Submission No 736

INQUIRY INTO PROPOSED ENERGY FROM WASTE FACILITIES

Name: Name suppressed

Date Received: 28 October 2025

Submitted by:

Age: 50

Location: Parkes, New South Wales

Occupation: Farmer

Date: 23/10/2025

1. Introduction

I am a 50-year-old farmer living just outside Parkes. I take great pride in producing food sustainably for our region and the country.

I am writing to express my strong opposition to the proposed Energy from Waste (EfW) facility near Parkes. I do not believe it represents a safe, sustainable or fair solution for managing New South Wales' waste. Instead, it risks long-term damage to my family, our environment, agriculture, and community wellbeing.

2. Protecting Human Health

Many of the human health effects from the incineration of waste, in particular plastic waste are not yet known. As an example, it was only discovered in February 2025 that PFAS had the ability to cross the blood brain barrier. There is growing scientific evidence that certain PFAS (per- and polyfluoroalkyl substances) can cross the blood–brain barrier (BBB) and accumulate in brain tissue, though the degree to which this happens depends on the specific compound and its chemical properties.

This is the NSW Parliament's opportunity to prevent a mistake in allowing a process that will ultimately increase health issues like those from the past including lead based paint and Asbestos.

Here's a summary of what is currently known:

Mechanism — how PFAS cross the BBB

The blood–brain barrier is a tightly regulated membrane that protects the central nervous system from many circulating chemicals. However, PFAS have characteristics that can help them penetrate:

- Amphiphilic structure: PFAS have both hydrophobic and hydrophilic ends, allowing them to interact with lipid membranes and some transport proteins.
- Protein binding: Many PFAS bind strongly to serum albumin and other plasma proteins that can be taken up by endothelial cells in the BBB.
- Active transporters: Some PFAS appear to be substrates for organic anion transporters (OATPs, ABC transporters) that can move them across the BBB.
- Chain length & functional group: Shorter-chain PFAS (e.g., PFBA, PFHxA) may cross more easily because of higher mobility and lower binding affinity, while long-chain PFAS (e.g., PFOS, PFOA) can still cross but often accumulate more slowly.

Evidence from animal and human studies

Animal studies:

- Rodent experiments show measurable PFAS in brain tissue after oral or intravenous exposure. PFOS and PFOA were detected in the brains of rats and mice, indicating BBB penetration.
- A 2022 study (Liu et al., Environmental Health Perspectives) found PFOS concentrations in mouse brain increased with dose and were associated with neuroinflammatory markers and altered neurotransmitter metabolism.
- Short-chain PFAS (like PFBA and PFHxA) can enter the brain faster but may also clear faster than long-chain PFAS.

Human evidence:

- Autopsy and biomonitoring studies (e.g., Jian et al., Environment International, 2023) have detected PFOS, PFOA, and other PFAS in human brain tissue, confirming they can cross the BBB in humans.
- PFAS have been found in cerebrospinal fluid (CSF), suggesting direct access to the central nervous system.
- Epidemiological data suggest possible associations between serum PFAS levels and neurodevelopmental and cognitive effects, including ADHD-like behaviour and reduced cognitive performance in children, although causality is not yet established.

Potential neurological and health effects

Once PFAS are in the brain, studies suggest several possible impacts:

- Neuroinflammation: Activation of microglia and oxidative stress in animal models.
- Disruption of neurotransmission: Altered glutamate and dopamine metabolism.
- Thyroid hormone interference: PFAS can alter thyroid hormones critical for brain development.
- Developmental neurotoxicity: Prenatal or early-life exposure is associated with behavioural changes and learning deficits in animals.
- Potential links to neurodegenerative processes: Early studies suggest PFAS exposure may be associated with changes in proteins related to Alzheimer’s and Parkinson’s disease pathways, though evidence is still preliminary.

Summary of what's known so far

PFAS Type	Crosses BBB?	Evidence Strength	Notes
PFOS	… Yes	Strong (animal + human tissue data)	Accumulates in brain, associated with neurotoxicity
PFOA	… Yes	Moderate (animal + some human data)	Found in CSF and brain tissue
PFNA / PFDA	… Likely	Moderate	Detected in animal brains; longer half-life
PFHxA / PFBA	… Yes	Moderate	Crosses rapidly but may clear faster
GenX / newer PFAS	… Unclear	Limited	Preliminary data suggest possible penetration

Key uncertainties and research gaps

- Limited data for newer PFAS alternatives (e.g., GenX, ADONA).
- Unknown long-term consequences of low-level chronic exposure.
- Lack of human longitudinal studies measuring PFAS in CSF or brain tissue alongside cognitive testing.
- Interaction with other neurotoxicants and genetic susceptibility remains poorly understood.

