

THE NEXT GENERATION

(NSW) Pty Ltd

Energise Your Future

The Next Generation (NSW) Pty Ltd
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1 November, 2017

Portfolio Committee No. 6
Planning and Environment
Parliament House
Macquarie Street
SYDNEY NSW 2000
By email: portfoliocommittee6@parliament.nsw.gov.au

Dear Sir,

***INQUIRY INTO ENERGY FROM WASTE TECHNOLOGY - PORTFOLIO COMMITTEE NO. 6 – PLANNING AND ENVIRONMENT
RESPONSE TO SUPPLEMENTARY SUBMISSION 389A***

We refer to your letter dated 24 October, 2017 and enclose our Response to Supplementary Submission 389a.

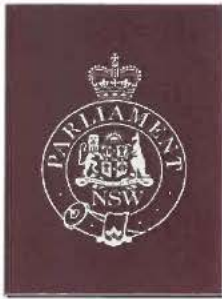
The Next Generation has no concerns regarding the publication of its response if deemed appropriate by the Committee.

Yours faithfully,

ANTHEA GILMORE
IN HOUSE COUNSEL

Encl.

1. Letter from the Hon Pauls Green MLC dated 24 October 2017.
2. The Next Generation Response to Supplementary Submission 389a.



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 6 – PLANNING AND ENVIRONMENT

24 October 2017

Mr Ian Malouf
Managing Director
Dial A Dump Industries
Via email: ianmalouf@dadi.com.au

Dear Mr Malouf

Inquiry into energy from waste technology

Portfolio Committee No. 6 – Planning and Environment has recently published supplementary submissions to the inquiry into energy from waste technology on its website. Submission 393a references an advertisement by Dial A Dump Industries that appeared in *The Sunday Telegraph* on 24 September 2017. Due to the adverse nature of some of these comments, the committee has resolved to provide you with an opportunity to respond to these statements, should you so desire.

Please provide any response by no later than close of business on **Tuesday 7 November 2017**. Please include with your response whether you would like to request the committee to publish your correspondence. The committee will consider your request.

Should you require any assistance or if you have any questions in relation to this matter please contact the Inquiry Manager, Ms Kate Mihaljek on 9230 3368.

Yours sincerely,

The Hon Paul Green MLC
Committee Chair

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Dear Sir,

***Inquiry into energy from waste technology - Portfolio Committee No. 6 – Planning and Environment
Response to Supplementary Submission 389a***

We refer to your letter dated 24 October, 2017 and notwithstanding that we had thought that most of these matters had been ventilated before the Committee on the two previous occasions we thank you for the opportunity to respond to the matters raised in Supplementary submission 393a.

We have sought to suitably categorise the relevant issues and identify them, using your headings as either:

- (a) complaints (where there is alleged to have been either a breach of the law or some element of untruthfulness);
or
- (b) an expression of opinion which TNG feels it appropriate to traverse.

FALSE ADVERTISING

Complaint no 1

That the advertisement in the Sunday Telegraph, dated 24 September, 2017 is in breach of the Competition and Consumers Act 2010 and the Australian Consumer Law of 2011, for False and Misleading Representations in Advertising.

Response.

This complaint is rejected. The advertisement is reproduced as addendum to this letter. There is no evidence of misleading or deceptive conduct as alleged.

STATEMENTS MADE IN ADVERTISING

Complaint no 2

Statements in the Environmental Impact Statement Objectives

It is "To offer a viable alternative to the burning of fossil fuels by utilising a green and renewable energy source capable of servicing approximately 200,000 homes through the export of 137.3 MW energy."

Response

The reference to the Environmental Impact Statement is obsolete.

As outlined to the Committee in public hearing on 17 August, 2017 in recognition of community complaints regarding the size of the proposed facility the TNG application was re-submitted as only a Stage 1 proposal which has halved the energy generation available to export from 137.3MW to 68.9MW of energy.

Opinion No 1

This project will not meet its objectives or be "clean & green" by burning waste fuels based on petrochemicals (which are fossil fuels) and burning plastics derived from fossil fuels. This is not clean green energy, it is simply burning fossil fuels in another form.

Opinion expressed regarding burning of petrochemicals and or plastics is not relevant to this application.

A report entitled -"Feedstock Review in Accordance with the Resource Recovery Criteria of the NSW EfW Policy Statement" 13 July 2017 was tabled to the Committee by Mr Biggs on behalf of TNG. That report was accompanied by three independently conducted audits of the proposed fuel stock.

