Submission
No 34

INQUIRY INTO PROPOSED ENERGY FROM WASTE FACILITIES

Name: Mr David O'Malley-Powter

Date Received: 24 September 2025

---

24 September 2025

NSW Parliament
Legislative Council
Select committee on Proposed
Energy from Waste Facilities

Submission to the upper house inquiry into waste to energy.

Executive summary

In making this submission I am conveying my concerns about and raising strong objections to the proposed Waste to Energy (Incinerator) project to be located in Parkes NSW.

This project is planned to be constructed adjacent to prime agricultural land within a designated Special Activation Precinct (SAP). To suggest that an incinerator is compatible with the production of high quality food and fibre products is a little laughable.

Casual 'googling' highlights the obvious dangers associated with WtE projects. WtE plants represent a huge threat to our community. Reading further of solid, well researched, peer reviewed literature shows overwhelming evidence these types of toxic incinerators are not a good fit for regional NSW. In fact they do not fit anywhere on the globe.

In essence these types of facilities are end of the line incinerators, just another fossil fuel burning plant. These plants only perpetuate the need for production of 'virgin' plastics therefore creating yet more waste. The release of toxic chemicals such as persistent organic pollutants (POP's) is a real threat to primary production, organic certification, human health, animal health and environmental health. Furthermore WtE plants undermine the concept of a true circular economy and stifle the prospect of greater employment opportunities in the waste industry.
Additionally the transportation of both MSW fuel stream (the feed stock) and bi-product create significant biosecurity issues.

I am asking the Upper House select committee to raise this issue in the NSW parliament and have these incinerator projects voided and thereby keep our communities safe. Nothing less than a complete moratorium on the construction and operation of municipal waste, or like incinerators in NSW is necessary to keep our health, environment and agricultural areas safe, secure and long lived..

After all, the environment is not just local, it's global.

<u>Submission details</u>

I am writing this submission not as a scientist nor as an academic, but simply as a very concerned resident of New South Wales.

In submitting this piece I am indicating that I am totally opposed to the proposal of construction and operation of toxic plastic burning 'waste to energy' incinerators anywhere in New South Wales and especially in the Special Activation Precinct (SAP) at Parkes and other prescribed places in NSW, especially where exceptions have been made in the Amendment of Protection of the Environment Operations (General) Regulation 2021. Regardless of description these facilities are simply examples of fossil fuel burning industrial plants in the guise of 'clean energy'. It does not matter how much lipstick one puts on a pig, a pig is still a pig

I submit the following points for consideration at your enquiry

.

1. Potential public health issues.
2. Effect on agricultural activities including livelihood of primary producers and retail support suppliers.
3. Does not contribute to a circular economy.
4. Influence of overseas companies attacking our Sovereign and National Identity.
5. Financial viability of project.
6. Disposal of toxic by-products (Top and Bottom ash).
7. End of life of the plant.
8. Waste Solution Alternative.

1. <u>Potential Health Hazards.</u>

1.1 Potential health hazards are well defined in publically available solid, well presented, peer reviewed literature, although some internet sites have been deliberately(?) withdrawn, especially from NSW government websites.

1.2 Of particular note is the rejection of a waste to energy facility for Western Sydney being too toxic , but yet it is considered safe to build and operate such a facility in the regions. In a report from Defending our Health.org there is confirmation that during incineration toxic chemicals are released….'Burning PET as a method of **disposal or to generate energy releases toxic chemicals into the environment**… (several of which are cancer causing)'. Furthermore the report points out [incineration of] "plastic waste in the environment concentrates harmful pollutants and breaks down into microplastics that enter the food chain. They are also considered as 'bio-accumulative.' Plastics such as PET form a substantial component of Municipal Solid Waste (MSW) which will be just one of the feed stocks for the proposed WtE incinerator at Parkes and other locations in NSW. Other feed stocks proposed include industrial and building, medical waste and the like.These all carry inherently toxic components adding further to public health issues.

1.3 In well supported evidence it has been shown that particulate matter can be lethal, and may cause cancer, heart attacks, strokes, asthma and pulmonary disease. (US EPA).

Additionally, evidence from overseas shows **incinerators are prone to various types of malfunctions, system failures and breakdowns,** leading to serious air pollution control problems thereby increasing emissions that are dangerous to public health

2. Effects on Agricultural Activities.

2.1 Incinerators pose serious risks to our prime agricultural lands. Whilst recognising that modern incinerators have pollution control mechanisms there is still considerable risk to the environment. Even the proposed most technologically advanced systems still release pollutants that contaminate air, soil and water. Incineration also generates toxic chemicals which can leach into soils and groundwater and accumulate in food chains

2.2 This practice will potentially increase biosecurity risks, for example, through the movement of trucks and trains from collection/ storage of feed stocks to the WtE Incinerator facility. Additionally there are strong issues around transportation and **removal of toxic fly ash and bottom ash**. These are highly toxic materials and present a significant environmental threat contributing to potential contamination of local prime agricultural land and potentially decimating our local agricultural industry, and eventually interrupting Australia's food and fibre supply chain.

2.3 Additionally, to protect our prime agricultural lands and residential areas, it is imperative that the proponent be mandated to **provide base line reporting** before any toxic incinerator project is granted any 'procedural licence'.