Summary

- Several PFAS can cross the blood–brain barrier and have been found in human and animal brain tissue.
- The extent and persistence depend on chain length, structure, and protein binding.
- Neurodevelopmental and neurotoxic effects are a growing concern, especially for fetal and early-life exposure.
- Ongoing research (2023–2025) is increasingly confirming PFOS, PFOA, and some short-chain PFAS can reach the brain and affect neural pathways.

Facilities that burn municipal or industrial waste to recover energy ("energy from waste" incinerators, EfW) can, under certain conditions, generate emissions or residues that may affect human health. Some of the key pathways and outcomes include:

- Air pollutants: Burning waste can release particulate matter (PM), nitrogen oxides (NO_2), heavy metals (e.g., mercury, lead), dioxins/furans, polychlorinated biphenyls (PCBs) and other persistent organic pollutants (POPs). For example, one biomonitoring study found vegetation and eggs around incinerators in some EU countries had elevated dioxins/PCBs.
- Soil / food chain contamination: Residues (ash, slag) or deposition of pollutants may contaminate soil, and through that, food (vegetables, eggs) grown locally. The ZWE-led study found eggs contaminant levels exceeded EU food-safety "action limits" around several incinerators.
- Reproductive & developmental outcomes: One European health-impact assessment found small increases in risks of low birth weight and congenital malformations associated with living near landfills/incinerators.
- Cancer: The same health-impact assessment suggested that incinerators may contribute a (relatively small) additional risk of cancer incidence in the exposed populations.
- General environmental burden: More broadly, environmental pollution from waste management (including incineration) contributes to the burden of non-communicable diseases (NCDs) via exposures to air, water, and soil pollutants.

Specific findings relevant to Europe / EfW

- The report by Zero Waste Europe highlights elevated concentrations of POPs (dioxins, PCBs, PFAS) around several incinerators in Spain, Czechia and Lithuania and raises concern about local food contamination risks (e.g. eggs produced nearby).
- The 2023 report by World Health Organization Regional Office for Europe "Assessing the health impacts of waste management in the context of the circular economy" emphasizes that modern well-operated facilities for energy and materials recovery can reduce health risks compared to unsanitary landfills or open burning—but stresses that "benefits & risks" must be assessed.
- Evidence suggests that for incinerators in Italy, England and Slovakia (data for older plants) the estimated impact in "years of life lost" (YLL) due to NO_2 and PM from incinerators (within 3km) was in the order of ~0.8 to ~1.2 days per person over the study period.

What are the implications for human health

From the above, some of the more likely health effects (though often small in absolute terms) include:

- Increased risk of certain cancers, for populations living very close to older or less well-controlled incineration facilities
- Increased risk of low birth weight or congenital malformations for very nearby residents
- Exposures to toxic or persistent pollutants via air, food chain (especially local produce) or soil/vegetation uptake
- Additional burden of respiratory and cardiovascular disease from exposure to PM, NO_2 or other emissions
- Potential accumulative risk over time and for vulnerable populations (children, pregnant women, elderly)

Key considerations for assessing / managing risk

- Facility design & operation: Modern EfW plants with high-temperature combustion, good flue-gas cleaning, and proper ash handling reduce emissions substantially.
- Monitoring: **Continuous monitoring of emissions,** ambient air, soil, and food chain is important. The biomonitoring studies suggest some current gaps.
- Waste input quality: What is burned (e.g., presence of plastics, persistent chemicals, heavy metals) strongly influences emissions.
- Proximity & population vulnerability: People living near facilities, especially those already disadvantaged, may face higher exposure.
- Alternative waste management options: The health risk profile of EfW needs to be compared with alternatives (e.g., landfilling, open burning, unsorted disposal) which may have higher risk. As the WHO report indicates, moving from unsanitary landfilling or open burning to material/energy recovery can reduce health risks.
- Local food chain: If agriculture or food production is near such facilities, there may be particular concern about uptake of pollutants into produce or eggs.