Table 1.1 below sets out the compositional analysis of the proposed fuel stock for the TNG Facility:

	CRW	MRF	Floc Waste	Mixed C&I	Specified Waste	Design Fuel Mix
Fuel Mix	19.90%	12.06%	14.73%	40.93%	12.37%	100.00%
Compositional Analysis						
Paper/Cardboard	3.76%	22.00%	0.39%	20.42%	0.00%	11.62%
Wood/Timber	64.55%	3.09%	2.98%	16.87%	85.65%	31.16%
Plastic	7.38%	29.04%	21.42%	16.69%	0.00%	14.96%
Metal (Ferrous and non-ferrous)	1.88%	4.63%	1.41%	3.34%	0.00%	2.51%
Organic (not wood/timber)	11.78%	32.21%	15.71%	23.21%	14.35%	19.82%
WEE (electronic waste)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Hazardous	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Glass	0.11%	4.34%	0.00%	1.70%	0.00%	1.24%
Other (Including earth and building materials)	10.53%	4.69%	58.09%	17.77%	0.00%	18.49%
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

Opinion No 2

Mass combustion incinerators rank as one of the dirtiest known forms of energy production, and produce far more carbon dioxide per unit of energy generated than coal, oil or gas fired power stations. Incinerators also produce toxic emission that consist of toxic metals such as dioxin, arsenic, mercury, cadmium, and over 200 organic chemicals, including known carcinogens, mutagens and hormone disrupters.

Response.

This opinion is unsupported by scientific data. TNG relies upon the objective scientific technical data for its application.

Opinion No 3

Toxic metals are also universally present in high concentrations in incinerator ash, which is treated and stored like radioactive waste in facilities overseas. There is no long-term solution to disposing of this toxic ash.

Response

Use of pejorative terms like "radioactive waste" are unsupported by scientific data.

TNG has specified previously where the ash, which is a much lesser volume than the waste it replaces, will be disposed of.

Complaint No 3

Regarding statement "Energy from waste will help secure the energy future of NSW"

Response

TNG has not suggested that Energy from Waste is the solution to all NSW future power needs (nor the current energy needs of Sydney). The statement merely suggests that, energy from waste (as a reliable baseload generator) will “help” NSW through its contribution of energy to the grid to meet those growing future energy needs.

Complaint No 4

*Regarding statement **NSW should support Energy from Waste to lower your power prices***

Response

TNG argues that a reliable baseload generator of electricity feeding power into the grid (for which consumers do not have to pay) is an economic force which lessens the cost of power generation and therefore exerts a downward pressure on the necessary retail cost of electricity.

Further, as our contribution as a baseload generator is not sensitive to weather conditions like other renewable energy sources, it could be argued that this more consistent contribution will have a positive impact on electricity prices as it won't fluctuate and therefore allows wholesalers to factor this into their pricing models and benefits should then be passed on to the retail energy suppliers.

TNG makes no representations or guarantees about the future retail cost of electricity.

Opinion No 4

Regarding The Next Generation's proposal will have no bearing on lowering the cost of living.

Response

We refer to our response above. In addition, according to modelling provided by leading economic consultant's ACIL Allen, in its review of renewable energy and its effect, supports the view that renewable energy schemes do reduce the wholesale costs and in turn this will eventually have an impact on the cost of living.

Opinion No 5

The European Commission has recently set clear policy directions for its member states, to move away from incinerators towards Zero Waste strategies.

Response

TNG notes that no support is provided or referenced to back the above statement and TNG ejects the interpretation and the conclusion purported to be drawn from it.

Notwithstanding, TNG agrees that zero waste is a desirable aim and one that should continually be included in policy and related discussions regarding the creation and disposal of waste, but the community (and world) at large must also be realistic that even in the best zero waste scenarios any physical process of manufacture, processing, disassembling, recycling or resource recovery will produce waste.

The question remains how much waste is left over and what to do with it. TNG offers an alternative method of managing residual waste by turning it into energy whilst also having the additional benefit of further significantly reducing the use of landfill. In this way TNG will be supporting the community and business preference for recycling while advances are made towards zero waste methods and adoption. TNG does not agree that landfilling waste is environmentally sound or the optimum outcome.

