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NEW SOUTH WALES

INDEPENDENT PLANNING COMMISSION

RECORD OF MEETING

ROBYN KRUK AM, Chair

LOCATION:

**ROOTY HILL RSL
55 SHERBROOKE STREET
ROOTY HILL, NEW SOUTH WALES**

DATE:

11.00 AM, MONDAY 14 MAY 2018

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MS R. KRUK AM: Ladies and gentlemen, could we please make a start. Good morning. Before we begin, I would like to acknowledge the traditional owners on whose land we meet today. I would also like to pay my respect to their elders past and present, to emerging leader and other members from the community who may be
5 here today. Welcome to this public meeting on the development application from the Next Generation New South Wales Proprietary Limited, the applicant, who is seeking to construct and operate an energy from waste facility at Eastern Creek.

10 My name is Robyn Kruk. I am chair of the Independent Planning Commission New South Wales Panel which has been appointed to help determine this proposal. Joining me are my fellow commissioners, Peter Duncan and Tony Pearson and Matthew Todd-Jones – Matthew, pop your hand up – and David Koppers from the Commission Secretariat. If you need any assistance during the day, please go to
15 Matthew and David and they will endeavour to help you. Before I continue, I should state all appointed Commissioners must make an annual declaration of interest identifying potential conflicts with their appointed role. For the record, we are unaware of any conflicts in relation to our determination of this development proposal.

20 We have also provided you with a piece of paper on your chairs for background information on the Independent Planning Commission's work to save me running through those details so we can use the time to listen to you. In the interests of openness and transparency today, the meeting is being recorded and also being
25 filmed. We will provide a full transcript of the meeting on the meeting on the Independent Planning Commission's website in the future after it has been transcribed. If you have a concern about being filmed, please let me know. The media are understanding that the filming may only occur with your agreement. Purpose of the meeting.

30 This meeting gives us the opportunity to hear from you, your views on the assessment report prepared by the Department of Planning and Environment before we determine the development application. As I said, there is an explanation of what the Independent Planning Commission does and the role we play. For information
35 on the handouts and also more detailed information on the website – also regarding our backgrounds. A quick update in terms of where we're up to in the process. This meeting is one part of our decision process. We have also been briefed by the department. So far we have met with the applicant; we have met with Blacktown City Council and Penrith City Council.

40 We have also undertaken a site visit with the applicant and a community representative on Wednesday, 2 May. After today's meeting, we may convene with relevant stakeholders if clarification or additional information is required on the matters you raise with us today. Records of all of our meetings will be included in
45 our determination report which will be published on our website. Just quickly, the next steps. Following today's meeting, we will endeavour to determine the development application as soon as possible. However, there may be some delays if

we need additional information based on the material we have received in submissions or from what we have heard from you today.

- 5 I think it's important just to go through some ground rules about meetings such as this. Before we hear from our first registered speaker, I think it's important that everyone who has registered to speak gets the opportunity to speak. Secondly, it is not a debate. Our panel will not take questions from the floor and no interjections will be allowed. I'm sure you can understand that. Our aim is to provide maximum opportunity for us to hear your views. Secondly, I'm also very conscious of the fact for some people public speaking is an ordeal. Though you may not agree with what they say or everything they say, each speaker has the right to be treated with respect and heard in silence. Today's focus is on public consultation. Our panel is here to listen; not to comment.
- 10
- 15 We may ask questions for clarification but this is usually not necessary. It will be most beneficial if your presentation is focused on the issues of key concern to you. It is important that everyone registered to speak receives a fair share of time. What we've asked every speaker to do is to give us an indication of how long they need. In some instances, that has been three minutes; in some instance, that has been 20
- 20 minutes. We will give you an indication when your time is close to being reached. WE will try and keep those times adhered to. We have also tried to accommodate as many people as possible. Some of you could come later in the afternoon so we've moved you in the afternoon; some of you could only come in the morning.
- 25 If you are aware that some speaker has changed their mind and can't come or if you want to arrange a swap with another speaker, please let either Matt or David know so we've got some sense of that order. We're really conscious of the fact that this is a meeting in the daytime and that a number of you made changes to your plans or your family commitments to be here and we really do like to thank you for that. If you
- 30 would like to project something onto the screen – again, if you could give it to Matt and David beforehand. If you want to have a copy of your presentation – if you have a copy of your presentation it would be appreciated if you could provide a copy to the secretariat after you speak.
- 35 Please note that any information that you give to us will be made public. The Commission's privacy statement governs our approach to your information. If you would like a copy of our privacy statement, please again look on the internet site or get a copy from the secretariat. Audio recording of this meeting is not allowed. This is for privacy issues and respecting the fact that some people do not want to have
- 40 their comments reported – sorry – yes, recorded without their knowledge. Notes made through the day on issues raised will be summarised in our determination report. Finally, I would like to thank everyone present – and this is a message to us here as well – please turn your mobile phones on silent to start. Thank you all very much for your time. We really do appreciate it. And I will now call for the first
- 45 speaker. My list tells me that's Mr Chris Bowen MP, Federal Member for McMahon who has requested five minutes. Thank you.

MR C. BOWEN MP: Thank you, Madam Chair, for the opportunity. I will keep my remarks brief because I do know you have a very long day of speakers before you. I am the Federal member representing many of the people affected by this project, particularly the people of Erskine Park, and Minchinbury. I am strongly
5 opposing the proposal before you. It has caused deep concern in the community and my submission to you is that concern is valid and well grounded in facts and science.

My submission to you is not that this proposal shouldn't be built here, but that rather it should not be built anywhere. But it is particularly concerning that the proposal
10 800 metres from housing and two kilometres from three separate schools. It would be the largest energy from waste in the world and would be a huge risk, in my view, to the health and wellbeing of the people of the affected communities. It would undoubtedly result in the emissions of thousands of tonnes of toxic ash into the atmosphere and one of my concerns is the lack of triaging of the waste to go into
15 the facility on two grounds.

One, there is no guarantee that recyclable material will not be put into the facility and wasted and, secondly, the amount of hazardous material that could be submitted to incinerator could be a material risk and we have not seen any evidence of necessary
20 protections in place to avoid hazardous material being burning up to and including asbestos and other materials. So as I said, Madam Chair, I'm going to keep my remarks brief because you have plenty of people who are deeply concerns about this proposal, but as Federal Member for an affected area – a very much affected area – I strongly agree with the concerns of the community and I say carefully and with
25 respect, the track record of the proponent is not one which can give us a huge degree of certainty and confidence that this facility would be well run and would provide any confidence for the people of the affected communities.

MS KRUK: Mr Bowen, thank you very much. Could I invite Mr Stuart Doran, representing Urbis on behalf of the Next Generation New South Wales Proprietary
30 Limited. Mr Doran has requested 20 minutes.

MS C. BROWN: Madam Chair - - -

35 MS KRUK: Clearly not Mr Doran. Could I ask you to introduce yourself.

MS BROWN: Certainly. Clare Brown from Urbis.

MS KRUK: Can I suggest otherwise you use my mic.
40

MS BROWN:

MS KRUK: Can members hear down the back? Give me a wave. Can you hear Clare talk?
45

MS BROWN: Clare Brown from Urbis.

MS KRUK: Thank you.

MS BROWN: Can you hear me now?

5 MS KRUK: Yes.

MS BROWN: Yes, thank you, madam chair. Could I ask if there's a - - -

10 MS KRUK: I'm actually going to take the unconventional step of moving there so I can see.

MS BROWN: Thank you. I would just like to thank the commission for giving us the opportunity to speak today. I'm representing the next generation and Mr Chris Biggs is present today representing TNG, myself and Stuart Goring from Urbis and
15 Damon Roddis from ERM, Mike Ritchie and Charlotte Lang from MRA. So if there are any technical questions that the panel may have of the consultant we're here and available to answer questions, otherwise we will be making a written submissions responding to the issues raised in the department's assessment report. So our presentation today – we will just provide a brief overview of the application.
20 The key outcomes of the development and our response to the Department of Planning's reasons for refusal. The site is zoned general industrial. It's part of a larger landholding occupied by the Genesis waste facility and landfill. There are adjoining or adjacent residential, commercial and industrial land uses, as can be seen on the aerial photograph. But the residential areas are approximately kilometre
25 away and the site is well-connected by the transport networks.

The proposal itself has been subject to a lengthy assessment process commencing in 2013. It has been the subject of amended Environmental Impact Assessments, response to submissions and responses to requests for information from the
30 Department of Planning and Environment. The scheme has been amended from a two-stage facility to a single-stage facility and it now complies two lines with two independent boilers, flue gas treatment systems, one stack, one line, one air cool condenser and equipment to generate electricity. It involves the construction of a facility that will treat 552,500 tonnes per annum of residual waste
35 fuels. The residual waste fuels are fuels that are those fuels that are left following resource recovery.

They will not be recyclable materials entering a facility. The facility will be using tried and tested energy-from-waste technology supplied from HZI who are the
40 leading energy-from-waste technology providers worldwide. HZI will actually be responsible for the plant operations, the plant construction and the plant management. A subsidiary company will be established in Sydney using HZI technology. HZI will, however, train local employees to run the plant, but it's HZI technology and management that will be implemented. It's modern technology that
45 is being used worldwide in over 35 countries that will be implemented on this site. The technology is a system with water and air cooled break bars. There will be a turbine exhaust cooling system and so it is an air-cooled condenser. It is the

preferred option as it does not require water and will not generate an effluent discharge.

5 There will be no visual plume. There will be no ash coming from this facility. In terms of quality assurance procedures, all material that is going to enter the facility will be the subject of the current quality assurance procedures at the Genesis recycling facility to ensure compliance with the New South Wales energy-from-waste policy and then also, importantly, to ensure that system quality and that no unacceptable material, such as car batteries, asbestos and the like, PVC piping, will
10 be accepted into the facility. The facility will generate three types of by-products: ash, boiler ash and flue gas treatment residues. These solid waste by-products will then be placed into the Genesis waste facility adjacent to the site.

15 So the fuel source is available in the Sydney Metropolitan area. It is fuels that are compliant with the energy-from-waste policy and compliance has been demonstrated within the environmental impact statement, within the amended environmental impact statement, the response to submissions and the various responses to request for information provided to the Department of Planning. The materials waste sources has been modelled by MRA with reference to the New South Wales energy-from-waste policy.
20

The material quantities and qualities have been modelled by them and they have also been independently audited by sustainable and an EPA-accredited the waste streams have been based on the current waste streams managed by the Genesis
25 facility adjacent. The input fuel will always be as part of a normal operating procedure to produce an homogenous as possible input. So the independent waste audit conducted by DC Sustainable have identified within the submitted documentation the precision of the physical compositional attributes of the residue waste coming from the Genesis facility, the material recovery facility waste
30 that cannot be further recycled or recovered, and floc waste which is car and metal scraps – scrap waste. So these – these fuel sources also and submitted to a N-A-T-A, NATA-approved laboratory and analysed for a range of chemical constituents. That analysis showed that the residue streams, that there was no special waste: no
35 asbestos, gas cylinders, fire extinguishers and the like, and that the waste complied with the Energy from Waste policy. So the screenshots are just showing the facility itself.