Summary

There are documented human health effects associated with energy-from-waste and incineration facilities in Europe (especially for older/less controlled plants and for nearby populations). These risks are generally moderate (in many modern cases) and need to be well managed to reduce but not eliminate risk.

3. Protecting Agricultural Land and Air Quality

Parkes and the surrounding Central West region are known for our clean air, productive soils, and reliable food production. These are our greatest assets — and they are not renewable once damaged because the creation of closed bond chemicals at high temperatures mean that they do not break down over time.

EfW plants emit fine particulate matter, nitrogen oxides, and other pollutants even when fitted with modern controls. On a farm, crops, animals, soil microorganisms, and water sources are all sensitive to airborne contaminants. The following is recommended in the "Energy from Waste" report (May 2020, with additional advice November 2020) commissioned by the NSW Chief Scientist and delivered by the Chief Scientist & Engineer.

- In a section of it, it states that incinerators / waste-to-energy plants (which fall under EfW) should avoid placing waste incinerators in proximity to food production.
- This was raised by the NSW Legislative Council (Question 7 in document 7745) referencing that "the NSW Chief Scientist and Engineer advised … of the need to avoid placing waste incinerators in proximity to food production".

Air quality also equates to water quality for many residents including myself. Domestic water supplies are obtained from harvesting rainfall from the rooves of sheds and houses. Fine particulate matter will settle on roof tops and end up washing into water tanks located on farms around the incinerator. This water will be used for domestic purposes including drinking water. Once the water is contaminated individual farmers do not have the ability to simply switch water supplies to ensure contaminated water is avoided as metropolitan water utility companies do.

4. Transport and Waste Burden on Regional Communities

One of my biggest concerns is that regional NSW — including Parkes — is being seen as a convenient location for Sydney's waste. Transporting thousands of tonnes of waste 577 kilometres west via Cootamundra creates a huge amount of emissions as compared with building an incinerator with more proximity to the waste source, such as Kurnell. Transport via rail is estimated to release 12,900 tonnes of CO2 into the atmosphere each year.

For Australian rail freight the emission factor is about **0.03705 kg CO_2e per tonne-km**.

Alternatively, under the Australian legislation the default intensity for bulk freight by rail on non-dedicated lines is 1.63×10^{-5} t CO_2-e per tonne-km, i.e. 0.0163 kg CO_2e per tonne-km.

To be conservative, I'll use the higher factor (0.03705 kg CO_2e/t-km).

Calculation

• Freight mass = 600,000 tonnes

• Distance = 580 km

• Emission factor = 0.03705 kg CO_2e/t-km

So:

600,000 t × 580 km × 0.03705 kg CO_2e/t-km = ≈ **12,900,000 kg CO_2e**

That is about **12,900 tonnes CO_2e**.

It also sends a troubling message: that city waste problems can simply be shifted onto country communities. Our region should not become the dumping ground for metropolitan refuse. We already face enough challenges with drought, biosecurity, and farm input costs — we should not have to carry the health and environmental risks of other people's rubbish as well.

Drought is another important factor that I believe has not been considered in this proposal.

Water Availability in Parkes During Drought

Parkes, located in **central-west New South Wales**, is in a region that can experience **severe droughts**. The town's water supply primarily comes from a combination of local water sources, including:

• **The Lachlan River**: A key source of water for Parkes.

• **Local dams and reservoirs**, like **Goobang Creek Reservoir**, which store water for domestic, agricultural, and industrial use.

However, during periods of drought, these water sources can be **severely reduced**, leading to **water restrictions** and limited access to water for non-essential uses.

In extreme drought conditions, these sources can become **strained**, and **water usage** would likely be restricted to essential services, such as:

• **Drinking water** for residents.

• **Agricultural needs**.

• **Pre-existing essential industrial uses**.

Given that an EfW plant consumes a significant amount of water (e.g., 500-1,000 m^3/day), this could become a **pressure point** during droughts.

Water Use for EfW Facility

As previously mentioned, an **EfW plant** typically uses water for:

• **Cooling** (which often makes up the majority of water use).

• **Steam generation**.

• **Flue gas treatment** and **ash handling**.

In a region experiencing drought, water for industrial use like that required by an EfW facility might be considered **non-essential** compared to drinking and agricultural needs. In such a case, the **local authorities** could impose **water use restrictions** that could affect the facility's operations.

