

MEDIA RELEASE

FOR IMMEDIATE RELEASE

18 June 2020

Community group secures a win for the environment in legal case over Laverton waste-to-energy plant

Community group Zero Waste Victoria has secured better air quality, waste management, monitoring and reporting for Victorians in a legal challenge to the EPA's approval of a waste-to-energy facility in Laverton North.

Zero Waste Victoria settled its appeal yesterday in the Victorian Civil & Administrative Tribunal (VCAT) after the EPA and Recovered Energy Australia agreed to strict new conditions attached to the Works Approval.

Zero Waste Victoria President Kirsty Bishop-Fox said:

"This is a big win for the large and growing number of people in the local community who are concerned about the health and environmental impacts of Recovered Energy Australia's proposed waste-to-energy facility in Laverton.

"Yesterday's settlement means that if the Laverton waste-to-energy facility goes ahead, the conditions attached will ensure better outcomes for the community, the environment and public health.

"We do not believe that waste-to-energy plants are the answer to our enormous waste problem. Our governments must have a greater focus on waste reduction, reuse, repurpose and repair, as well as an emphasis on local recycling and composting initiatives.

"We cannot fix one environmental problem by creating another environmental problem for future generation.

"If these projects do go ahead, it must not be at the expense of the local community and environment. The strict new conditions enable greater transparency and safeguards with pollution from the project for Laverton and surrounding communities. It also ensures that waste that ought to be recycled, can be recycled."

Zero Waste Victoria member, community psychologist and Laverton resident, Carolina Aguirre said:

“As a resident it is gratifying to know that the air in Laverton and surrounding environment will not be further impacted by pollution and waste thanks to the efforts of Zero Waste Victoria and Environmental Justice Australia.”

Recovered Energy Australia’s waste-to-energy plant, set to process 200,000 tonnes a year of household waste, is proposed forty years after domestic incinerators have been banned, and at a time when governments are recognising the serious public health effects of industrial air pollution.

Nick Witherow, Principal Lawyer from Environmental Justice Australia who represented the group in court said:

“Waste-to-energy facilities are being proposed for communities already disproportionately affected by pollution. These communities are entitled to know what pollution they are exposed to by this and similar projects.

“Waste-to-energy projects are new to Victoria. This settlement shows the important role that community groups have to strengthen approval conditions and ensure the best possible outcomes for community health and the environment.”

The new conditions which Recovered Energy Australia will need to comply with include:

- Only accept waste which would otherwise be disposed of to landfill.
- Full transparency to the public on air pollution by publishing Continuous Emissions Monitoring data in real time and periodic monitoring data on an approved project website.
- Monitor an increased range of pollutants, including condensable particulate matter.
- Requirement for the project to meet the lower end of the European emission limits.
- Continuous Emissions Monitoring of volatile organic carbon.
- Ensuring the pollution control equipment can be upgraded if required to reduce emissions of toxic furans and dioxins to the maximum extent achievable.
- Ensuring that the facility is designed to be able to accommodate future material recovery including steel, e-waste, recyclables and other hazardous materials.
- Restricting the amount of waste products from the project that can be disposed of to landfill to 3% of feedstock by weight.
- A requirement for ‘waste arising’ contracts to be preferred, to avoid locking councils into contractual obligations to supply fixed amounts of waste and disincentivise recycling. (These are a new type of waste contract for councils in Victoria, which means that ratepayers don’t pay disposal fees for waste they don’t create. This ensures that waste that ought to be recycled, can be recycled.)

The case was filed with VCAT on 11 February 2020. The settlement was reached yesterday and will close the case, which was scheduled for a 5 day hearing in August.

[Zero Waste Victoria](#) is a community organisation who addresses the growing issues of waste, recycling and pollution in the community. They're dedicated to improving waste management practices to protect and enhance the natural environment.

Media contact: Margot Gorski, 0412 393 394, margot@prmatters.com.au

Environmental Justice Australia is a leading public interest legal organisation. Our lawyers act on behalf of people and community organisations to safeguard health; protect magnificent forests, rivers and wildlife; and tackle climate change.