In terms of environmental outputs, the basis of the technology is that the facility will meet the European Industrial Emissions, the IED, and that – that standard has been
40 used for the basis of the development of the New South Wales Energy from Waste policy and that is the basis on which the facility has been designed. The IED limits are the most stringent requirements of the Energy from Waste plants worldwide, and the applicant is speaking to those stringent limits. And the facility has been designed to operate within those limits, and importantly, if there was to be a spike in any
45 material such as PVC pipe, and if it was to enter the waste stream in some way, then the technology is designed that it were to shut off so that if there is any spiking, say,

for example, chlorine gas, then the emissions technology that the plant would shutdown.

5 Now, the emissions from the will be monitored 24/7 but an automatic
computerised system, and that material is reported to and available to New South
Wales EPA. So the mothers and the standards for monitoring are consistent with the
IED and will be consistent with those or any other standard as directed by the New
South Wales EPA. But presently, what is proposed in the application before the
10 Commissioner is consistent with both the IED and the New South Wales Energy
from Waste policy. As I stated earlier – sorry, in terms of opening outputs,
unprocessed waste or waste not subject to resource recovery will not be delivered to
the Energy from Waste facility.

15 All material going into the facility must be subject to the Genesis quality insurance
measures to ensure that there was in the material and to ensure that no
unauthorised materials will be delivered to the facilities. The – in terms of energy
from output, the facility has the capacity to generate 68.65 megawatts of electricity,
which is enough to power 100,000 homes. It exceeds the energy requirements
required under the New South Wales Energy from Waste policy, and the facility will
20 meet the definition of recovery under the policy being a recovery of energy and
resources from the thermal processing of waste, and the waste is material that is the
residue from the recovery system that is presently in place.

25 So we are at the point in the Energy from Waste policy where we are recovering
energy, where waste has been reused or recycled. That has occurred in the Genesis
facility and it's only the material that cannot be further recycled or reused that will be
deliver for energy recovery. The project benefits are that it is technology that is tried
and proved in more than 35 countries across the world. It will reduce waste going to
landfill, which is quite critical in the current climate in New South Wales where
30 waste is no longer being diverted to Queensland. It's no longer being diverted to
China.

35 And there is increasing pressure on landfill sites within not only metropolitan Sydney
but New South Wales generally. Importantly, it will have a net positive greenhouse
gas impact with the elimination of – in the order of 13.6 to point one million
tonnes of CO₂ over a 25-year period. So that material is not going to landfill creating
that greenhouse gas. There will be 55 full-time jobs during the operation and 500
during the construction phase. I would just like to make some brief comments in
40 relation to the Department of Planning's report – assessment report.

45 A number of the issues raised in the assessment report are quite technical and we will
provide a more fulsome response in our written submission, including further
calculations from the consultant team in response to issues raised. Some of the key
points I would just like to identify is that there appears to be within the assessment
report a misinterpretation of the broad language in the New South Wales Energy
from Waste policy. The position has been taken that the light waste streams, that is,
the statement in the Energy from Waste policy, is interpreted as being identical waste

streams. That is the misinterpretation of the assessment team and we go into that in some detail.

5 And there is also great weight placed on the requirement to – for the applicant to demonstrate the availability of the waste in the market. This is a misapplication of the Energy from Waste policy, but notwithstanding that, the response to submissions report and the response to additional information that has been provided, has proven without doubt that the residual fuel source is available to the applicant and to the site to operate the proposed facility. Now, in terms of consistency with the policy
10 statement, we – the amended environmental impact assessment, response to submissions report and supplementary material provides a comparison with the operational reference facility being Ferrybridge Multifuel number 1.

15 Key criteria are that it should be from a similar jurisdiction. Ferrybridge is in the UK so it is a similar jurisdiction. That facility complies with the IED limits and is the same technology. And technology supplier HZI has been proposed for this facility. That facility has been in operation since 2015 and has been proven to operate at its capacity below the IED limits during that period. The assessment reports make note as to the different stream and inputs. That is because there is different
20 terminology used within the UK waste stream categories to the terminology used in Australia.

We go into detail to demonstrate the different terminology but to also demonstrate the similarities in the waste, to demonstrate that New South Wales does have a light
25 waste stream. So the proposed facility in Ferrybridge are light for common input streams. They are not identical, but we are not required to be identical. A major is taken in terms of the inclusion of floc waste as one of the elements of the waste fuel – sorry, the fuel source. Now, floc waste is defined as the shredding of motor vehicle and metal consumables. It's important to know it is not specified in the Energy from
30 Waste policy as a separate – a separate waste material.

It is actually part of the defined CNI waste. It is not defined as a hazardous waste, and the emission technology that is proposed under the proposal is capable of
35 ensuring that any emissions from floc waste or any other material are neutralised. In terms of temperature requirements, the plant will run at 850 degrees Celsius and that is as required to meet the temperature requirements of the IED, and the will also ensure that the fuels will burn cleanly, and in terms of temperature requirements, the waste audits and compositional analysis confirm that the waste will not contain more than one per cent chlorine in the gas emissions, which is also in accordance with the
40 IED limits.

In terms of air quality emissions, the population control technology that is proposed as part of the facility is deciding to handle a range of waste-derived fuel without
45 changes to the air emissions. So, in other words, from day to day, whilst there will be mixing of the waste coming into the facility, there can never be identical fuel used from one day to the next. It will be homogenous. It will be mixed. But, notwithstanding, that, if there are changes day to day or within two decades, the air

quality emission technology is such that it can handle those changes in the waste fuel composition. So in terms of air performance of example reference facilities, such as Ferrybridge. The IED emission limits allow for the varying waste fuels and Ferrybridge has demonstrated it can operate below the IED emission limits.

5

There was a number of concerns raised in relation to the human health risk. It's our submission that the human health risk concerns have been overstated in the assessment report. The applicant's technical reports are based on very conservative assumptions and these assumptions, conservative assumptions, have not been accounted for in the assessment report of the department and its independent experts. So the margin of safety presented in the department's report does not reflect the compounding conservative assumptions in the human health risk assessment. So we have taken a conservative assumption and compounded that with a conservative assumption. So that has not been reflected. This is detailed within our written submission.

There is concern raised that there will be ash, gases, noxious fumes and the like expelled from the The emissions technology built into the system is such that if there was to be a spike in any gas such as chlorine, then the plant will go into shutdown, so that there can be no chronic exposure to any harmful emissions. So it is the applicant's position that there is no human with the proposal because we have accounted for increased margins of safety. The proposal is designed to operate within the IED emission limits and the technology is placed on achieving that requirement.

25

It's the applicant's position that the scale of this facility is appropriate and the application before the Commission today is only for what was stage 1 of the original proposal. So the significant change from the two stage proposal was in response to the community concerns as to the scale of the project. The application is only for what was stage 1 is a single stage. There is no requirement for the applicant to justify the scale under the energy from waste policy. That's a commercial decision for the applicant. But I can confirm for the Commission today that the scale of the project as presented and before it today is commercially viable and there is sufficient waste available in New South Wales to operate the facility. A concern was raised that the feedstock review is over-estimated. We will demonstrate in our written submission that the – there had been misunderstandings in the independent assessment by the department and its consultants as to the basis on which report is based, so we will identify the errors in the assessment.

40 MS KRUK: Ms Brown, are you nearing the end of your presentation?

MS BROWN: Yes. What - - -

45 MR: The same arguments were used at

MS KRUK: Please, colleagues, let Ms Brown finish her presentation.

MS BROWN: The applicant acknowledges that there is – that the community has concerns in relation to the proposal. It’s – the assessment report makes quite considerable comment in relation to the inadequacy of the applicant’s consultation with the community. Our written submission will go into great detail as to the
5 consultation that has been undertaken. But I can say that it commenced in April 2013 with the establishment of the project website. There was a 1800 community line and project email. There has been correspondence constantly since December 2013, agencies, community groups and the like. There have been mailbox drops. There have been community information sessions. There have been
10 presentations at various councils and the like.

There have been numerous invitations given to the community to attend the site and to ask questions and experience the Genesis facility first hand and what the applicant is requesting of the Commission today is that the application be approved subject to
15 conditions and the applicant would seek to work with the department in relation to the preparation of any conditions on the basis that the IED are the basis of any approval. Thank you.

MS KRUK: Ms Brown, thank you. I think it’s fair to say we will have a number of
20 questions to go back to you on based on your submissions to date and also, I think, to take opportunity of issues that members of the community may wish to raise today. Panel members, any additional questions on that basis. Could I ask that we receive your submission as soon as possible. I think you’ve alluded to quite a detailed presentation; is that right?

25 MS BROWN: That’s correct.

MS KRUK: Right.

30 MS BROWN: We will hand that to you this weekend.

MS KRUK: And this submission will be that you’ve provided to us is the presentation today. So is that the first part of the submission to it?

35 MS BROWN: We will submit that as well.

MS KRUK: All right then. Thank you very much for your presentation. Tony, any questions for you?

40 MR: No.

MS KRUK: Thank you. Can I invite Dr James Whelan from the Environmental Justice Australia Centre who has requested 15 minutes. Mr Whelan.

45 DR J. WHELAN: Thank you, Commissioners, for the opportunity to address you today. I open by acknowledging the traditional owners of the country that we’re gathered on today and past, present and future. And if I could quickly

Environmental Justice Australia, EJA, a non-Government community group. We began our life as a very small environmental law based in Melbourne Victorian public office and have grown over the years to having concerns and involvement with communities around environmental concerns right around
5 Australia. I'm based in Newcastle. I've come down this morning. We were requested to get a little involved by the local community as we have by communities right around Australia. It would be important to note that the waste energy or energy from waste industry is on the march nationally, and I will allude to that in my presentation.

10 I personally have been involved in air pollution research and advocacy for close to 25 years. We've had a national level around Australia and I will be drawing on that experience and expressing a range of concerns specific to air pollution today. Proponents of waste incinerators generally describe these facilitators as proven
15 technology pointing to more than 500 incinerators operating in parts of Europe. They fail to mention that waste incinerators are major sources of toxic air pollution, sometimes the dominant source in nearby communities. And the communities generally campaign against their approval, and I will give specific instances of that. Combustion of toxic material such as plastic releases toxic pollutants including
20 mercury, lead and dioxins. That can be more hazardous than the material that has been incinerated.

A particular concern are dioxins. These highly toxic pollutants are known as
25 persistent organic pollutant because they resist breaking down and accumulate in animals and the environment. In parts of Europe, waste incineration is the leading cause of dioxin production. Dioxins are also present in post-combustion ash waste which needs to be disposed of. I will come back to waste ash. Facility operators often re-assure communities that the pollution level standards will be adhered to. In reality, even supposedly, best practice air pollution standards in Australia can be too
30 low or not adhered to. In many places, the standards are inadequately monitored or enforced.