Regulatory and Environmental Considerations

Local authorities and environmental regulators would be required to assess the **water needs** of the EfW plant, especially in drought conditions. There may be restrictions placed on the plant's water usage during times of **extreme water scarcity**. Will Parkes residents be locked out of available fresh water at the expense of operating the WtE facility?

- **Water Usage Permits**: The plant would need to obtain water usage permits from local authorities, which could include **conditions** related to water conservation and restrictions during droughts. These water use permits would be obtained at the expense of people and existing industry.

- **Environmental Impact Assessment (EIA)**: As part of the approval process for the EfW facility, an **EIA** would need to assess the **sustainability of water use** in relation to local water resources. This would prioritise water use of the facility, over and above water availability for other sectors, particularly during times of drought. I would urge approval bodies to err on the side of caution when presented with water use figures.

Impact on EfW Plant Operations During Drought

If the EfW plant is located in an area experiencing prolonged drought, and if **water use restrictions** are implemented, the plant might face challenges in:

- **Maintaining full operational capacity**. The plant may have to reduce waste incineration or limit electricity generation if there is not enough water available.

- **Water rationing**: The facility might need to **limit water use** to essential cooling and steam generation processes, possibly affecting efficiency.

What measures have been put in place to protect **existing** people and industry that already struggle for available water during times of drought?

Water Security in Parkes

Given the **semi-arid nature** of the region and the **risk of droughts**, it's crucial for both the local community and the EfW facility developers to:

- **Assess long-term water security** and plan for alternative sources of water. I speak from experience when I say this is something Parkes Shire Council does not do very well, given the issues that arose during the drought of 2017-2020 when water became a critical issue.

5. Economic and Social Impacts

Proponents often claim EfW plants will bring jobs and economic growth. But in rural areas, these jobs are usually short-term construction roles or technical positions that are filled from outside the district. Parkes has received a new Police Station, new Hospital and new Fire Station in recent years. All of which were completed by firms outside Parkes. The long-term costs — potential devaluation of farmland, reduced tourism appeal, and impacts on local amenity — outweigh any limited economic benefit.

Regional development should focus on sustainable industries that build on our strengths: renewable energy from solar and wind, recycling innovation, composting, and bioenergy from agricultural residues — not the mass incineration of urban waste.

Farmers depend on clean air and water for both our livelihoods and our families' health. Locating an industrial incinerator so close to productive farmland puts all of that at risk including our $900 million dollar per year Gross Regional Product, much of which is derived from Agricultural enterprises.

The mere perception of contamination will have a detrimental impact on the price farmers receive for their product. I have personally witnessed this during the early 2000's with the introduction of Ovine Johnes legislation by NSW DPI designed to slow or halt the spread of Ovine Johnes Disease in sheep. The mere fact that sheep ran on the Tablelands areas of NSW made them automatically worth less than those located in low prevalence areas because of the perception that they were contaminated, whether they were or they were not infected by Johnes Disease.

6. Public Safety

- The likelihood of battery fires on freight trains and in rail corridors.
- In Australia, the waste & recycling industry estimates there are 10,000–12,000 battery-related fires per year across waste and recycling streams.
- In one Australian state (Fire and Rescue NSW, NSW), for 2023 they recorded 177 fire incidents involving lithium-ion batteries in waste trucks/management, and of the 301 total waste-management fires in that period, 31 (10%) were probably due to incorrect disposal of lithium-ion batteries.

What measures will be put in place to prevent or deal with fires in waste being transported between Sydney and Parkes? Battery fires will increase with increased transport of waste leading to further contamination of the environment along the selected transport route.

7. Climate and Environmental Responsibility

Burning waste that includes plastics, tyres, and other fossil-based materials directly contributes to greenhouse gas emissions. Calling it "energy recovery" does not change that.

If New South Wales is serious about its Net Zero goals, it must avoid locking in new sources of carbon pollution for decades. The focus should be on reducing waste at its source and improving recycling systems, not building more incinerators. Government always seems to be focused on trying to fix the back end of issues instead of putting measures in place before they become an issue.

A number of alternatives to waste incineration exist;

Mealworms and Plastic Degradation

The most widely studied insect in plastic degradation is the **mealworm**. Researchers have found that mealworms can feed on **polystyrene**, which is notoriously difficult to decompose through natural processes.

