, 8, 14, 15, 27, 34, 38, 41, 42, 49, 52, 61, 64, 69, 70, 71, 82, 90, 91, 101, 102
- (10) 2014 application was refused by Council and the new application has not changed and does not address community concerns
6, 7, 8, 14, 15, 34, 64, 69, 70, 71, 90, 91, 101, 102

6.2 Landfill Ops response

- (1) Refer to Landfill Ops' submissions and the expert evidence of Aleks Todoroski, Christophe Delaire and Stephen Hunt
- (2) Refer to the attached table 'Concerns about existing operations and operator'.

7 Need and alternative technology

7.1 Submissions

- (1) The application fails to provide a proper analysis of need
80, 82
- (2) If the approved expansion were reduced in size, new technologies could be implemented

- (3) Preferable to consider other avenues/technologies for waste management
13, 40, 49, 59, 60, 61, 74, 79, 83, 90, 94, 95, 96

7.2 Landfill Ops' response

- (1) A detailed analysis of need was provided with the works approval application and has been expanded upon in the expert witness statement and evidence of Tony Kortegast.
- (2) Refer to Landfill Ops' submission, the expert evidence of Tony Kortegast, and the attached table 'Alternative technology'.

8 Approval duration

8.1 Submissions

- (1) Planning horizon of the permit is too long and should be limited e.g. to 15 years. Length of landfill operation applied for by planning permit application too long (e.g. 30 year plus) compared to works approval application. Incremental approvals preferred over shorter periods and assessed on a needs basis. If technologies change or there becomes a need to change the way waste is managed, a permit of such duration might not be appropriate and does not allow sufficient opportunities for periodic review
- (2) 9, 12, 14, 15, 34, 46, 48, 50, 54, 60, 64, 65, 69, 70, 71, 85, 89, 90, 91, 99, 100

8.2 Landfill Ops responses

- (1) A project like the MRL extension requires extensive long term planning and long term certainty to ensure capital and commercial commitment.
- (2) Each new cell will be assessed against criteria including need before it is approved by the EPA for inclusion in the license, and will be required to adopt technology that is best practice at the time of construction.
- (3) A long approval provides certainty for the local community, rather than a constant cycle of the operator seeking new approvals.
- (4) Refer to Landfill Ops' submissions and the evidence of Tony Kortegast, Michael Barlow and Andrew Green.

9 Air quality

9.1 Submissions

- (1) Impact on amenity (odour)
14, 15, 17, 18, 24, 30, 31, 34, 35, 38, 39, 41, 42, 72, 75, 80, 81, 83, 89
- (2) Assumptions used to model odour are too conservative; odour modelling usually assumes that the landfill is managed according to "best practice at all times. Modelling should be verified by ground trothing.
3, 13, 16

- (3) Meteorological conditions increase the odour impact
3, 6-8, 12, 16, 30, 45, 49, 64, 69, 70, 71, 75, 91
- (4) Dust and mud will increase as landfill traffic increases
86
- (5) Dust impact
33, 59, 62
- (6) The direction of local winds will result in a significant impact on surrounding residential and light industry areas
16

9.2 Landfill Ops response

- (1) Refer to Landfill Ops' submissions. Refer to the expert evidence of Aleks Todoroski for a comprehensive analysis of potential odour amenity impacts, including a response to submissions.

10 Noise

10.1 Submissions

- (1) Impact on amenity (noise)
18, 80, 81
- (2) Meteorological effects on sound propagation
16

10.2 Landfill Ops response

- (1) Refer to the evidence of Christophe Delaire for a comprehensive analysis of potential noise impacts, including a response to submissions.

11 Litter

11.1 Submissions

- (1) Impact on amenity (litter)
24, 30, 72, 75
- (2) Litter impact on neighbouring properties
62
- (3) Litter impact on prisons
72

11.2 Landfill Ops response

- (1) Refer to the attached table 'Litter'.

12 Traffic

12.1 Submissions

- (1) Impact on amenity (traffic)
5, 10, 18, 24, 30, 33, 38, 39, 41, 42, 43, 55, 72, 74, 75, 86, 89, 90
- (2) Impact of transporting waste from transfer stations in the south-east
9, 12, 32, 34, 35, 46, 48, 50, 54, 60, 85, 90, 99, 100
- (3) Traffic impact on Hopkins Road
9, 12, 34, 46, 48, 50, 54, 60, 73, 85, 99, 100
- (4) Safety impact of increase in heavy truck traffic
10, 35, 74, 86, 103
- (5) Increased pollution caused by increased traffic
33
- (6) Proposal should be required to make a contribution to future road infrastructure
73

12.2 Landfill Ops response

- (1) Refer to Landfill Ops' submissions and to the evidence of Stephen Hunt for a comprehensive analysis of potential traffic impacts.