To continue to reduce toxic pollution created by energy generation, the New South
35 Wales Government must continue to make a rapid transition to wind, solar and other forms of renewable energy that produce no toxicology. Contrary to company claims, waste incineration is not good for the environment or for community health. In addition to pollution concerns, waste to energy facilities support the continued production of waste rather than efforts to stop using waste in the first place. Waste to energy is low on the waste hierarchy, but underpins our environmental protection
40 laws in New South Wales. Zero waste programs that emphasise avoiding the waste being created, eg, banning plastic bags, unnecessary packaging restaurant and supermarket food waste to community kitchens, etcetera. Re-use and recycling are always preferable. Australia must prioritise policies and strategies that aim for zero waste and genuinely clean and renewable energy with the associated job creation
45 rather than accepting solutions that at best relocate pollution sources and at worst exacerbate environment harm. Our presentation today includes seven compelling

reasons to reject the proposed facility. I may not get to speak to all seven. I'll have a go.

5 Firstly, western Sydney has limited independent and reliable and accessible air pollution monitoring. There are three air pollution monitoring stations in the west or north-west of Sydney operating at Richmond, St Marys and Prospect. There are 14 in the entire city. The New South Wales Office of Environment and Heritage conducts minimal monitoring, almost none. I think air toxics that are emitted by incinerated – Australia has no legally enforceable standards for handling air toxics.
10 Pollution licences for major pollution sources tend to rely on self-monitoring by the companies. Even, I should say, Eraring, which is Australia's largest coal-fired power station, does its own monitoring, and that data is not available to the community, and I don't see why we would expect anything different here.

15 The second reason that I'd like to outline is that additional pollution sources shouldn't be approved in locations that already have an overburdened air and this is one in Sydney. Fine particle pollution 2.5 contributes to the premature deaths of more than 3000 Australians per year. That's more Australians dying prematurely car accidents from fine particle pollution because particles up to 2.5 microns in
20 diameter are generally produced by combustion processes such as incinerators, power stations, motor vehicles. Particular matter can trigger heart attacks, strokes and has been deemed carcinogenic by the World Health Organisation, which opposes incineration. Fine particles travel deep into the lungs and pass into the blood stream, posing a risk of stroke and heart attacks. There's no threshold below which particle
25 pollution doesn't present a human health risk.

In this part of Sydney fine particle pollution concentrations have exceeded the national standard for a 24 hour average concentration of 25 micrograms per cubic metre in Richmond, where it has gone up to 84, and I'll just say again. The
30 annual standard – the average 24 hour standard is 25 micrograms per cubic metre. In Richmond we've had 24 hour averages up to 83.4, almost double in the last couple of years. St Marys up to 93.2, which is almost four times the national standard, and Prospect up to 84.9 micrograms per cubic metre. So all three monitoring locations have reported fine particle concentrations way over – two or three or four times over
35 – the national average – standards.

Annual average 2.5 concentrations have exceeded the national standard in Prospect – this is the annual average – in Prospect, where in 2016 we reached 8.7 micrograms per cubic metre compared to a standard of 8 and 8.2, which again was
40 over, in 2015. In Richmond the annual average concentrations were 7.9 in 2016 and 7.8 in 2015, which although just below the national standard of 8 nonetheless are very close to it and above the standard that the New South Wales government and all Australian governments agreed to set by 2025. There's a move towards stricter standards. These concentrations reported in Richmond were well – sorry –
45 Richmond. That's right – were well over the standards that will apply in New South Wales in 2025.

MS KRUK: So Richmond, St Marys and Prospect are the ones you specifically refer to in your submission. Yep.

DR WHELAN: That's correct.

5

MS KRUK: Yep. Okay.

DR WHELAN: I present a graph. I won't go on about numbers. I - - -

10 MS KRUK: No, that's fine. We will get that in your submissions.

DR WHELAN: People's eyes glaze over. Extraordinarily, looking at the EIS and the responses to the – the initial responses to the EIS to the expressed opposition and concern. New South Wales NPA expressed opposition to the proposed
15 pollution impacts noting that the incinerator will just be 800 metres from residents, schools, playgrounds. And New South Wales Health opposed the proposal. Noting the significant increase in ground level ozone concentrations, New South Wales Health concluded that the incinerator would present a significant risk to health, nevertheless, elsewhere in the state when two, three, four State Government
20 departments have expressed opposition to a proposal, such as power stations, those projects have gone ahead.

The third reason we would like to outline is that the New South Wales EPA does not regulate effectively pollution concentrations exceed the national standards the
25 Hunter Valley. In the Hunter Valley, air pollution for coarse particles, for large particles of coal dust in October last year went over the national standard on 80 occasions – 80 in a month. And the EPA entered into discussions with the companies. There was no prosecution, there were no additional mitigation measures, there were no controls put in place.

30

The fourth reason is that the air pollution shouldn't just be managed just below the national standards. It should be managed to the lowest level possible. There isn't a threshold below which particle pollution and other toxins are not contributing to adverse health impacts. And the New South Wales Energy from Waste Policy
35 stipulates that facilities need to present – and I quote:

...no increase in the risk of harm to human health –

yet the Eastern Creek EIS acknowledges that ultrafine particle pollution
40 respirable – deeply inhale particle pollution will increase. The fifth reason is that the EPA doesn't respond strongly to polluters that fail to comply with their licence conditions. If this project is approved, there will be an issue that issued an Environment Protection Licence, an EPL. An EPL speculated range of very familiar with EPLs for major polluters in New South Wales. And I can assure the
45 panel – and the these conditions are generally what would be described as readily available technology – RAT – rather than less available technology – LAT – or even

best available technology narrowly avoiding prosecution. A responsible regulator would respond to non-compliance.

5 With – can I give the case study of Eraring, the largest coal fired power station in Australia, which is closer to my home. Eraring coal fired power station operated large ash dam. The ash dam dried out. The ash from the dried out ash dam blew over the residents in Wangi who began to the EPA expressing alarm and concern. The EPA stepped in and after four months issued a \$15,000 infringement notice to Eraring, the largest power station in the country. In fact, Eraring breached
10 the licence conditions 23 times in 10 years and received one infringement notice, I think, for 23 infringements.

The sixth reason towards my seventh is that the company proposing the waste incinerator does not demonstrate competence and relevant experience. Section 83 of
15 the Protection of the Environment Operations Act in New South Wales requires consideration of whether the proponent is “a fit and proper person”. This section aims to ensure that people are suitably qualified and experienced. The proponent for Eastern Creek has not built or operated plants of this nature previously.

20 I come to my seventh reason. Waste incinerators generally community conflict and opposition. I give examples from four companies. In the United States, in Maryland, the – in Baltimore, the Wheelabrator incinerator is that city’s largest source of air pollution, emitting sulphur dioxide, oxygen – sorry, nitrogen, hydrochloric acid and formaldehyde into the community. Nitrogen oxides inflame
25 lung tissue and cause or exacerbate breathing problems, particularly asthma. When a second incinerator was proposed near the Wheelabrator plant, students from the Franklin High School staged a sit-in at the Maryland Department of the Environment. Seven were arrested. The Baltimore incinerator receives green energy subsidies.

30 The Commonwealth Energy Minister of Australia, Josh Frydenberg, has recently proposed that waste to energy should receive favourable funding arrangements through the Clean Energy Finance Corporation for waste incineration. This suggestion should be rejected outright. In Ireland, the 240,000 tonne per annum
35 Indaver waste incinerator in Cork has triggered conflicted between residents and the waste company. In Beirut, several groups are protesting a proposal for waste incinerators across the country and in France, the proposed reconstruction of the Ivry incinerator near Paris is opposed by an alliance of community environment groups who argue that more effort should instead be invested in waste prevention and
40 composting and recycling.

In Norway, waste incineration – sorry. Waste incineration generates large amount of ash and sometimes it needs to be disposed of in other countries. Norwegian
45 community groups are protesting their country importing ash, toxic ash, generated by wasteful energy facilities in Sweden. In Australia, as in the United States and other countries, waste to energy facilities are emerging as a major public health threat and an environmental injustice. Communities are becoming increasingly informed and

organised in their opposition and we recommend strongly that the Planning Assessment Commission reject the proposed energy from waste facility. The state's regulatory system for protecting the environment and community health is not sufficiently robust. Thank you.

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MS KRUK: Mr Whelan, thank you. Commissioners, any questions? Could I ask, could we get a copy of your – or give us a written submission? You've obviously put a lot of effort into those – so thank you very much. Now, I've been advised that we've got a change in scheduling. I think the Mayor has managed to change his position with Mr Charles Casuscelli – my apologies for the pronunciation. And they – he has 10 minutes. I think you are sticking to the allotted 10 minutes, Mayor, or are you - - -

MR S. BALI: Thank you, Madam Chair, for the – and committee for the opportunity at this public meeting to present our concerns. Blacktown Council, amongst many other organisations and individuals have presented detailed submissions for consideration. And, obviously, we don't want to bore people with but as Dr Whelan just said a second ago, we will submit those alternatively. But there's a few key issues, I think, in a public forum we need to identify. One is the social licence. It's really important that any of those major technologies that has the support or understanding from the local community. That trust is not present in this particular proposal and there's many reasons for it. We heard from the proponents identifying that they have letterbox-dropped the area.

They may have even dropped a CD around the place, but actually getting the people to understand what the plan is about and engaging in effective consultation and communication with the people has been lacking. And what we find is that when people – when there's a vacuum of appropriate information or you get a situation where anyone who raises a reasonable opposition to it gets condemned, that then creates that fear in the area. One of the classic examples which I've and removed the – who received the letter but, essentially, is letters have been going out from The Next Generation to individual people and, basically – yes. Even though it doesn't say that it's a legal of defamation, but it uses the words “defamation” – it talks about identifying for this particular person a range of issues that this person put onto Facebook, which I find quite amazing when you actually look at one of the statements:

...waste incinerators create toxic pollution, including dangerous particles, that impact on human health, causing cancer and leukaemia –

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I think, as we heard from the proponents today, there are emissions that come out of this. It's not a clean emission. The air doesn't get cleaned up because you have one of these facilities. And this Facebook post actually then said:

...look up on the internet –

45

and gave a Web address. I'm amazed that really in social media that someone has gone to so much detail to actually present referencing and letting people know and what is the response that the – [REDACTED] sends to this person – basically talks about – saying that it's completely wrong, says:

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...as you well know, any crackpot can publish anything concerning whatever thing they may be obsessed about at that moment –

10 now, referring to people as “crackpots” when they have legitimate concerns – you can understand why you lose that social licence. And, later on, the letter goes on:

15 *...we request that you delete this document and refrain from directly or indirectly publishing statements concerning The Next Generation proposal ... please provide confirmation that the document has been deleted by 4 pm Tuesday, 16 April 2017 –*

20 now, all of this is worked around that fear factor of trying to tell the person, if you don't withdraw the information you will be facing possible legal action. So, essentially, through community consultation – and we've seen so often that the – some of the media statements from the proponent either calls people liars or calls them crackpots or actually says there's basically no pollution, etcetera, nothing to worry about that comes out of it. That's where you have the problem from the local community saying, well, if you actually trust us and bring this on board and talk about the issues, you might have a better reception.