It should be noted that on closer review of the Report referred to in the supplementary submission, it is clear that the EfW facilities are not being phased out in Europe, but actually affirms the need to support the waste hierarchy of which EfW facilities form a part of.

Page 4 of the Report features the following depiction of the waste hierarchy, which sees “other recovery” as a better alternative to disposal (in landfill) which further supports the need for an EFW facility in NSW to ensure a holistic approach is available for the management of waste.

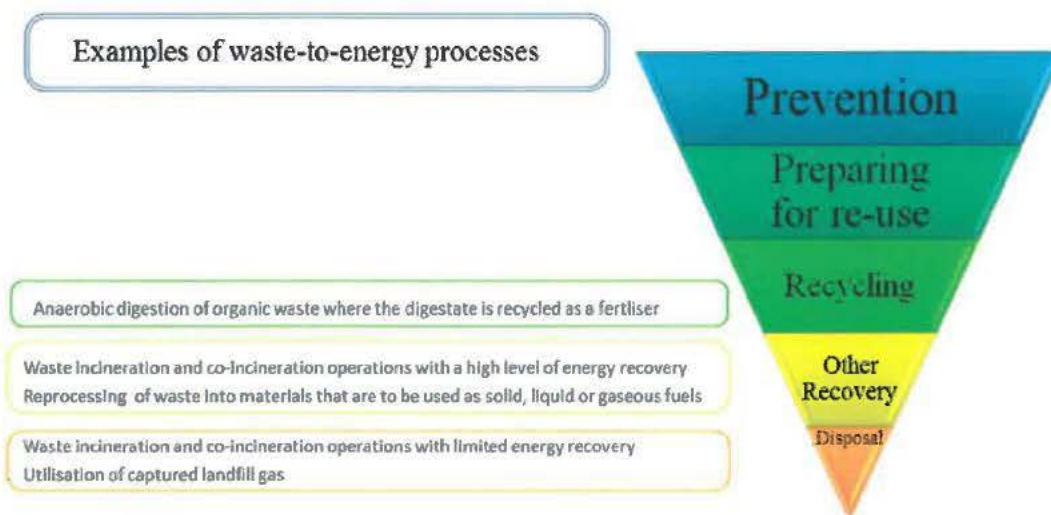


Figure 1. The waste hierarchy and waste-to-energy processes

TNG agrees with the European Commission in that prevention and recycling are the most ideal options for waste management. DADI is an industry leading recycling facility.

The reality is, not all materials can be recycled. Currently, the material left over from the recycling process is being sent to landfill where as it decomposes, it generates harmful greenhouse gases. DADI is not proposing to undermine the waste hierarchy by ‘stealing’ from the recycling process. It has no commercial incentive to do so, as we resell our recycled product through our business ‘Dial A Product’.

The Report also speaks of Europe having an ‘overcapacity for non-recyclable waste treatment such as incinerators’ (p5). This aspect of the report needs to be distinguished as it is not the case in Australia. Australia, and New South Wales in particular, have laws and regulations that ensure that any residual waste fuel that enters TNG must first pass through the Material Processing Centre on site or through a similar recycling process undertaken by a licensed EPA recycling facility.

However, the fact remains that in the waste hierarchy, after the recycling process takes place there are millions of tonnes of leftover waste that is currently being landfilled in NSW, or worst case scenario is being transported to Queensland where it is landfilled there to avoid paying the expensive landfill levies in NSW. The emissions from these unnecessary trucks, combined with the congestion and depletion of our motorways is a great concern of DADI’s. So it seems innately sensible to take the opportunity to ‘recycle’ the waste into energy, as an additional step or other method of recovery, to ensure that is what eventually goes to landfill is lesser in volume again.

The report also speaks of public funding for this sort of technology. TNG is a private initiative and will not take any taxpayer money.

DISINFORMATION FROM THE WASTE INDUSTRY

Opinion No 5

The Next Generation NSW Pty Ltd has run a campaign of disinformation about their proposed waste to energy incinerator.

Response

TNG has carried out extensive community consultation and provided extensive information and objectively prepared scientific data.