13 Landfill gas

13.1 Submissions

- (1) Landfill gas impact
3, 76, 77, 80, 83, 86, 93
- (2) All landfill gas migration should be retained within the site
76, 77
- (3) All landfill gas migration should be retained within the site
76, 77
- (4) Potential for landfill gas leaks as have occurred at other landfills
25, 40, 41

13.2 Landfill Ops response

Refer to the evidence of Tony Kortegast and Andrew Green for a comprehensive consideration of management of landfill gas, including a response to submissions.

14 Visual

14.1 Submissions

- (1) Visibility of mounded landfill
- (2) 6, 7, 8, 9, 12, 21, 34, 46, 48, 50, 54, 55, 60, 65, 80, 81, 82, 85, 86,89, 99, 100
- (3) Character of the proposed landform
- (4) 73, 82, 89
- (5) Landscape planting in the buffer areas
- (6) 86
- (7) Planting on the landfill
- (8) 86
- (9) Staging of the landscaping
- (10) 73

14.2 Refer to the evidence of Allan Wyatt for a comprehensive consideration of potential visual impact and landscaping, including a response to submissions.

15 Groundwater

15.1 Submissions

- (1) Impact of leachate on groundwater
5, 59, 62, 74, 83, 99
- (2) Insufficient monitoring to date
62
- (3) Only one crack is required for contaminants to start entering the water table
64, 69, 70, 71, 74, 75, 91
- (4) All landfill infrastructure may fail, and all have the potential to leak
64, 69, 70, 71, 75, 89, 90, 91
- (5) Risks to groundwater are even more significant because of the size of the landfill
65
- (6) Cleanaway/Boral has exceeded leachate drainage levels (a condition of its licence) every year

72

- (7) It is not clear to Council whether the groundwater elevations determined in section 5.3 of the Hydrogeological Assessment provide the appropriate measure for this Landfill BPEM requirement

86

15.2 Landfill Ops response

- (1) Refer to the evidence of David Ife for a comprehensive consideration of hydrogeology issues and potential impacts on groundwater, including a response to submissions.

16 Surface water

16.1 Submissions

- (1) External catchment flow of Skeleton Creek must be updated

76

- (2) The surface water management strategy must include a functional layout of channel node SK7>SK8 in accordance with the Truganina DSS.

76, 86

- (3) All stormwater discharged from the site must be treated to best practice stormwater management in accordance with State Environmental Protection Policy (Waters of Victoria)

76

- (4) A detailed surface water monitoring program of stormwater outfalls must be developed in accordance with Environmental Protection Authority (EPA) requirements.

76

- (5) Landfill Ops will be required to maintain surface water management records

86

16.2 Landfill Ops response

- (1) Refer to the evidence of Andrew Green in relation to surface water management, including a response to submissions.

- (2) Landfill Ops confirms that in principle agreement has been reached with Melbourne Water in relation to its submission and that Landfill Ops has written to Melbourne Water seeking that it provide written confirmation of that.

17 Health

17.1 Submissions

- (1) General health risks associated with landfills, toxic emissions and contaminated waste
- (2) 11, 13, 24, 25, 30, 33, 37, 44, 45, 49, 51, 57, 60, 64, 65, 68, 69, 70, 71, 74, 75, 89, 90, 91, 99, 102, 103
- (3) Impact on residents who suffer respiratory diseases
- (4) 3, 9, 9, 12, 34, 46, 48, 50, 54, 60, 64, 75 85, 98, 99, 100
- (5) Health impact on prisons
- (6) 25, 68, 94, 99

17.2 Landfill Ops response – please see table ‘Health’.

18 Property values

18.1 Submissions

- (1) Perceived impact of landfill on property values
- (2) 6, 7, 8, 10, 13, 20, 24, 29, 36, 40, 41, 47, 49, 52, 60, 65, 66, 68, 74, 83, 94

18.2 Landfill Ops response

- (1) The landfill has been operating since the 1990s.
- (2) This is not a valid planning consideration.

19 Birds

19.1 Submissions

- (1) Impact on birdlife – avian botulism
5, 9, 10, 12, 34, 46, 48, 50, 54, 60, 85, 99, 100 49, 101, 103
- (2) Increase in birds on surrounding land
72, 74

19.2 Landfill Ops response

- (1) The nesting and migration of birds is something outside of Cleanaway’s control, however the control mechanisms for on-site bird interactions are designed to discourage and in places prevent birds from attending the site.
- (2) The extension of MRL will not result in conditions promoting an increase the number of birds at MRL. The on site management systems are reflective of the EPA BEPM and require a number of management practices to control amenity impacts.
- (3) Cleanaway applies procedures in relation to management of vermin and birds, as discussed in its response to the EPA’s section 22 notice. Cleanaway’s response to the s22 notice issued by the EPA included an extract of operational materials that described how birds, and vermin, are controlled. Of particular note:

- (a) Control of the active landfill face size, reduces the food source for birds. In the event of MRL, and the proposed extension, this is approximately the size of an Olympic swimming pool.
 - (b) Daily cover applied at a rate of 300mm, this ensures control of food sources for birds as well as mitigating other amenity impacts. This practice will occur at the extension.
 - (c) Minimising water sources that attract birds: The leachate pond at MRL is aerated which discourages birds from utilising the leachate pond as a water source.
- (4) The Corrections Victoria submission refers to pigeons being problematic, but pigeons are not seen scavenging or roosting at the existing MRL. Ducks are also uncommon at the landfill active cell area.
 - (5) The works approval application was referred to the Department of Health, and no concerns regarding avian botulism or other bird related issues were raised.

20 Native flora and fauna

20.1 Submissions

- (1) Objections to native vegetation removal
35, 89
- (2) Impact on Striped Legless Lizard
86, 89

20.2 Landfill Ops response

- (1) The vast majority of the footprint of the landfill is located within the quarry footprint, within which vegetation removal has already been authorised subject to conditions including the creation of the Northern Grasslands Reserve.
- (2) Vegetation removal and habitat destruction beyond the quarry footprint are already authorised by the Melbourne Strategic Assessment approval under the *Environment Protection and Biodiversity Conservation Act 1999*, which is a Commonwealth approval that is also implemented via clause 52.17 of the Melton Planning Scheme. Habitat compensation obligations will be payable in relation to any clearance beyond the quarry footprint.

21 Other

21.1 Financial assurance

- (1) Submission: Cleanaway should be required to make its financial assurance document public (67).
- (2) Response: The Financial Assurance detail is commercial in confidence. The EPA, being the environmental regulator, determines an appropriate amount in accordance with its publicly available guidelines.

21.2 Corruption

- (1) Submission: Government corruption; the government has done a deal with Cleanaway (49),
 - (2) Response: the project is being assessed through normal processes.
- 21.3 Assessment process
- (1) Submission: An Environmental Effects Statement should be prepared before the application is considered (32).
 - (2) Response: An environmental effects statement has not been required for the project. The planning permit and works approval application processes provide for a rigorous and appropriate level of scrutiny of the proposal.
- 21.4 Waste composition
- (1) Submission: It is impossible to know what is being dumped at the site (33, 74, 103).
 - (2) Response:

Licence conditions regulate what waste can be deposited at the site, and Cleanaway monitors incoming waste in three ways:

 - (a) Prior to the delivery of the waste, Cleanaway engages with its customers to ensure their waste loads comply with the EPA licence and strict operational requirements.
 - (b) When waste loads are brought on site, they pass over a weighbridge. Weighbridge staff observe the load at the entry and question truck drivers about the source and type of waste. In addition, staff conduct weekly random audits of incoming waste loads to confirm the type of waste being delivered matches what is declared.
 - (c) Operational staff at the active face observe all unloading of waste. If they identify a potentially prohibited waste delivery, it is pushed to a non-active area of the landfill cell and assessed by Cleanaway environmental staff. If assessment confirms the presence of non-approved waste, it is removed from the site and disposed of appropriately. The company who delivered the waste is contacted and cautioned to ensure such waste is not delivered to the site again.
- 21.5 Greenhouse gas emissions
- (1) Submission: Increase in greenhouse gas emissions (30, 83)
 - (2) Response: The landfill will incorporate a best practice landfill gas management system, which will minimise the production of greenhouse gases.
- 21.6 Soil contamination
- (1) Submission: Soil contamination (44).
 - (2) Response: See response above in relation to groundwater.
- 21.7 Inadequate regulatory powers
- (1) Submission: There are no sufficient measures to close the tip if it is badly run (49)

- (2) Response:
 - (a) The EPA and Melton City Council have a wide range of powers to ensure compliance with the licence and planning permit under which the landfill would operate. These powers are sufficient to require closure of the landfill if justified on the basis of performance.
 - (b) Each cell has to be approved prior to construction. If the landfill is not operating to an adequate standard, EPA would be expected to refuse to approve new cells.

21.8 Fibre optic cable

- (1) Submission: Impact of landfill on major optic fibre cable (26)
- (2) Response: refer to the expert evidence of Andrew Green.

21.9 High pressure gas pipeline

- (1) Submission: Need to take high pressure gas transmission pipelines into account (93)
- (2) Response: Refer to the expert evidence of Andrew Green.

21.10 Leachate treatment plan

- (1) Submission: Cleanaway should be required to construct a leachate treatment plant
- (2) Response:
 - (a) Refer to the expert evidence of Andrew Green.
 - (b) If a leachate treatment plant is required in future, it will be constructed.

Annexure tables

- (1) Health
- (2) Concerns about existing operations and operator
- (3) Litter
- (4) Alternative waste