25

30 But just to dismiss it outright and reject it, obviously it presents a lot of concerns for the local community, and therefore once you lose the social licence to operate, it shouldn't be considered from this particular operator. We've seen so many different organisations, whether it's the Parliament – the Upper House parliamentary inquiry has clearly rejected this proposal. And the Department of Planning and Environment has rejected it – the Department of Health, Blacktown Council, Penrith Council, and over a thousand submissions that have come up. Yeah, to come up and say today that, you know, there's nothing wrong and that they're ever-improving and they're using other organisations just shows you that they're not addressing the actual key issues that are before us.

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40 The other aspect that Dr Whelan previously has just touched on, and I think what we really need to identify, is the cumulative effect of pollutions in Western Sydney. The way the Sydney basin is, unfortunately in Western Sydney, when you compare Western Sydney versus the eastern seaboard, it's quite clear that there's higher respiratory illness, higher cardiovascular disease out here, higher all cancer rates in Western Sydney than the eastern seaboard – so all the way from the North Shore down to the eastern suburbs. And that's because of the heat inversion, there's more – and WestRock has come with numerous other organisations talking about the urban heat effect and extreme heat days in the next 10 to 15 years is going to almost double, I think, move to about 30 to 40 heat – extreme heat days.

45

And we've actually seen from the proponent's own submission that, you know, on extreme heat days that essentially have to either reduce or close down the plant. And that in itself raises concerns as far as when you're reducing and you're not running at full efficiency. When it's too hot, when it's too cold, the pollution effects increases
5 at those particular points in time. So given that there's an extra million people moving into Western Sydney – and we've seen that from the State Government announcing that – that in itself has more housing, more roads, which brings with it, obviously, industry because we want people to work. More rooftops, more – and we've got the second airport that will be up and running in the next – I think it's
10 within the next 10 years or so.

So all these impacts that's happening, designed into Western Sydney, has to be then taken into account – plus having an energy-from-waste incineration plant. The fit and proper person test I think is extremely important that we should be considering.
15 From the parliamentary inquiry, the portfolio committee number 6 Planning and Environment, in their report they actually identified that since 2005, companies associated with the proponent have received three written warnings, nine penalty notices, five official cautions and were convicted of one prosecution. One thing I noticed, the thing that constantly comes up, part of the – when you look at press
20 statements, the proponent generally usually has some type of excuse why problems have happened.

It's either the employees' fault, or the customers have brought in wrong material. And today I don't have any confidence in the fact that they're trying to once again
25 outsource their risk and operations by saying they've got – “HZI is going to run it all, don't look at us, we'll just pass it all over, we'll take the profits, but essentially it's nothing to do with us if something goes wrong.” They'll be blaming HZI, they'll be blaming the employees, they'll be blaming the customers who may have accidentally brought in illegal material. So I think the fit and proper person test, and the other
30 thing that the parliamentary inquiry said between 2012 and July 2017 there was like 581 complaints associated with the proponent and the companies.

So before he sends me a legal letter, I just want to reiterate that was from the portfolio committee number 6 planning and environment work. I can't wait to read
35 the letters he'll be sending to me. So essentially we'll talk about the urban heat effect, etcetera, and the fit and proper person test. The company essentially – sorry, one other thing. I will bore you with one little bit of statistic. If you left off this – the hydrogen fluoride content that's going to come out of the emissions from this, it's measured by milligrams per cubic metre. And we heard from Dr Whelan about the –
40 and myself in talking about the respiratory illness. So this has respiratory effects, gastric pain and cardio – it's a trifecta – cardio impacts as well – cardiac effects.

So in New South Wales we don't actually have a standard. There's a standard as far as the is concerned. The first submission that – when this first initial inquiry
45 or first submission by the proponents, it said it was going to be 3 milligrams per cubic metre. In the amended submission it went up to 4, so obviously because there was no standard they didn't have to worry about it. And then suddenly in the final

report it's down to .5. So how did it go from 4 – or goes from 3 to 4 to .5, eight times reduction. So to a large extent where the community has major concerns is that you've got a situation where we haven't seen any changes in technology yet the emissions constantly changes.

5

Now, how can we have any confidence with it? And obviously the Department of Planning, the Health Department and all the councils have rejected comprehensively the emissions. It's one thing comparing it to possible similar sources around Europe, or around the UK. But as we all know, that measuring informed us, each batch that goes through it will have different results. So this is just probably a best case scenario. I know they're talking about a conservative case, but I doubt it But essentially it's the best case scenario with the final submission. It's no longer a conservative case. It is now the best scenario. And I think just finally in - - -

15 MS KRUK: Mayor, I'd ask that you summarise.

MR BALI: Summarise. There's a final – you know, there are about 6000 people that live in Minchinbury area. That comes up to 20,000 people if you look around the Penrith and Blacktown areas. Refusing the proposal outright will send the right message: that people are more important than profits. Failure to do this will condemn the residents, their children and future generations to dangerous and harmful health impacts, and Blacktown Council outright rejects this proposal. Thank you.

25 MS KRUK: Mayor, thank you very much for your submission. I understand you're providing us with some further detail. Commissioners, any further queries?

MR: No, not from me.

30 MS KRUK: Could I ask Ms Julie Tsanadis to come forward? Julie requested five minutes, which can seem long or it can seem short. Thank you. Are you right? Please. Yes.

MS TSANADIS: Good morning, everyone. My name is Julie Tsanadis. Thanks to the commission for giving us your time today. Appreciate that. I'm a mother of four from St Clair. I have a grandchild who is also 12 weeks old. I've been a local St Clair resident for over 25 years. My family home is 4.7 kilometres from the proposed site and my children's school is a mere 1.8 kilometres away from the proposed site. So my family and I are directly in therefore, I would like to state for the record that I am totally against this proposal for the Eastern Creek incinerator.

45 Can I start by saying that I did not see anything in the mail informing the incinerator proposal, nothing from my local member, nothing from the council, and absolutely nothing from the proponent to advise us of his intentions to this in fact, the majority of the residents that I've spoken to who live in St Clair, including every house in my street, have never even heard about the incinerator at all. So I find it interesting that the proponent claims it has surveyed our community and the majority

of us are in support of this. Really keen to know who was surveyed. I only learned of this proposal by chance when I stumbled across something on a local St Clair Erskine Park buy swap sell Facebook page to invite the community to a public meeting to hear more about this. This was just over a year ago.

5

I attended the public meeting at Erskine Park Community Hall on 13 April 2017 with an open mind. I listened to several speakers and watched a PowerPoint presentation by Jane Bremer from the National Toxics Network which showed actual statistics of several incinerators already in operation around the world and the devastating effects that they had on communities there. Quite frankly, I was horrified by what I heard. These statistics included contaminated drinking water, toxic emissions, and known cancer clusters. Cancer clusters. And for some reason, the local residents and I are supposed to find this acceptable.

15 My husband and eldest son are asthmatics. I have another son who has anaphylaxis and allergies. All three of them suffer greatly with breathing difficulties as it is due to the current state of our air quality in our suburb. Therefore, I am deeply concerned about what the future may hold for them should this incinerator be approved. As my children will be the ones most affected due to the immaturity of their lungs, these toxins will be ingested directly into their bloodstream and organs. I do not want my children to die. It was for this reason that I became involved in No Incinerator for Western Sydney raise awareness for the community.

25 MS KRUK: Do you want to take a breather? She's okay.

MS TSANADIS: I along with over 12,000 Sydney residents are genuinely concerned and have signed petitions to express this. We can't sleep. We are distressed, nervous and incredibly fearful about what the future may hold if this incinerator goes ahead. These include needless deaths, excruciating pain, breathing difficulties, heart and lung problems, and possible cancer clusters. Cost to the health industry and the government will also be exorbitant. Who is going to foot the bill and accept liability – cover the conversation. We are ordinary Australians who live in the western suburbs. We are mums and dads, pensioners, students who care about the future of not only our community but the future of the planet.

35

Whilst we do acknowledge there is a waste issue, it is clear that incineration is not the answer. Our appeals to the local members to express our concern have largely fallen on deaf ears. I truly believe that our low socioeconomic background is the reason why we have been ignored. I do not believe that those living on the north shore would ever be allowed to have an incinerator built in their backyard, but it seems that because we live in the western suburbs, that our families' lives and wellbeing are inconsequential to the powers that be due to our postcode. That is discrimination. As workers, taxpayers and voters, we should have just as much right as those living in more affluent areas for our concerns for our families' welfare to be taken seriously.

45

The true impacts of this incinerator will not be known until after it has been built. Then it will be too late. The EPAs own conclusion was that there will be environmental impacts, and that they could not support the plan due to concerns about the proposal's potential air quality and human health impacts. The facts are
5 that this incinerator is going to be – irreparably devastate the lives of our community exponentially for years and years to come. We are fighting for our children who are now voiceless but whose lives will be at risk in future years from the toxins that will be into their atmosphere. We feel that this incinerator will have disastrous
10 consequences for all and refuse to sit idly by and leave this mess behind for our kids to deal with.

All of you people here at the commission who are involved in this decision-making process have a duty of care for the health, safety, wellbeing of our community. If
15 this incinerator gets built, I believe it will be a holocaust of epic proportions. This is our families' lives we are dealing with here. I sincerely pray that you do what is right and just. It is not asking for much. All we want is to be given our basic human right, the right to breathe clean air. Thank you for your time.

MS KRUK: Julie, thank you. Julie, thank you very much for your presentation.
20 Now, I'm – my list has a Mr Hugh McDermott, MP state member for Prospect. Is Mr McDermott here?

MR McDERMOTT: I am.

25 MS KRUK: Sir, you have requested 10 minutes?

MR McDERMOTT: Thank you, Chair.

MS KRUK: Thank you.

30 MR McDERMOTT: I won't take the full 10 minutes. Thank you, Chair. Like you've just explained, I'm the state member of Prospect, which takes in a significant part of Western Sydney around the Prospect Reservoir, which is – part of
35 it is Eastern Creek, so the proposed incinerator is very close to my electorate and impacts on a number of suburbs, residential suburbs as well as industrial suburbs, if it is built. I'm going to make a number of comments. I've made speeches to the Parliament opposing the incinerator, and I speak on behalf of my electorate, Prospect, some 75,000 people, men, women and children young families and
40 growing families who are opposed to this incinerator. From our point of view, the idea of putting an incinerator smack bang in the middle of the suburban areas of Western Sydney, even though it is an industrial park in Eastern Creek, is just contempt. That's probably the best word that can be used.

45 The fact that this government, the State Government, or any other group can accept that where they're to build a toxic garbage incinerator amongst so many thousands of families is quite unbelievable. If we simply look at what is surrounding the incinerator that will run some 24 hours a day, we have a number of schools, and I

will go into the figures of those schools, we have a number of retirement villages, we have a lot of residential suburbs, and so it goes on. As you would know, Chair, this will become, if it is built, the largest energy from waste power plant in the world. It will operate 24 hours a day, seven days a week, and I would like to remind the board
5 and everyone here that the original proposal, before it was downsized, would have been twice this size.

The 550,000 tonnes of residential waste was going to be 1.35 million tonnes of waste. So the largest and most toxic garbage incinerator in the world is a
10 compromised measure for people of Western Sydney. Thousands of tonnes of fumes would be ejected into the atmosphere by two 100 metre high stacks – would be visible from as far away as the suburbs of Greystanes, Pemulway, and into the Parramatta CBD. According to the Environmental Protection Agency’s October
15 2017 report, the primary emissions from this plant include particulate matter, hydrogen fluoride, hydrogen chloride, carbon monoxide, mercury, radium, chromium and also arsenic.