An example of some of the community consultation carried out by TNG is set out below in table 2.1:

04-Dec-13	Mailbox drop to 4,000 homes.
22-Feb-14	1:00PM – 5:00PM Community Information afternoon hosted by TNG <ul style="list-style-type: none">- 4 hour information day- General discussion- Introduction and overview of Facility- Site tour
10-Dec-16	11:00AM – 3:00PM Genesis Recycling Facility Community Consultation at Eastern Creek and site tour of waste facility (following demonstration outside Genesis)
16-Feb-17	7:00PM Erskine Park Community Hall. Penrith Community Consultation
6-Feb-17	7:00PM Minchinbury Neighbourhood Centre. Blacktown Community Consultation
24-Feb-2017	Mailbox Drop to 5,000 residents
13-Apr-17	Community Consultation at Erskine Park Community Hall. <ul style="list-style-type: none">- DADI was not invited- DADI was not allowed to speak- Refused to allow us to hand out material
02-May-17	Coffs Harbour Waste Conference
26 & 27-Jun-17	Parliamentary Inquiry

Opinion No 7

"The operators of an energy from waste facility will need to be 'good neighbours' – particularly if near a residential setting but also where there are workers in other facilities. This would apply to waste deliveries and operating hours, but most importantly with respect to readily available information about emissions and resource recovery outcomes."

Response

The TNG proposal has undertaken commitments to provide 24 x 7 live emissions data and already provides detailed and unsurpassed resource recovery outcomes.

False Statements Made by The Next Generation NSW Pty Ltd

Opinion No 8

Allegation of an incorrect statement regarding Greenpeace' position on Incineration and the potential breach Australian Consumer Law.

Response

The opinion/ statement referred to at the community meeting was not expressed by TNG.

8,000 Strong Upper and Lower House Petitions Prove Huge Community Opposition:

Complaint No 5

That False Statements have been made by Ian Malouf to Inside Waste regarding the size of the objectionable group.

Response

TNG has no knowledge or proof of the level of support that the No Incinerator for Western Sydney suggests that it enjoys and we dispute the assertion that their group properly represents the views and opinions of the majority Sydneysiders or other community groups.

TNG commissioned the carrying out of an independently conducted survey the questions of which were expressed in terms consistent with the published Australian Standard for public polling.

Of those people across Sydney surveyed, 69% of the general public in NSW supported the proposed Energy from Waste facility with 32% supporting it strongly.

✚ 65% of people within the 20km vicinity of the site support the project, with 27% of them supporting it strongly. In relation to prompted issues,

(i) for those outside the 20km vicinity of the proposed site the most important issues are:

1. creating jobs (+87)
2. cost of living (+86)
3. the need to reduce waste (+85); and
4. lowering the cost of energy (+84).

(ii) for those inside the 20km vicinity of the site the most important issues are,

1. the lowering of cost of energy (+90)
2. cost of living (+86); and
3. creating jobs (+85).

✚ 92% agreed with the statement that we need to do more to recycle waste and reduce harmful greenhouse gases.

✚ 90% agreed with the statement that we need to develop more ways of creating energy to bring energy prices down.

✚ 83% agreed with the statement that using waste we can recycle as fuel to generate electricity is a smart way to reduce greenhouse gas and stabilise power supplies.

Of people who support the Energy from Waste facility proposed at Eastern Creek:

✚ 49.5% said they support the project because it is good way to remove waste while creating power; and

✚ 21% said they support the project because it reduces climate change, emissions and pollution.

- ✚ Only 15% of people within the 20km vicinity and 5% of people outside the 20 kilometre vicinity expressed opposition to the proposed facility.

Of people who are opposed to the Energy from Waste facility proposed

- ✚ 26% said they oppose the project because it is too close to the residential areas; and
- ✚ 21% said they oppose the project because it reduces air quality in the local area.

Residents in **all other Regions** support the proposed facility;

When asked about whether it would affect their political stance, the vast majority of the general public say this issue will not affect their vote for a political candidate. For those whose vote it will affect, most say they are more likely to vote for a candidate that supports the facility, than vote against them.

Notably, those within 20km vicinity of the site are 16% more likely to vote for a political candidate who supports the facility than vote against them.

TNG GENERAL STATEMENT IN RESPONSE

The No Incinerator for Western Sydney group appears to be an unincorporated association of persons, the precise identity and number of which are not shown, who it is claimed are relying upon the document entitled as submission 393(a).

The author or authors of the submission have not been disclosed.

The National Toxics Network (NTN) spokesperson is known to be Jane Bremer whom TNG understands carries no recognised scientific or technical or engineering qualifications.

The NTN appears to rely, for its submissions, upon opinions published on the internet expressed by perhaps well meaning but otherwise similarly unqualified persons.

