

**Supplementary
Submission
No 393a**

INQUIRY INTO 'ENERGY FROM WASTE' TECHNOLOGY

Organisation: No Incinerator for Western Sydney

Date Received: 1 October 2017

No Incinerator for Western Sydney

Submission: Inquire into Waste to Energy

Expanded terms of reference

Undesirable practices in the New South Wales waste industry

False advertising by the NSW waste Industry.

It has come to our attention that "The Next Generations" advertisement in the Sunday Telegraph, dated 24th 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. The Advertisement is misleading, deceptive, and likely to mislead and deceive. This is one undesirable practice that seems to go unpenalised.

Statements Made in Advertising

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

The main objective of The Next Generations proposal is stated in their Environmental Impact Statement. 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." 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. 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 emissions that consist of toxic metals such as dioxin, arsenic, mercury, cadmium, and over 200 organic chemicals, including known carcinogens, mutagens and hormone disruptors. 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. <https://www.zerowasteurope.eu/2015/08/is-waste-a-source-of-renewable-energy/> http://www.no-burn.org/incinerators_denied/

2. **Energy from waste will help secure the energy future of NSW**

Waste to Energy Incineration cannot secure the energy future of NSW. The Next Generations Environmental impact statement says, the power generated by proposed incinerator could power up to 200,000 homes. (Stage 1 & Stage 2 together). This is hardly the whole of NSW (7.7 million people), it wouldn't even secure the energy needs of Sydney's population of 4.5 million

3. **NSW should support Energy from Waste to lower your power prices**

NSW has a population of over 7.7 million people. A Waste to Energy Incineration cannot lower power prices when the proposal has predicted it will only create enough power for around 100,000 homes (stage1) 200,000 (stage2).

<https://www.google.com.au/search?q=population+of+NSW&oq=popu&aqs=chrome.0.69i59j69i57j0l4.6225j0j4&sourceid=chrome&ie=UTF-8>

The Distribution network prices during 2017-18 were/will be set under enforceable undertakings between the Australian Energy Regulator (AER) and the NSW electricity distributors, due to the Australian Competition Tribunal's (ACT) decision to set aside and remit to the AER for further consideration the distribution network determinations. The AER appealed the ACT's decision to the Federal Court, and a decision is expected during 2017. The decision will affect future network prices. The Next Generation cannot guarantee anything about power prices in three years' time (after the construction process). <https://www.ipart.nsw.gov.au/files/sharedassets/website/shared-files/investigation-compliance-monitoring-electricity-publications-market-monitoring-201617/information-paper-retail-electricity-market-monitoring-2017-may-2017.pdf>

4. **Lowering power prices and cost of living**

See point 1) and 2) above. The Next Generations proposal for a Waste to Energy Incinerator to power approximately 100,000 homes (Stage1) will have no bearing on lowering the cost of living. Sydney currently has a cost of living index of 94.53 (2017). In 2021 (takes 3 years construction) this will definitely increase not decrease. https://www.numbeo.com/cost-of-living/rankings_current.jsp

5. **Delivering proven world-class technology**

The Next Generations Waste to Energy Incinerator is based on European Union (EU) principals. The European Commission has recently set clear policy directions for its member states, to move away from incinerators towards Zero Waste strategies. This decision invalidates the waste to energy incineration industry's false claim that waste burning is a form of clean energy.

So why is the Australian public being lied to about the success and support of this industry overseas? http://www.no-burn.org/incinerators_denied/

Disinformation from the Waste Industry

The Next Generation NSW Pty Ltd has run a campaign of disinformation about their proposed waste to energy incinerator. The current NSW Energy from Waste Policy states the following;

"As proposals progress from the concept to detailed development assessment stage, proponents should engage in a genuine dialogue with the community and ensure that planning consent and other approval authorities are provided with accurate and reliable information"

"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."

False Statements Made by The Next Generation NSW Pty Ltd

At a community forum in early 2017, The Next Generation NSW Pty Ltd made the following false statement regarding Greenpeace' position on Incineration. This may breach, section 18 of the Australian Consumer Law (schedule 2 of the Competition and Consumer Act 2010) which states; "(1) A person must not, in trade or commerce, engage in conduct that is misleading or deceptive or is likely to mislead or deceive."

*"Greenpeace in Europe is actually, for it. They actually get upset if it doesn't get properly burned because it is a scandal to continue to landfill" - **The Next Generation NSW Pty Ltd***

*"Greenpeace is, and has always been opposed to Incineration of waste". "We request Next Generation to cease making false and misleading statements in relation to Greenpeace's position on incineration". - **Greenpeace***

False Statements Made by Ian Malouf to Inside Waste

(Scare campaign regrettable; claims wrong 24/04/17)

*"It is regrettable that a small group is running a scare campaign about what they say are the potential impacts of the facility. Their claims are just plain wrong," Malouf said, adding that facilities in Europe and the UK had all passed rigorous approval processes and for many years have been producing clean, cheap energy with less harm to the environment, compared to coal-fired stations or by dumping waste into landfill". - **Ian Malouf, The Next Generation NSW Pty Ltd***

<https://www.insidewaste.com.au/general/news/1051460/scare-campaign-regrettable-claims-wrong-malouf>

8000 strong Upper and Lower house Petitions prove huge community opposition

No Incinerator for Western Sydney Inc is a community based group opposing the waste to energy incinerator being built in Sydney. We represent the 8000 people who have signed our Upper and Lower House Petitions asking for the NSW Government to cancel The Next Generations SSD 6236 for a waste to energy incinerator at Eastern Creek.

The information we have received from the National Toxics Network

<http://www.ntn.org.au/wp/wp-content/uploads/2013/11/NTN-waste-to-energy-incineration-report-2013.1.pdf> regarding waste to energy incineration has confirmed the communities concern and complete opposition to the proposal.

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".

The Plume Plotter report shows that the Western Sydney Incinerator plume will be among the worst in the world. https://www.youtube.com/watch?v=nHJRvw3Mk_U

The community has very good reasons to be concerned about this proposal. This is not a "small group running a scare campaign about what they say are the potential impacts of the facility" as the proponent states in media reports. This is disinformation and very misleading.

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.

Undesirable Practices in the NSW Waste Industry

The below activities prove the undesirable practices in the NSW waste industry, in particular The Next Generation/Dial A Dump & associated companies. Companies with such extensive histories of operating outside the law should never be allowed to operate a waste to energy incinerator.

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

<http://www.afr.com/brand/rear-window/brett-blundy-handed-supreme-court-win-over-dialadumps-ian-malouf-20161031-gsentw>

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

<https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryOther/Transcript/10884/Answers%20to%20questions%20on%20notice%20-%20Attachments%201%20and%202%20-%20NSW%20Environment%20Protection%20Authority.pdf>