The particulate matter alone would be terrible for children nearby who have asthma. And asthma and autism are the two largest growing health issues in our areas of
20 Western Sydney. There are three schools and three child care centres within three kilometres of this proposed facility. The nearest is only 820 metres from the proposed incinerator. The output would be terrible for the Prospect reservoir. If you know the Prospect reservoir, it was once a major source of drinking water. It is now an area – and it is still a reserved drinking water area for the people of Western
25 Sydney and also it is an area which – of natural beauty. It is an area that will one day – we believe – be opened up to recreational fishing, recreational activities – boating and it borders areas like Wet ‘n’ Wild and other parks and themed areas, picnic areas which would all be affected by toxic waste that will come out of this incinerator.

30 On a hot day, if you live in this part of Western Sydney, you can smell the garbage dump from Wet ‘n’ Wild, and that’s just a hot day and this proposal would be far worse than just a dump that makes the area stink each day when it’s hot. And these carcinogens and mutagens – assume that no hazard materials make their way into the waste being burnt when there is no way to guarantee that this is the case.
35 The site will be burning waste from construction and demolition sites. This may provide a good way to dispose of building waste, but unless you can be 100 per cent certain that the remains of a demolished building doesn’t contain asbestos, you shouldn’t be sending it into the atmosphere above primary schools and into the lungs of our children.

40 All of this only considers the fumes which will only be a portion of the final product from this proposed incinerator. The bulk of the result will be packed into – will be packed ash so toxic and so long-lasting that the only option is to bury it in concrete either on site or to ship it to the other side of the country to disused mines in Western
45 Australia. Our descendants – our great-grandchildren will be dealing with this for generations to come. As this state government is still considering this proposal, it is worth asking who is the garbage incinerator actually for? What is the benefit to the

hardworking families of Minchinbury, Eastern Creek Greystanes, Blacktown, Prospect the incinerator's owner's, Next Generation – also known as Dial A Dump – will argue that it creates jobs for Western Sydney.

5 Well, it's modelled to create 55 jobs. A Bunnings Warehouse in the same spot – or probably even a McDonalds – would create many more jobs without the added health effects. There is no benefit for the three schools within three kilometres. There is no benefit for the families and children living 800 metres from the site or the tens of thousands of families living within 100 kilometres or 20 kilometres – five kilometres
10 from the site. So is the benefit of the incinerator? Well, we know Dial A Dump would be – or Next Generation, as they call themselves. The owners of that. But certainly not the people of Western Sydney – not the people who live in the electorate, rather, of Prospect or the surrounding electorates. Western Sydney residents and their families deserve better than this- than some toxic proposal from
15 Dial A Dump – from Next Generation. We deserve – Western Sydney families deserve better. We aren't second-class citizens. Don't we deserve better than to have a trash incinerator built within our community. I thank the panel.

MS KRUK: Mr McDermott, thank you very much for that. Could I ask that Ms
20 Lilli Barto come forward. Lilli has requested five minutes. Is Lilli here? Thank you very much.

MS BARTO: Thank you for the opportunity to speak. I would like to begin by expressing my disbelief that I'm having to stand here and oppose this project at all
25 today. I cannot express the scale of my disillusionment with the entire planning apparatus. I cannot believe that you have let this proposal get to this point in the first place. These bodies are put in place to evaluate the merits and proposals, balancing business interests with those of the community. How did this proposal get through the first step?
30

I would like to address the arguments that are often made in favour of projects like this one. Watching this saga unfold has shown me that the entire process from start to finish is stacked in favour of developers and business owners. How much longer will we allow corporations to do whatever they want and sacrifice whatever they
35 want – the health of our community, the natural environment which sustains us, the very air we breathe – in the name of job creation. The market mechanism is supposed to be able to select out those firms and ventures which produce the greatest net social benefit.

40 The assumption that higher profits for the few creates trickle-down benefits for the many has plagued our society for too long. While it is true that businesses must be able to operate in order employ people, it is the job of the state to set the rules within which they must do so – it is not the job of the state to make excuses for millionaires who seek to line their pockets creating health hazards and destroying the natural
45 systems upon which all life depends, but that's all they ever seem to see it doing. There is an implicit and well-hidden assumption within the job-creation argument

that higher profits will be reinvested into expanding operations and thus employing more people.

5 This is not necessarily the case. More often, profits are rolled over, executive
bonuses are dished out and incentive structures are created every step of the way.
The next argument that one might make is that higher profits are good for
shareholders – well, that’s true by definition. However, we know that income from
dividends in Australia is highly skewed towards richer householders. In 2005 the
10 ASX found that 56 per cent of households earned no income from holding shares. 80
per cent earning less than 20k earned no income from holding shares. While I
acknowledge the logic behind the shareholder argument, I more often used – hear it
used as a excuse to allow businesses to behave exploitatively than as part of a
larger sound chain of reasoning.

15 Over the past several decades the share of national income between wages and
profits has been sifting steadily towards profits and yet we have not seen comparable
or even remotely correlated to growth in wages. Trickle-down economics fails the
people yet again. Now, finally, you may say, “Well, isn’t it nice that at least we have
these public forums where people can air their concerns?” In the middle of the day
20 on a weekday when most people are at work. By design this forum excludes anyone
who cannot take the day off work to attend.

We pat ourselves on the back saying, “Look how democratic we are” while at the
same time systematically excluding people from these process in inverse proportion
25 to their income. I would like to acknowledge all those working people who oppose
this project but are so flat out trying to make ends meet that they have neither the
time nor the energy to make their voice heard. I hope that you will think of them
when you make your final decision. Thank you.

30 MS KRUK: Ms Barto, thank you very much for your comments. Firstly, if you
want to provide those – if you haven’t done so already – in a submission. Secondly,
can I say that attendance at the meeting is not the only opportunity to provide
comment and we certainly in many locations do largely evening meetings as well,
but I do take your comments on board and thank you very much for providing them
35 to us today. Could I ask our next speaker, Mr Gerald Barr to come forward. Mr Barr
has requested three minutes. Mr Barr, are you here? Does anyone know Mr Barr?
What we may do – if Mr Barr arrives a bit later, I may reschedule and try and fit him
in on that basis. Could I ask our next speaker, Mr – Ms, sorry. Ms Leda Kole – I
apologise if I’m pronouncing that wrong – who has requested 10 minutes. Thank
40 you very much.

MS L. KOLE: Thank you. As a local resident of Minchinbury for over 30 years, I
myself and my children are extremely concerned for the proposal to build the world’s
largest incinerator at Eastern Creek, only a few hundred metres from my home and I
45 believe I will be the closest to this facility. I do not want this toxic dirty
nightmare being constructed in my neighbourhood and I’m horrified it should even
be considered. I’m yet to understand why energy from waste should be considered

as a viable option. There are plenty of other ways to deal with waste. Many countries are looking towards zero waste.

5 We need to look at a safer – sorry, we need to look at safer alternatives in relation to energy. We need the same to – sorry. We need to look at safer alternatives in relation to energy. In my opinion, all I see are business people rubbing their hands together at the thought of a money-making venture. They have no regard for environment or community it's naïve. People do not go into business to take of society or the environment they will lead you to believe, but they don't. They care about their bottom line only. Any by-product of making a profit that benefits society or the environment is heavily promoted as being their major concern.

15 It isn't, and the government should realise this. I strongly object to the idea of energy from waste. Do not allow it to go ahead in Australia under any circumstances. I have serious concerns about the concept of energy from waste and currently and feeling very anxious about the outcome of this proposal and building such a facility so close to my home and to other residents. The proposal is touted as state of the art – “touted” being the operative word. There's not enough evidence to convince me that such a facility should be built so close to residential areas built at all.

25 In regards to a specific energy from waste facility, the Next Generation plant proposed at Eastern Creek should not go ahead. In my opinion, the company which is proposing to build this facility cannot be trusted to do the right thing by the local community. While should I trust in my opinion he is a very dishonourable person with no regard to human health and a disregard for the lives of the residents of Western Sydney. According to the companies make linked to have been subject to numerous clean-up orders with many pollutant breaches.

30 The Next Generation has amended their EIS three times, changing emissions data without any explanation of how their data pertained. An independent study has confirmed their incinerator emissions plume will be one of the largest in the world and would travel up to 40 kilometres, putting the air quality of all Sydney residents at risk. Waste to energy presently contravenes basic human rights as stated by the United Nations Commission of Human Rights. The infant and child are the most at risk. Do we want this for our children? No. We do not they need to be protected. What about the elderly and the animals? There are many health risks associated with – from waste-to-energy, such as worsening lung and respiratory disease, heart attacks, cancer, increased admissions to hospital. These fine particulates produced by waste-to-energy can cause I'm very concerned that life as we know it will change forever.

45 These toxic ashes/dust will fund its way to our homes and waterways, vegetation. We will not be able to keep our windows and doors open to catch the breeze for fear of toxins entering. No more family and outdoor functions such as barbeques and get-togethers. Children will be unable to play outside. Animals will suffer. Our water will be contaminated. Prospect reservoir is only a few kilometres away. And what

about our property values? Who's going to live in Minchinbury having two huge incinerators spewing out smoke and toxins 24 hours a day, seven days a week. The Department of Planning have said no. The Health Department is against it. EPA is against it.

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The Parliamentary Inquiry is against it. And research all over the world is against it. Why are you even considering building of this toxic facility only a few hundred metres from homes and preschools? It's crazy. Aside from damaging health and the environment the property prices will be severely affected. I'm very concerned about accidents and shutdowns. Evidence shows that toxins emitted at those times are massive, and have caused hospitalisations of people and the firefighters dealing with the incidents. Are we to be exposed to these poisons? Does anyone care?

10

Already we have the worst air quality of Sydney where the EPA warns people living in Sydney with regards to respiratory problems to stay inside. And that's without this incinerator. Australia is in the position to learn from the mistakes of other countries after decades of using incineration. Europe is now turning away from incineration due to air pollution and health concerns. I oppose the building of the energy-to-waste facility at Eastern Creek. Thank you.

15

MR: Thank you.

MS KRUK: Thank you very much, Ms Kole, for your submission. Could I remember – just remind people if you want a tea – cup of tea or coffee please just help yourself as we go along. And also, please, if you don't want to be filmed or any recording taken by the media please also let us know. Could I ask Mr Rob Vial to come forward who has requested three minutes. Sir.

20

MR VAIL: Thank you, Madam Chair I'm Rob Vail I would like to acknowledge the traditional owners of this land. Thank you to the Independent Planning Commission for this democratic opportunity to have my say about the incinerator proposal. As a citizen who has lived in Western Sydney for the last 30 years and hopes to live here for another 30 years this proposal does affect my family and I. The incinerator bloom plot shows emissions spread up to 40 kilometres, and Quakers Hill, where I live, is within 10 kilometres. Existing air pollution concentrated in the Sydney basin would be significantly increased by this incinerator proposal.