Complaint No 6

The communities' concerns are shared by the NSW EPA, who stated that they "Could not support the plan due to concerns about the proposal's potential air quality and human health impacts".

Western Sydney Local Health District (Dept. Health) also expressed concerns and said the proposal could cause- "Increased hospital admission as well as death from heart and lung disease".

Response

TNG rejects these assertions and refers the Committee to the independent evidence provided.

At the time the NSW EPA made its initial response to submissions and modelling in the earlier Environmental Impact Statement, the context was that the EPA would require additional information upon which to reach a conclusion. That information has subsequently been provided to the EPA by the Proponent.

The conclusion from this review is that the proposal would have limited impact on Western Sydney Local Health District (WSLHD) facilities and had the potential to make a positive contribution to a number of priorities and actions outlined in the Greater Sydney Commission Draft West Central District Plan.

Opinion No 9

Regarding "The Plume Plotter".

Response

The 'Plume Plotter' "is a fictitious visual representation which any person with a modicum of website skill could reproduce which proves nothing and therefore cannot be accepted as 'good evidence'.

It uses hypothetical data which does not include all of the temperature variations, local weather data, seasonal variations, or topography, all of which are integral parts of modelling. Pacific Environmental in the EIS has ensured that its modelling is does in fact take into account all of the variances which are required to ensure the most accurate representation to the public.

Opinion No 10

Our community survey shows that 99.4% of respondents are against The Next Generation building a Waste to Energy Incinerator at Eastern Creek. 98.2% said they were against the waste to energy incinerator releasing "substance to atmosphere which have the potential to harm human health (as stated in The Next Generations EIS)". 98.2% said it wasn't appropriate to have this type of facility so close to homes and schools.

Response

TNG has produced its survey questions and resulting data to the Department of Planning. A section of the survey has been set out above.

The community survey conducted by NTN was an example of one of the most egregious forms of biased push polling ever to be used. It is rejected as being wholly lacking in objectivity or proper process.

UNDESIRABLE PRACTICES IN THE NSW WASTE INDUSTRY

Opinion No 11

Fraudulent Activities by Ian Malouf director of The Next Generation NSW Pty Ltd

Compliance breaches associated with The Next Generation NSW Pty Ltd and associated companies

Response

Neither Mr Malouf nor any of the executives of the associated companies have ever been charged with any criminal offence, and these allegations must be noted as unsupported and without merit. Further we implore the Inquiry to dismiss these types of statements (and other unfounded statements) as they are completely outside of the scope of the terms of reference and should have no impact or influence on the decision of the Committee members.

Other matters previously raised in relation to regulatory compliance have been disclosed to the Committee and if further information is required by the Committee it will be provided.

Yours faithfully,

CHRISTOPHER BIGGS
CHIEF EXECUTIVE OFFICER

Encl.

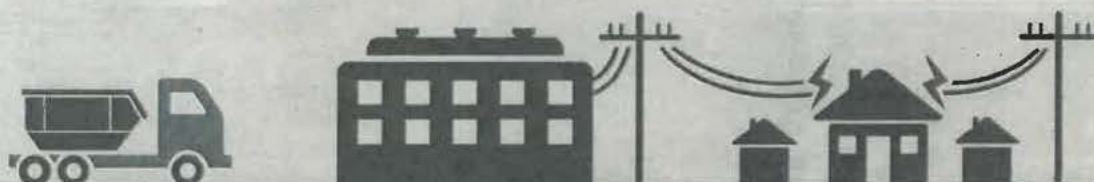
1. Advertisement in the Sunday Telegraph dated 24 September 2017.

THE POWER OF WASTE

We have a clean, green and proven solution
to your rising power bills

Energy from Waste will help secure the energy future of NSW

HOW ENERGY FROM WASTE WORKS



WASTE IS
COLLECTED

WE TURN WASTE
INTO CLEAN ENERGY

DELIVERING CHEAP
POWER TO YOUR HOME



LOWERING
power prices and
cost of living



REDUCING
waste and
greenhouse gases



CREATING
smart jobs for
Western Sydney



DELIVERING
proven world-class
technology

THE
NEXT
GENERATION

NSW SHOULD SUPPORT
Energy from Waste to
lower your power bills.

FIND OUT MORE & ASK A QUESTION

→ www.tngnsw.com.au

Go to www.tngnsw.com.au and receive a \$40 discount on your next skip bin.

This message is supported by Dial A Dump Industries.