• **Mealworm Digestive Process**:

• Mealworms have a unique ability to digest polystyrene due to the presence of certain **gut microbes** in their digestive system. These microbes help break down the long-chain polymers in plastic, transforming them into simpler compounds that the larvae can consume as food.

• The larvae don't just eat the plastic; they actually **break it down** into smaller, more manageable molecules during digestion, which they use as a food source. This process can reduce the volume of plastic waste significantly.

• **How It Works**:

• The mealworms' ability to break down plastic is thought to be linked to specific enzymes in their gut microbiota that can help degrade the plastic into less toxic compounds like **styrene** (a compound also found in the plastic itself).

• The mealworms can process significant amounts of polystyrene, and the plastic appears to be converted into something closer to a **biodegradable form** that can eventually be metabolized.

Other Insects with Potential

While mealworms are the most studied, other insects have also shown promise in breaking down different types of plastic. Some examples include:

• **Waxworms (Galleria mellonella)**: These are the larvae of the greater wax moth, and studies have shown they can degrade **polyethylene**, one of the most commonly used plastics. Waxworms use a similar process to mealworms, where their gut microbes help break down the plastic.

• **Termites**: Certain species of termites have shown some ability to break down **cellulose-based plastics**, although their role in plastic degradation is less understood compared to mealworms or waxworms.

• **Ants**: Some studies have shown that ants can help break down or digest small amounts of plastic, but this is still in early stages of research compared to mealworms.

How This Can Contribute to Waste Management

The potential of using insects for plastic degradation could provide a **biological solution** to the growing global issue of plastic pollution, offering several potential benefits:

• **Degradation of Hard-to-Recycle Plastics**: Plastics like polystyrene and polyethylene are notoriously difficult to recycle. Using insects could offer a more energy-efficient, low-cost method for breaking down these plastics.

• **Sustainable Bioremediation**: Insects are a natural part of the ecosystem, so using them for bioremediation could be far more environmentally friendly than chemical methods. There would be less risk of toxic byproducts being released into the environment compared to traditional plastic breakdown methods like incineration or chemical recycling.

• **Waste-to-Protein**: In some cases, after plastic is broken down, the insects themselves can be used as a source of **protein** for animal feed, or even human consumption, turning waste into a valuable resource.

• **Local Waste Processing**: Using insects to break down plastic in local waste streams could help address plastic waste at the community level, turning waste into a resource in a more distributed, localized way.

Other Microbial and Biological Methods

In addition to insects, researchers are also exploring **microbial plastic degradation**. Certain bacteria and fungi have shown the ability to break down plastics, and scientists are studying ways to harness these organisms for large-scale waste management.

• **Bacterial Enzymes**: Bacteria like *Ideonella sakaiensis* have been identified as capable of breaking down **PET** (used in bottles and textiles). These bacteria produce enzymes that can degrade plastic into simpler compounds.

• **Fungi**: Certain fungi have been found to degrade plastics, potentially offering another biological solution. Fungi like *Pestalotiopsis microspora* have shown the ability to break down polyurethane, a commonly used plastic in foams and coatings.

Conclusion: A Promising Future

Insects, especially mealworms, present an exciting **natural solution** for reducing plastic waste. They offer a biological method for **plastic degradation** that is potentially more environmentally friendly than traditional waste treatment methods like incineration or landfilling. Scaling this technology for widespread use remains a challenge, and more research is needed to optimize the process and understand the ecological and economic implications.

As plastic pollution continues to be a major global problem, it's possible that **insect-based bioremediation** could play a key role in the broader toolkit of solutions for managing waste and creating a more sustainable, circular economy.

Why is it that government always seems to sit on their hands, wait until problems become critical and then make hasty decisions, that may have detrimental effects on generations to come?

8. Lack of Local Consultation and Lack of Trust in Government decisions

Many people in the Parkes district feel this proposal has been pushed forward without genuine consultation or transparency. Public meetings have been limited, technical documents are difficult to access and interpret, and local residents' concerns have often been dismissed as "emotional" rather than valid. The public does not trust government bodies such as the EPA to act in an unbiased way and history has demonstrated the EPA is guilty of concealing damaging information against major mining companies, such as its decision to conceal information in Broken Hill for well over three years.