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We in the west already have the worst air quality in Sydney. And this incinerator would add more than 500 trucks each day. These days in our long western Sydney summers, the temperatures are regularly 10 degrees Celsius hotter than the coastal cities. This added heat cooks the air plus emissions to create smog at ground level. It would more difficult for many western Sydney residents with respiratory or heart problems to survive. It would also increase the chances of children and other people developing respiratory problems. My wife, who is a nurse in Western Sydney, works with such vulnerable people on a daily basis, and she was incredulous when I told her that the incinerator was still likely to happen.

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This was despite the opposition of the New South Wales Parliamentary Inquiry, the EPA, the Health Department, political parties and the people of Western Sydney. Yet the wealthy proponent is still to this day confident that his proposal will go ahead. Rightly, most Australians are saying no to getting – incinerators produce
5 more carbon dioxide admissions of power generated. So in my opinion the proponent’s proposal to power homes from burning particulates should be rejected and instead be replaced with clean energy from solar panels, made more reliable by solar batteries. We need renewable energy in Western Sydney to keep our air breathable, not incinerators to make it worse.

10 As far as disposing of our waste, this requires government leadership to educate us about how to reduce, reuse and recycle waste. This approach also produces 10 jobs per 1000 tonnes of waste recycled as opposed to only one job in and out in landfill or incinerated. No one anywhere should be forced to breathe the
15 carcinogenic arsenic, cadmium, nickel, mercury, dioxin, etcetera, which would be emitted by this incinerator. In particular, the people of Western Sydney deserve than this pollution proposal. Just finishing on this.

MS KRUK: No, please. It’s fine, sir.

20 MR VAIL: I personally have been moved by the dedicated determination of mothers like Belinda Wilson, who’s present here, to protect the health futures of her children and their prospective children for the next 50 years.

25 MS KRUK: Sir, thank you. Can I request Mr Anthony Lewis to come forward. He represents the Black Town and District Environment Group. He has requested 15 minutes. Sir, thank you.

MR LEWIS: It probably won’t take that long, so Rob had a bit of my time. I would
30 like to start just by natural custodians of this land and their daughters, past, present and future. And thank you, Commissioners, for the opportunity to speak at this public hearing. I would like to also start by saying I’m opposed to this proposal and any similar version in the future. As a society we are better than this, and even develop intelligent solutions that will enhance society rather than at their
35 detriment. With regard to three particular points I will start with the environment. From an environmental point of view, whenever humans decide to take over natural land and ecosystems we should consider doing it for a just and beneficial reason is precious and shrinking rapidly due to a development.

40 A project of this kind accuses dispersion from its own waste product sorry. From its own waste, but uses effects not just disturbed, but the area surrounding it. This project will affect the flora and fauna of Sydney, as well as the human habitans. They live and breathe the same air. A study has shown that POPs, the persistent organic pollutants that people have been accumulate in the eggs and
45 muscles of chickens shown in the Balkans research, which leads to the entry of these pollutants into the native ecosystem of the area. The events are currently unclear

about what would exactly and will accumulate, and it will own time in this proposed application if it was approved.

5 We have had human waste issue in Sydney not the rest of the world for a long time. And well-thought systems need to be developed and implemented to fix this. Incineration is not one of those solutions. 1.3 metric tonne of waste – well, now it's changed to 550 metric tonne of waste will be burned, not recycled. This step alone interrupts the whole process of recycling in a significant way. Incineration has been suggested that it disrupts the recycling economic model without putting
10 significant – without putting significant effect on incineration to ensure the trapped energy and value resource is valued.

15 So this point, that if you incinerate at least a charge – something 50 metric tonne – dollars per metric tonne should be placed on it to justify recycling greater than it is now. The waste paradigm needs to be changed. The government advertises to do more recycling, and then claims we are reasonably good at it. When you leave today by car I'm sure you will end up stopped near the side of the road on an off-ramp. Just look out your window at the waste that will be poured on the grass near the kerb. A significant – this overseas product stewardship by manufacturing –
20 by the manufacturer which leads to waste elimination by design. So to that point, I will talk about one of my requests to you at the end.

25 On the second point of health, the world-class air quality standards are required in New South Wales. We do not have them. As an example which Stephen Barley mentioned earlier, hydrogen fluoride is not even in the New South Wales air quality standards, and yet the EU standards set it at one part per million. But at this stage and given the identified cancer clusters around facilities overseas, I actually consider a more stringent standard is required, particularly and need to be set on the particulate concentration and on the measuring/monitoring to the smaller PM1,
30 which is one micron, and PM2.5 particulates. These are the sizes which affect human respiratory health. They get into the bloodstream. They are not measured. They are not the ones that are being measured or the legal requirements are being set on. Because we don't have the current ability on an ongoing basis to monitor them easily does not mean we should not be working on that and making sure that we
35 determine that those standards are set.

40 Given the proponent wishes to burn construction waste, this will include polystyrenes like that burnt in the Grenfell disaster and were previously called EPS or expanded polystyrene. These are now manufactured with flame retardants in them called explant or PIR which generate carcinogens on burning while trying to the self-generating flames. So in the end, not only are the designs of the construction industry going against by trying to create flame retardant, they're actually counterproductive to incineration as a method of disposal and destruction.

45 Similarly, broadloom carpets will be burnt which are basic construction which are basically plastic with adhesives. These are being slowly replaced with carpet tiles, and as an example, Interface Carpets, a case study where the construction

industry could actually move to a more sustainable footing where they actually make
sure the loom and the base can be separated and streamed into the recycling sector
rather than all the – what we do in Australia which is cheap and nasty. So the
industry needs to change to manufacture product stewardship. Incineration is not the
5 solution. In the end, the construction industry should move to deconstruct and
recycle rather than demolish and incinerate.

Regarding using the air dispersion as a primary method of waste disposal for the
exhaust of chemical by-products, which is effectively what they're doing – now, I
10 heard the proponents' representative state that there would be no ash. I'm not sure
what the definition of ash is, but we will have particulates at the very fine levels in
our community. James – Dr James Whelan basically spoke to that. So this concept
that there will be no ash is ridiculous, absolutely ridiculous. Well, yes, keep away
15 from those words. So given that – so I appreciate that even the proponent has asked
to use the EU standards. They even realise that the New South Wales standards are
insufficient. We're in a regulatory vacuum, effectively, in this area. We've got to
lead by setting the regulations before we even consider these such proposals.

So many fine particles, PM1 and 2.5, will get through the plant infiltration process as
20 technology cannot filter at this finer level while maintaining its significant airflow.
These fine particles will then settle out of their air plume and primarily close to the to
the facility. The pots previously referred to are now known to accumulate in the
ecosystem, whether it be in humans or in the or in the animal life. The locations
like Aldi, Woolworths and Lite n Easy that have distribution centres near the facility
25 will become conduits for the further dispersion and contaminate in the wider areas of
Sydney. Once they're contaminated, they accumulate. They don't go away.

As well as we live in a – as well, we live in a well-researched and documented air
basin in Sydney, where air in Western Sydney circulates and lingers for days. It
30 drifts towards the east and back to the west, particularly when there is an area of high
pressure off the east coast. Others have and will speak to the have around the air
quality of Western Sydney. But in particular, Mr Druitt area is known as the
respiratory presentations to hospital are very high. It's the well-known phenomena
with some good representative research that I will table on windfields from
35 Hurley in the 1990s, which basically – the – was put together and explains how the
oxides and all the levels of poor quality basically accumulate in Western Sydney and
just below us in the south-west of Sydney.

Any activity of the facility proposed in the future in domestic residence needs to
40 provide live, transparent, independent air quality monitoring close to the facility.
With respect to humans, I also want to bring up another issue. I wish to bring up
that this whole process has put the community through the anxiety and angst which is
just not reasonable. We should not be here. This process should not occur. We need
to change the process itself. This process has been time-consuming – remembering
45 we're all volunteers. We're all individuals. I've taken a day off work in a casualised
workforce, so I don't get paid today, and I believe in a negative decision of this
commission will not stop the ability for the proponent to reintroduce it at a later date.

We need to legislate. Even if the federal environment member has proposed energy for waste incinerators as a solution to this wicked problem of waste management, which it is not, to achieve this we need to ensure through legislation that it cannot be put in place again.

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MR: Yes.

MR: Yes.

10 MS: Yes.

MR LEWIS: And to that point, you will see Tanya Davies up here, who represents the Liberal Party's government. I would like you to ask her, please, will they vote with the legislation that's already proposed against incineration in residential areas? We need it stopped.

15

MS: Hear, hear.

MR: Yes.

20

MS:

MR LEWIS: I also know that the opportune time to stop such unhealthy proposals is at the outset, now. I will bring the Commission's attention to the recently completed court case in Queensland between Linc Energy and the Queensland Government – environment health. This unfortunate situation only came to result after George Bender took his own life over the incident of a decade of arguing that this issue that they had of coal seam gas in Queensland was actually doing the wrong thing, and there was no EPA or anything putting a stop to it. His pigs basically died, and his daughter is now telling the story. These are the things that we should not have to do. This is a community. We should be represented and supported by the government.

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The current independent process, as referred by the government, creates significant anxiety and stress, as I've mentioned already. The government needs to step up, reapply the precautionary principle, and only allow developments that benefit the community as well as the proponent. The same can be said for the New South Wales government's own proposals. I was at the Hawkesbury Council meeting last Tuesday where a community lady was brought to tears over the Western Sydney corridor proposal that will decimate their planned life and dreams. It's the whole process. I want to – I would like you guys to actually recommend that – not just to stop this, but this whole process needs to be fixed. The dogmatic, uncaring attitude, particularly from people in the eastern side of Sydney, to push onto the western side of Sydney is unjust and needs also to halt.

Let us make our own decisions. Live where you make your decisions. As a third point, I will bring up manufacturing pragmatism. I have personally worked in the

manufacturing industry for 30 years and hold a Bachelor of Engineering and a Masters of Business Administration. I've designed, built and maintained filtration systems through my time, and I'm well aware of their limitations. As such, I can offer my submission that – as such, my submission would – I cannot offer my
5 submission without commenting to the pragmatism of working in this environment. Nowhere did I find the proponent's submission had a clear understanding of how they were going to maintain or manage catastrophic failure of a filtration system.

I asked, "The filters will need replacing. How often? At what cost? At what
10 frequency?" Without independent feedback – independent feedback, how will the public know? It's easy to run them clogged and for all the bad stuff just to go through it. All right. And that's what could possibly happen. I have no idea. I don't want to know. I don't want it to occur. What will happen in event of a significant or catastrophic failure? The same can be said for combustion process. Overseas
15 incinerators have been known to catch fire and feast off the burn outside the filtration cap it's clear that these systems should not just meet the legal requirement hurdles but clear them by a couple of orders of magnitude to the model. You don't just build something that will just meet the boundaries. It has got to be very, very robust so that catastrophic and out of plan sequences do actually also get covered.

20 So in summary, I will ask the Commissioners to reject this proposal for a toxic incinerator that's called an energy for waste facility. As well, I ask that many community expectations are met by the government before any of these facilities are confirmed in the future. The proposal has been considered, as I said before, in
25 almost vacuum of policy governing the issue and hazards that facilities like this produce. Latest knowledge is many years events – the policy and regulation in New South Wales – that this needs to be remedied. So – my final point.