3. Circular economy

3.1 It is well documented that incineration and recycling compete for the same waste materials.These toxic incinerators use the same materials that are easily recycled, for example; paper, cardboard and plastic. The concept of incineration essentially undermines the efforts to reduce waste in the first place and secondly impacts on the ability to effectively promote safe recycling practice. Through creating a continuous need for waste to 'feed the monster', this practice [incineration] discourages waste minimisation and shifts focus away from developing effective priorities of developing a circular economy that prioritises the principle of reducing waste in the first place.

3.2 **Recycling fosters** a circular economy and generates **substantial employment opportunities**. In Australia there a well documented studies that indicate recycling provides over '3.3 times more jobs per unit of waste compared to landfill, and far more that the small workforce needed for highly automated [toxic] incinerators' (Employment in waste management and recycling, DCCEEW,2021).

3.3 **Incineration** on the other hand entrenches a **linear economy** based on perpetuating extraction of virgin materials, essentially fossil fuels, and then consuming those resources in the guise of clean electricity from a filthy toxic incinerator. In a true circular economy resources should be conserved rather than destroyed.

4. Influence of vested interests.

4.1 Developers and proponents alike often seek to have rules changed in their favour so as to make a project financially active and return greater returns for their stockholders. As an example I submit that in a submission to AEMO (2012), NRG Ltd claims "the present rules and options are a disincentive…".This is indicative of a number of operators/ developers attacking our sovereign rules and regulations to get their toxic plants 'over the line'. In relation to the dilemma facing this inquiry is the changes to the EPA Act whereby the regulations are being weakened to allow the toxic operation of fossil fuel burning incinerators in specific areas such as the SAP in Parkes and in the Southern Goulburn Mulwarree Precinct. We can see clearly that foreign national companies are exploiting the 'State significant' development and infrastructure loop holes.

5. Financial viability

5.1 A waste management strategy that relies on toxic incineration is expensive, rigid, and technology dependent. Waste incinerators are expensive to build, operate and upgrade. They require public subsidies to become viable. Proponents are '**Greenwashing**', claiming that their plants are 'clean' in order to attract public subsidies, credits , tax breaks. 'Millions of taxpayer dollars have already been directed to incinerator projects that are still in the 'proposal phase' in Australia' (Clean Energy Finance Corp)

5.2 Waste Incinerators require waste (feed stock) supply contracts often lasting 25-30 years to be financially viable. What happens, if in the meantime, Australia transitions to a zero waste economy and feed stock 'dries up'? Will local and State governments be held accountable and be required to compensate these toxic incinerator operators with tax and ratepayer funds?

6. Disposal of toxic waste

6.1 Waste incinerators all produce ash.This ash is heavily contaminated with toxic heavy metals, POP's such as dioxins and furans.

6.2 Regardless of the process or configuration of pollution control mechanisms all solid and air emissions contain contaminates. Solid waste emissions in the form of contaminated ash are generated at a rate of one tonne per four tonnes of waste burned. This includes smaller volumes of highly toxic 'fly ash' and larger volumes of 'bottom ash'. **There is no market for incinerator ash and it must be disposed of to landfill.** (NTN.org.au 2013)

6.3 The transportation of this toxic residue from WtE incinerators presents a bio-security risk. The transport industry is not immune to adverse events such as, labour shortages, poor skill mixes, aging road infrastructure and environmental laws. Likewise rail transportation and transshipment are areas of possible contamination breaches and toxic spills.

7. End of life of Plant

7.1 Whilst there are clear procedures and responsibilities in place for the decommissioning of renewable energy wind turbines in Australia and indicative costs identified there is **no**

study or indicative responsibility of who cleans up toxic waste to energy sites at the end of their operational life. Developers need to be held accountable and provide funding security for decommissioning activities. Neither the landholder nor the Australian public as tax and rate payers should need to contribute to these costs.. This decommissioning funding should take the form of a developer cash deposit into an escrow account. These funds should **not** be derived from grants from any Australian government body, Commonwealth, State or local.

7.2 Remediation of industrial waste sites in Australia have a chequered history,often, sadly, left to State authorities (like the EPA?) NSW EPA does not have a great track record of regulating or policing pollution generators in NSW. This authority usually only investigates after a breach has been reported and then goes about ‘educating’ the transgressor rather than taking strong regulatory action. Can we feel confident in the proponents' claims of complete remediation and being sanctioned as safe by the NSW EPA, with its current culture?

8. Waste solution alternatives.

8.1 Simply sending MSW to land fill is seriously self-defeating. Sending MSW to an incinerator is environmental vandalism. A solution to reducing the reliance on landfill or using toxic incineration as a method of reducing waste is fraught with potential public health, agricultural, environmental and financial disaster.

8.2 Effective and sustainable waste management programmes are significant yet easily addressable steps in the process of ensuring materials are used to their fullest extent possible, thereby garnering environmental and fiscal stewardship. This is where the need for effective waste transfer stations are necessitated. Close to the resource, readily available workforce, easy transship of sorted resources, effective separation of resources, for example, keeping glass and paper separate so as not to contaminate paper products. There are numerous examples of effective waste stream management in the Sydney basin.

8.3 Implementing the hierarchy of the Five R’s can positively impact the outcome of significantly reducing the amount of waste generation in the community. Discarding consumer products comprises around 75% of WSM . Sadly around 80% of this resource is consigned to landfill because of poor end of life options. Adopting circular solutions will realise environmental benefits. As mentioned earlier, recycling employs more than 3 times the number of people required for operating landfill and far greater than the very few needed for a toxic furnace.

8.4 Another alternative to consider is ‘cool technologies’ such as composting and anaerobic digestion to extract energy without creating toxic emissions.

Yours sincerely
David O’Malley-Powter