Key transparency / process concerns

Here are several documented issues that have contributed to perceptions that information has been held back or not sufficiently shared.

Community consultation and engagement perceived as limited

- The local organisation Parkes Clean Future Alliance states that "The process has lacked transparency, community involvement, and respect for social licence."
- At a council meeting, submitters noted the "disconnect between the commitments … in relation to the EFW [Energy-from-Waste] project" and how the project appears to be progressing, citing "lack of transparency or engagement in relation to this project."
- The Parkes Shire Council has explicitly called for a "renewed Parliamentary inquiry … to ensure the public is provided with transparent, evidence-based information."

Questions over site selection and justification

- Residents ask: "How is it safe here, but not in Sydney?" given the facility is allowed in Parkes but similar sites in metropolitan Sydney have been refused.
- The rationale for locating the facility in Parkes — a regional area — rather than closer to major waste sources (e.g., Sydney) is a point of contention, and some say the decision-making criteria have not been clearly communicated.

Timing and details of approvals / contracts

- The project documentation shows that a development agreement was signed and the proponent selected, yet some details (for example around the lease, waste feed-in contract, exact emissions modelling) are still pending or not fully disclosed publicly.
- In the council's response document, the government reiterates that the planning & development assessment process is still to be undertaken and that approvals are required.

Concerns about health, environmental and agricultural risks

- Community groups point to potential risks (emissions, transport of waste, impacts on agriculture) and say that the scientific evidence, modelling, or monitoring plans have not been fully shared or made easy to access.
- The perception that a large facility is being proposed in an agricultural region, with concerns about generating waste (non-recyclable residuals) and heavy transport into the area, feeds mistrust of transparency.

Regulatory framework and enforcement questions

- While the NSW Government has published the policy framework for energy-from-waste (EfW) facilities, critics say that the specifics of how the regulatory regime will be enforced, what emissions data will be publicly available (frequency, format), and how ash/by-products will be handled are not yet fully spelled out to the community. For example:
  - The Gov't page says operators will be required to make emissions data available in real time online.
  - But community groups and the council say they still haven't received full details or assurances.

Why these issues lead to the perception of 'information hiding'

Given the above, several factors contribute to the sense among locals that information is being withheld or that the process lacks full openness:

- Asymmetric information: The project proponent and government have access to technical studies, business cases and modelling that are not always publicly available in full or easy to digest.
- Pre-commitment risk: Selection of the proponent and signing of agreements before full planning application submission may give the impression that decisions are "already made" rather than being open to full review.
- Community trust gap: When the community feels their concerns (health, environment, agriculture) are not being directly addressed or communicated in a way they can check, it appears like something is hidden.
- Complexity of technical data: Emission modelling, transport logistics, feed-in contracts are technically complex. If this information is only shared in summary form, rather than full reports, the public may feel they are missing critical details.
- Geographic equity issues: The fact that the facility would accept residual waste from large-population centres (e.g., Sydney) and locate it in a rural/regional area raises fairness questions. When those questions are not fully answered, it breeds suspicion of "sacrificial region" decision-making.

- Timing of disclosures: Some disclosures (e.g., FAQs, fact sheets) are published after key decisions or agreements, rather than in advance of them, which weakens the sense of open decision-making.

Evidence of the EPA's Failure to Act

Provided are three examples in New South Wales of criticism, allegations or findings that the NSW Environment Protection Authority (EPA) or the regulatory regime has failed (or been alleged to have failed) to investigate and/or prosecute industry adequately for environmental breaches. These are not exhaustive but illustrative of systemic concerns.

Failure to act on contaminated land / weak enforcement

The Environmental Defenders Office (EDO) notes that in NSW:

- Although the EPA has wide powers under the Protection of the Environment Operations Act 1997 (POEO Act) to investigate serious harm, issue penalty notices, and prosecute offences, the EDO says there are still "instances where individuals or groups can bring enforcement action in relation to environmental laws … particularly where the relevant regulatory authority (ie the EPA) has decided not to take action."
- The EDO factsheet states there is a "culture of non-compliance" and a "lack of third-party civil enforcement" in NSW, signalling that regulatory action has at times been perceived as weak.

Why this is relevant: This suggests that even when breaches or harm are alleged, the EPA has discretion not to prosecute—or may fail to pursue a matter—raising concerns about accountability and deterrence.