So (1) – so as well as the rejection, I want (1) the New South Wales air quality
30 standards need to be rewritten and improved to world's best practice, the many toxic chemicals have limits set and that air quality monitoring centres are set to provide live online data available to community from independent sources, and that extra monitoring stations are mandatory near any significant facility that wishes to use air dispersion as a method of disposal of these chemicals, which is effectively what
35 they're doing. Otherwise, the facility must have a closed circuit air system and reuse their own processed airways because that feedback loop would certainly sort it out.

The New South Wales – that's number 1. Number 2. The New South Wales
40 government government undertaking consultation and a review of the construction standards of building in New South Wales, with the primary goal of making redundant housing style a deconstruction and reuse process rather than a demolition and disposal. (3) The Australian Government is currently conducting a review of product stewardship. The Australian Government of the environment
45 hold a public forum insight into this, as we've seen. I recommend that the Commission also put a submission in for this review and ask for product stewardship to include the construction, commercial and industrial industries as well.

And finally, the current independent review process of planning is clearly putting its significant pressure on communities and individuals to influence the decisions and proposals that we're made to do. And this process needs its own review to better protect individuals, and a precautionary principle needs to be applied. Thank you.

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MS KRUK: Thank you. So thank you very much for that very comprehensive submission. You've touched on a range of policy points. I know that there are a number of Members in Parliament here, obviously, to hear some of those concerns but we will also take them on board. Can I say on the issue of the public meeting, what was important was given that this is now at the decision-making point of the process was to give people that opportunity. I do want to apologise, given I know the effort that people have gone to. And we really do appreciate the input you're providing. This is quite a pivotal moment in that decision-making processes.

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15 I've just been advised that Ms Prue Car, MP, will be speaking instead of Ms Katherine McKenzie. Could Ms Car come forward, please. Thank you very much. And I think you – Ms McKenzie initially requested 10 minutes. Is that still appropriate for you?

20 MS P. CAR: that's fine – yes

MS KRUK: All right, then. Thank you very much.

25 MS CAR: Thanks very much to the Commissioners for allowing us an opportunity to talk about this shocking proposal and for allowing me to speak, I suppose, on behalf of a large set of communities in western Sydney who really come with one mind about this proposal to put this energy for waste – or to call it what it is, a toxic incinerator in the middle of where people are living and raising their families. Much has been said this – today about the details of the proposal and the reason why we're all here opposing this suggested energy for waste facility. But I just want to pick up on a couple of points. One point raised by the Mayor before about the social licence. I want to say a few things about the social licence and also about the selfless and the resilient people of western Sydney, seriously.

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35 Like, these people that we – some of us are so privileged to represent have fought one of the largest campaigns that we have ever seen in western Sydney against a proposal. People will be aware, the Commissioners will be aware, I'm sure – and most of the public here today that the current Government when they were elected in New South Wales instituted a system where if you collect 10,000 signatures or more on a petition, it necessitates a debate in the Lower House of the Parliament. And we had a debate about this incinerator proposal in the Legislative Assembly. And do you know how many signatures were collected by the people of western Sydney and in particular by the Stop the Incinerator group who are just the most indefatigable group of people I've ever met in my life – 12,000 signatures.

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Now, that is what you call no social licence to build this proposal in western Sydney. That's 12,000 that is no mean feat to collect that for a group of people who have

lives and families and jobs and kids at school and in sport and they're doing this on the side to protect their – the futures of their families. And no one could have put it better than Julie I don't – I think we will be talking about the submission that she made to this Commission for a very, very long time indeed, a very long time indeed.

5 No one can put it quite as well as someone who will be impacted by it personally like that. So I think it's clear that the communities of western Sydney and I think that – and I know the Commission will take very seriously – how this is a watershed moment for western Sydney, in particular, not just for the communities and the suburbs that directly surround the proposal – and that's something that's very dear to

10 my heart, as a Member for an electorate that is a little bit away from this.

It's a watershed moment for western Sydney because I think we're finally standing up and saying, "Why do we have to cop all these proposals all the time?" Why do hard-working people like Julie have to stand here and say, "Is it my postcode that's

15 the reason that I'm fighting against this, that we're not going to see Willoughby or Pittwater or North Sydney – we would never see that sort of proposal?" That's – that when – even the Federal Government, I think, recently were talking about the waste crisis now. Obviously, we've got China not taking recycling waste – talking about incinerators as a potential future solution, well, we know where these proposals are

20 going to be built. We know where these applications are going to be proposed – on the outskirts of Sydney.

And for us, this is the watershed moment. It's a moment saying we do not have to be treated as the dumping ground for all of Australia's and Sydney's and New South

25 Wales' problems, that we can actually fight back and this is what this is here today. And I acknowledge the fact that, yes, this is the pointy end of a long process, but I can't sit there today and not say a big thank you to the thousands of residents from across western Sydney who have fought this campaign for really now years because this proposal has had many iterations, many iterations and there will be a fear that

30 even if the Commission finds in the way that now with the extraordinary situation we see every government department and the Government itself saying it shouldn't go ahead, even if the Commission recommends that this should not go ahead based on all the evidence, that there is still that fear that then it rears its ugly head again, and that – as Antony said, this will only be fixed, of course, if the actual law is changed.

35 So that is my very brief submission this afternoon, that western Sydney stands united from across the greater west that this is not good enough for anywhere, not just not good enough for western Sydney. It's not good enough for anywhere. And we have fought back. And I tell you what, I'm so proud of the people of western Sydney and the campaign they've run and all of my colleagues for standing up against this for so

40 long. And I plead with the Commission to see reason that this is not appropriate, you know, where people live and work and are raising their families and that – the ludicrous situation of someone getting up saying they don't want their children to die to really just be enough. Thank you very much.

45 MS KRUK: Thank you very much for that statement. Could I ask – is it Me – Leah Llagas to come forward – am I close? Llagas? Llagas – thank you very much. And

you've requested five minutes. Could I while we're waiting just remind you if you've done a written statement to help you speak, please give that to us as your formal statement. There has been so much, both passion and strength and points that you really want to push. Don't let that be lost. I think, also, for our public records.

5 So thank you very much for that. Would you like us to move there and have a look or – can I get an indication after this speaker. Is it time for a bit of a break – a comfort break – a biological break? Perfect. Thank you very much. A lot of nodding there, so – I might – if you don't mind, I might move there because I would like to see it, so - - -

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MS LLAGAS: Okay. Good afternoon, ladies and gentlemen. Health problems in Western Sydney are different to those experienced in the inner Sydney and northern suburbs. According to the latest New South Wales Health statistics, admitted patient report published in 2012, only 4.5 per cent of hospitalisations in Royal North Shore Hospital fall under respiratory medicine in the financial year ending 2011. At the Royal Prince Alfred Hospital only 3.6 per cent of those hospitalisations are attributed to respiratory problems. Let's take a look at Mount Druitt Hospital. In the same year the hospitalisations there due to respiratory problems compromised 13.5 per cent of all admissions.

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There may be various reasons for this, but one thing is undeniable, we cannot afford to have an incinerator built in an area where our health is already compromised. And certainly not within 800 metres of homes, and not with three schools within 1.8 kilometres. My own home is only 2.4 kilometres away. My brother's, 2.3. My mum's, 1.5. Where we are now is only 3.3 kilometres. All falling within the so-called sacrifice zone: a geographic area within five kilometres of incinerator sites that has been permanently impaired by environmental damage, economic disinvestment and more cancer clusters due to higher levels of exposure where cancer clusters abound, due to higher levels of exposure to dioxides.

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From a personal point of view I am particularly concerned, because out of our five sons all of them are here today joined by my husband. We have one who has chronic asthma. This is Edward. He just turned eight years last month. He was first hospitalised for respiratory problems on his third birthday. Although an ambulance ride would have seemed like a novel birthday present the magic was lost on us as we began our rollercoaster ride with Edward's asthma. Not long after he was put on a preventer, and since then he has been on a preventer every single day, 365 days a year, on the maximum dose of a steroid based medication one half of the year and a non-steroidal tablet for the other half.

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Despite this, Edward, on average, is away from school two weeks out of the 10 in a school term. That's 20 per cent of school that he misses. We put him in weekly swimming lessons in the hope of strengthening his lungs. We avoid his asthma triggers. And despite all this last year he still went into hospital two times. Many of the dates he is at school he would have his puffer when he wakes up. One at school. He has become an absolute expert in self-administering his puffer. One straight after school and then another one at bedtime. So, in fact, last year, I celebrated Mother's

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Day at Mount Druitt Hospital with him in the children's ward filled with kids with respiratory problems, mostly asthma.

5 It's a dreadfully scary disease which affects so many people I know. Many nights Edward will have an asthma attack, and the only indicator we have is his rapid breathing rate. Sometimes he won't even wake up with his own coughing. So for the last five years either my husband or I have had to speak with him just in case. Can you imagine what the extra air pollution will do to many families who are already suffering? And please don't tell me that they are using some international
10 best available technology that cleans the air, because a statement in the Department of Planning's assessment report of this facility, even after multiple revisions, the applicant has been unable to demonstrate with certainty that there is no threat to human health.

15 Particularly because the potential impacts to air quality, and the risk to human health, are unknown. Please do not allow us to become guinea pigs. Do not allow the most vulnerable in our society, our young, our sick, and our elderly, to be experimented on to see what the impacts are on our health. Some people say that Australia is so far behind other countries, especially in terms of technology. And it is – and in this case
20 I am so glad, because we have had the benefit of learning from the mistakes of other countries who have seen the devastating effects of incineration. In March, a friend in my group No Incinerator from Western Sydney Mr Ayrs, the Minister for Western Sydney.

25 I pled with him to do something for the people as it was taking its toll on countless families. I broke down as I told him of my family's fears of leaving our house which we built nine years ago with everything we had. I told Mr Ayrs that Western Sydney is my home, and it where majority of our family and friends reside. It has been my home since we migrated 26 years ago. We've been so scared that we
30 actually went house hunting in Canberra, because according to an independent study the extent of the effects of this incinerator will reach a 40 kilometre radius. Nowhere in Sydney is safe.

35 I've been fighting it since February last year, and I was physically and emotionally exhausted, as were my seven colleagues in our No Incinerator group comprised mainly of mums and residents who just want what is fair and just: a right to clean air and good health. Mr Ayrs reiterated what our liberal politicians have said, something which we tested, because we know that the government has the power to stop this proposal dead in its tracks. You know what he said? He said, "We have to allow
40 this proposal to go through due process." The EPA and New South Wales Health oppose it, and we have to go through this due process?

45 He also said that this independent planning body has been created because of the number of brown paper bags that were passed around during previous regimes, and here we are. The Department of Planning now also rejects this proposal. For those three major government departments to reject it, I can assure you that no brown

paper bags have come from us this proposal. Let the facts speak for themselves, because our lives are literally in your hands. Thank you.

5 MS KRUK: We have a break? We thank you very much for your submission. Can I suggest we have a 10 to 15 minute break at this point in time? And we reconvene at – Peter, what time? 20 past the hour. Thank you very much.

