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15 October 2019

Environment Protection Authority Victoria  
Development Assessment Unit  
200 Victoria Street  
Carlton VIC 3053

To [REDACTED],

**RE: WORKS APPROVAL 1003681  
PROPOSAL: EXPANSION TO EXISTING LANDFILL  
SITE: LATROBE CITY COUNCIL - 64 HYLAND HIGHWAY, LOY YANG, VIC 3844**

Thank you for your correspondence in relation to the above works approval pathways application for the Hyland Highway Landfill (Landfill), referred to Sustainability Victoria (SV) on 20/9/2019.

SV has reviewed the application to assist the EPA in their determining the proposal in accordance with Section 50c of the *Environment Protection Act 1970*:

(1) *The Authority may refuse to consider an application for a works approval or an application for the issue or amendment of a licence in relation to a waste management facility if—*

- (a) ***the operations of the facility could be inconsistent with the State-Wide Waste and Resource Recovery Infrastructure Plan or a relevant Regional Waste and Resource Recovery Implementation Plan; or***
- (b) *the applicant is in breach of any relevant requirements of a schedule of existing and required waste and resource recovery infrastructure within a Regional Waste and Resource Recovery Implementation Plan.*

(2) *Subject to subsection (3), the Authority must refuse to consider an application for a works approval in relation to a new landfill if the landfill is not provided for in the proposed sequence for the filling of available landfill sites in a relevant schedule of existing and required waste and resource recovery infrastructure within a Regional Waste and Resource Recovery Implementation Plan.*

SV has reviewed the details provided in relation to consistency with the Statewide Waste and Resource Recovery Infrastructure Plan (SWRRIP) and makes the following comments.

Goal 1 and 3 and Strategic Direction 2 are specifically relevant to the EPA's assessment:

- Goal 1 - *Landfills will only be for receiving and treating waste streams from which all materials that can be viably recovered have been extracted.*
- Goal 3 - *Waste and resource recovery facilities including landfills are established and managed over their lifetime to provide best economic, community, environment and public health outcomes for local communities and the state and ensure their impacts are not disproportionately felt across communities.*
- Strategic Direction 2 states that: *Reduce landfill reliance Planning for new landfill airspace, including the scheduling of new landfill sites, will be based on:*
  - › *volumes of residual waste streams remaining after all materials that can be recovered viably have been extracted*
  - › *a demonstrated need for additional airspace.*



Essentially the SWRRIP seeks to reduce reliance on landfill, but recognises that infrastructure for the disposal of residual waste, from which resources have been recovered, is required. The complementary regional waste and resource recovery implementation plans articulate the needs within their region and in this instance SV refers to the Gippsland Waste and Resource Recovery Implementation Plan (GWRRIP) regarding the need for this Landfill to meet these needs in accord with the Works Approval application.

### **Scheduling in the GWRRIP; Planning Permit and Works Approval**

The Landfill has a projected life span to receive residual waste until December 2023 under the current EPA Licence and Works Approval. The status of the existing Works Approval is accurately reflected in the GWRRIP. Council is seeking a Works Approval and Licence to operate the Landfill from January 2024 to 11 February 2033 at which point the existing planning permit expires. SV acknowledges that the proposed extension would be within the EPA licenced premise's boundary and to an area previously approved for landfilling in 2008 (under WA61581).

SV acknowledges that the existing planning permit allows the use and development of the Landfill until 11 February 2033. SV also notes that the GWRRIP Infrastructure Schedule (Table 23; Proposed Sequence of Filling of Available Landfill Sites) schedules the site until 2029 rather than 2033, with planning permit approval extending until this time. As outlined by Gippsland Waste and Resource Recovery Group in their letter to you dated 1 July 2019, the Landfill was scheduled until 2029 to reflect the estimated time at which the landfill airspace was projected to be filled. These estimates were based on modelled tonnage projections and airspace and information provided by Latrobe City Council.

Regarding the need for the Works Approval to be extending, in accord with the planning permit to 2033, the GWRRIP specifically states that:

*Two landfills currently servicing Gippsland will require works approval applications should they wish to extend their current operations to use the planned capacity of the sites. They are:*

- *Hyland Highway landfill, Loy Yang (Latrobe City Council), and;*
- *Kilmany Landfill, Kilmany (Wellington Shire Council).*

In essence, the GWRRIP scheduled the Landfill on the basis of projecting filling rates and explicitly identified the need for a Works Approval for this Landfill, in accord with Planning Permit, to meet the needs for disposal of residual waste within the region. Future iterations of the GWRRIP are expected to reflect the planning permit time frame i.e. until 2033, pending issue of the Works Approval to extend the operating timeframe.

In summary, SV considers that the proposed Works Approval is not inconsistent with the SWRRIP and its need is articulated in the gazetted GWRRIP.

If you need additional information or assistance, please contact [REDACTED] on [REDACTED], or

[REDACTED].  
Yours sincerely

[REDACTED]  
Manager | Waste & Resource Recovery Planning