Waste/recycling sector and exemption scheme concerns

- A legal commentary on the EPA's resource recovery exemptions scheme points out that "important reforms are due to the EPA's resource recovery exemption scheme to reduce the legal and financial risks to processors and consumers of recycled waste products."
- Issues have been raised about recycled-soil products used in NSW (e.g., "recovered fines produced by facilities were not fit for purpose and pose a risk to the community and the environment"). One report suggests the EPA proposed tighter regulation but "walked away" in 2022 after industry opposition.

Why this is relevant: This is an example where regulatory inertia or voluntary withdrawal of reform raises questions about the EPA's enforcement posture—even where risks to the environment or public health are flagged.

Allegation of consultant report-falsification and EPA's response

- In July 2024 the EPA announced an investigation into an environmental consultant accused of falsifying contamination reports used by councils for development approvals (including 135 sites across 33 council areas and including childcare centres).
- While this is an investigation by the EPA, the fact the falsification spanned many sites suggests systemic risk, and the public commentary indicates questions about whether enforcement action will follow.

Why this is relevant: It shows a significant alleged breach (falsified reports) yet raises questions about whether the regulatory enforcement regime (via the EPA) is prompt, strong and transparent in prosecuting such serious misconduct.

Additional contextual concerns

- The EPA's own Prosecution Guidelines emphasise that when a "serious breach of the environment protection laws comes to the attention of the EPA, the EPA will lead any investigation and take any appropriate action."
- However, the EDO commentary suggests that despite these powers, enforcement gaps remain (see point 1 above).
- Also, while there has been a recent strengthening of penalties (e.g., maximum penalties for environmental crime in NSW were doubled in 2024) this most likely reflects a recognition of enforcement weakness.

Evidence of the NSW EPA Protecting Environmental Polluters

There is credible reporting that the NSW Environment Protection Authority (EPA) delayed public release of a key 2019-study on lead contamination in Broken Hill, NSW, thereby raising concerns of a cover-up. Here's a summary of the facts and outstanding issues:

- The EPA commissioned a report by Mark Taylor (Macquarie University) titled "Environmental Lead Risks at Broken Hill … Sources, Exposures and Forward Solutions". The report was submitted to the EPA in December 2019.
- The report found that historical and current mining operations, as well as legacy contamination, were major contributors to elevated blood-lead levels in children in Broken Hill.
- Internal EPA emails (obtained via Freedom of Information) reveal discussions about delaying publication, concerns about mining companies' reactions, and a strategy to publish "quietly" with "no fanfare or media release".
- The EPA officially apologised in 2023 for the delay in publication, stating it would implement more rigorous internal processes going forward.

There is strong evidence that the EPA delayed publication of a scientifically important report on lead exposure in children in Broken Hill, and that this delay was influenced by concerns about the mining companies' reaction. In that sense, "concealment" is a reasonable description of the delay and the internal communications.

The EPA maintains the delay was not an intentional suppression.

Whether this amounts to a legal or regulatory cover-up (i.e., criminal or disciplinary obstruction) is less clear from publicly available information however suppression is suppression and people (children), and their health are at risk through the EPA's actions.

9. Recommendations

1. Place a moratorium on Energy from Waste proposals while this enquiry is current.
2. Reject the proposed EfW facility near Parkes and any similar projects in regional NSW.
3. Protect future generations of regional NSW by allowing this type of facility (if proven safe) near to where the waste is created to reduce the carbon footprint and public safety aspects involved in transporting waste.
4. Protect prime agricultural land and rural communities from industrial waste projects to guard against chemicals entering the food chain.
5. Invest in research and development into alternative waste treatment options that don't require incineration. Invest in regional recycling and composting infrastructure, which creates local jobs without pollution.
6. Ensure transparent and truly independent environmental assessments and real community consent for any future proposals.
7. Prioritise policies that reduce waste generation, not those that rely on burning it.

9. Conclusion

As a farmer, I see firsthand how closely our wellbeing is tied to the land and environment around us. Once the air, soil, and water are compromised, there's no easy way to fix it.

The proposed Energy from Waste project at Parkes puts too much at risk for too little gain. I urge the NSW Parliament to protect regional communities and our agricultural future by rejecting this proposal and pursuing cleaner, fairer waste solutions.

Signed:

Farmer, Parkes NSW