10 **ADJOURNED** [1.02 pm]

RESUMED [1.29 pm]

15 MS T. DAVIS: Thank you to the Commission for this opportunity. I sit here on behalf of my community, continuing my unwavering opposition to this proposal. There is a constant and overwhelming tsunami of opposition towards this proposal. We know tens of thousands have signed petitions, written letters of objection, and there continue to remain unresolved alarming environmental and health concerns with the incinerator proposal as it stands today. And on that note I would also inform
20 you that while we are considering stage 1 of such a proposal, from my experience with these sorts of matters, if stage 1 of any proposal is given the go-ahead, the community can very well be prepared for stage 2.

25 Despite nearly five years of effort and numerous meetings with experts, the proposal remains flawed, in breach of government policies, and the following statements continue to be found within the expert assessment documents, and I will list them: substantial discrepancies: machinery performance guarantees not provided; previous information provided contradictory; estimate of emissions; compliance remains unclear; do not comply; lack of clarity; emitted pollutants. What is
30 absolutely known now: the proposal before you is incapable of guaranteeing human health, and that it will operate within acceptable and regulated standards.

35 It is impossible to determine that the proposal will be safe for the community on many grounds, least of which is the fact that the diesel engines assessed in the proposal are not the confirmed diesel engines that the proponent will install. Despite as we've heard previously from the Urbis representative, the proposal will use HZI technology existing in 35 countries globally. Still, the proposal before you, he has left a question mark over the diesel engines he's proposing to use. We also know, due to the evidence of Dr Paul Connett and Jane Bremer, that nanoparticles are
40 emitted from incinerator processing. However, there is no government regulation for any incinerator worldwide that sets an acceptable emission limit for nanoparticles.

45 And in addition, there is no proven mechanism to accurately measure the nanoparticles. Currently, Europe has regulations that measure down to 10 microns, and they are now considering lowering this to 2.5 microns. However, nanoparticles are even smaller than this. So how can the proposal before you today guarantee human health when it cannot measure the hazardous nanoparticulate emissions and

there are no regulations to set an acceptable standard of emission? Throughout the assessment process the experts, EnRiskS, HHRA and ARUP, have raised major concerns. Despite two significant amendments to the proposal, ARUP maintains its view the proposed development is inconsistent with the energy-from-waste policy.

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EnRiskS advises it is not possible to be confident the human health risk assessment is appropriate and sufficiently conservative, and therefore the risk to human health is unknown. Furthermore, the proponent has failed to demonstrate a fully operational reference facility that treats like waste streams – a clear breach of the New South
10 Wales energy-from-waste policy. Without reference to a fully operational facility, thermally treating the same or similar feedstock, there is no certainty regarding the concentration and the mix of pollutants in the emissions and, as such, the air quality impacts and health risk estimates are unknown. The New South Wales parliamentary inquiry, the EPA, New South Wales Health, Blacktown and Penrith Local Councils
15 and other experts in their field have raised consistent concerns which to date have not been addressed by the proposal before us today.

Specifically, there are a number of damning and alarming statements presented by experts on this proposal. Floc waste proposed as part of feedstock is potentially
20 hazardous to health, and floc waste has not been categorically eliminated from this proposal's waste stream. It does not demonstrate how the risk of not safely treating chlorine will be appropriately managed over time. It failed to provide adherence to waste hierarchy. The exact diesel engines and emissions are yet to be confirmed. And I think the most alarming aspect is this: the proponent can operate the
25 incinerator for up to 60 hours a year – that's two and a half days – while breaching emission levels.

MS KRUK: Ms Davis, could I ask that you summarise, if that's possible?

30 MS DAVIS: Certainly.

MS KRUK: Yes.

MS DAVIS: This clearly demonstrates their acceptance of emission breaches are
35 worrying some. As it stands now, what will protect my community, our children, our agricultural product right now, as we stand, he's identified a crane driver and some documents. That is all. And this remains unacceptable and I know it will fail. I congratulate the Department of Planning on recommending the incinerator proposal be refused by you, the Commission, as it is inconsistent with government policy and
40 does not meet regulatory standards. But what is most alarming to me and my community is the fact that a proponent has pushed ahead with this proposal knowing full well it is in breach of a number of government policies, regulations and standards.

45 And yet here we are today, still debating whether it should proceed or not. The only guarantee of protection for my community, our families, our future, our farming, from this flawed proposal is your final refusal. Thank you.

MS KRUK: Ms Davis, thank you very much. Could I ask that Ms Shirley Taggart join us? Shirley has requested five minutes. Is Shirley here?

MR: Doesn't look like it.

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MS KRUK: If someone knows Shirley and Shirley comes a bit later, could they possibly get them to come and have a chat with us and we'll try and reschedule her? Greg Jamieson, who has requested five minutes. Greg, thank you very much.

10 MR G. JAMIESON: Thank you, Madam Chair and commissioners for the opportunity to speak today. This incinerator has been rejected on so many levels I don't understand why we are here. But here we are. The question that was asked was how will this incinerator impact me. Well, to start, I'm already upset and stressed about the proposal, and it hasn't even been approved. I am no different to
15 anyone else. If you approach anyone living in Sydney and ask them what they thought about the world's largest industrial incinerator that was being built one kilometre down the road, you would get the same response: it's an appalling concept and doesn't make any sense.

20 I'm not an expert, so I have to rely on what I can observe and the research done by the right people and organisations. I live 800 metres from the proposed site, so yes, I am extremely alarmed. Sydney's air quality is bad enough already without adding to the problem. I'm lucky enough to have views of the mountains. This gives me an excellent way to access some of the concerns. For those of you who don't know, the
25 Sydney Basin suffers from temperature inversion, which basically means that a warm wave of air traps smog and pollution from being dispersed into the atmosphere. That is why the smoke has been hanging around for the last week after the burn-backs being carried out.

30 The pollution pumped out by traffic and industry is virtually invisible. Just because we can't see it doesn't mean it isn't there. We are breathing it in all the time. Smoke is the ideal way to show the effect of inversion on pollution. Western Sydney is the most affected and has the highest incidences of cancer and respiratory illnesses. Industrial incineration produces dioxins and furans as a by-product, which are highly
35 toxic and cancer-causing chemicals, and they are released into the air and the residual ash. What is the safe level for humans? There doesn't seem to be a definitive answer. So to err on the side of caution, I would say there is no safe level.

40 Parramatta is fast becoming the centre of Sydney. You can see future tourism ads saying, "Come to beautiful Sydney, with the world's largest incinerator at its heart." All jokes aside, people think that if they don't live in the immediate area, or they stick their head in the sand, that they won't be affected. The truth is, if you live in the Sydney Basin, you will be affected. Being the largest facility of its kind, there cannot be any modern can compare it to. Using any other facility is irrelevant.
45 The facts from reliable sources are that this technology is becoming redundant in favour of alternative procedures. Wherever these facilities exist there are higher incidences of cancer and poor health.

If the unthinkable were to happen and this proposal was approved, there are other consequences to be considered. Sydney does not produce enough suitable waste to fuel this monster. Alternative sources would be required. It cannot be guaranteed that dangerous toxic waste would not find its way into the fuel mix. There would
5 also be more heavy trucks on our roads adding to pollution and traffic congestion. There has been so much objection to this proposal by different levels of government, health organisations, companies and public communities that I cannot understand why it hasn't been rejected once and for all.

10 I might add that all the objections are valid. The proponent has had ample chances to get it right. The proposal is inconsistent with the energy from waste policy, and there is a huge question mark over health issues. I am personally worried about my health and the health of my community and of Sydney as a whole. I would like to enjoy my remaining years without fighting illnesses caused by an incinerator that never should
15 have been approved. Please reject this proposal which will harm our health and generations to come. Thank you.

MS KRUK: Mr Jamieson, thank you. Now, I think I've got a possible substitute arrangement happening here with Ms Roberta McKenzie not here. Mr Atalla,
20 Member for Mount Druitt, thank you very much. Now, we have five minutes, but does that suit your request?

MR E. ATALLA MP: We will see how we go. I think so.

25 MS KRUK: Give it your best. Thank you very much.

MR ATALLA: Look, thank you, Chair and the committee, for the opportunity to address the hearing today. Madam Chair, back in 2013, I received a phone call from a resident from Minchinbury who received a flier in the mail saying there's a
30 development nearing their residential property of energy from waste, and the phone call went – at that time, I was a councillor at Blacktown City Council. And the lady was enquiring as what's an energy from waste facility because nowhere on that brochure explained what an energy from waste facility is, and so I took it upon myself to investigate and come back to the constituent. And when I started
35 researching, it became apparent that this is nothing more than an incinerator, and all the literature, all of the brochures, the website by the proponent, the word incinerator did not appear anywhere.

40 So to me, this was a deliberate attempt to hide from the residents what this development was going to be, and so I've raised these concerns at council at the time when I was a councillor. And they, through various research, came to the conclusion that this is not a good thing next to residential properties from all of the health reports available on the website in relation to the analysis of these types of facilities, and through that process and through the council, Blacktown Council then doing its
45 own planning research has also concluded that the council objects to this type of facility in this residential area. I'm very critical of the process that has taken place to date. I'm annoyed at the process that has taken place to date. We are now five years

later still having our residents stressed out anxiety because a decision has not yet been made.

MR: Hear, hear.

5

MR ATALLA: How many times have we given this developer a chance to rectify his shortcomings in their submission? The first submission presented in 2013 had so many holes in it, so many holes that a junior planner recommended refusal for this particular application and that should have been the end of the process. Here is a development application presented, here is the assessment and that should have been a refusal. Yet, the Government has sought to give this developer a second go and they said to him, "Look, these are the shortcomings. Can you fix those and resubmit your development application". Well, go number 2 failed the process again. And you would have thought then and there "We have given you two goes to get this right. You obviously can't get this right and therefore we're going to refuse the application" – no.

The Government has thought to give them a third go, and said, "Can you please go back and have a look and fix those shortcomings". To me, that has meant that the Government was bending backwards to get this application approved. So it should have been done and dusted instead of putting all of these residents – and I've attended a public meeting at Minchinbury where there were 500 residents in attendance. I spoke to a lady today who's building a house in a facility. The house is under construction. And she said to me, "Under normal circumstances, people would be excited during the building stage – people are excited to see their house being built" and she said, "I'm not getting that feeling. I don't know whether I should continue building that house or not. I don't know whether I should sell and move".

I spoke to residents today and said, "If this is approved, we're going to move from our residence because we can't put our children at risk". Madam Chair, I've taken the opportunity to go and visit one of these facilities in the UK at my own expense because I was so concerned about all of the stuff I've read. So I said, "Let's go and have a look at it in real life and see what the situation truly is, so I'm fully informed". So I visited an incinerator in the UK. And when I visited the incinerator, I can tell you it was sugar-coated. Everything was nice and rosy. But I decided to go and speak to some residents surrounding the incinerator.

And what did I hear? I heard stench at times, the strong smell, I hear residents telling me sometimes they get headaches and they've complained – a particular incinerator is run by the council in that area. When they complain to the council, they council dismisses the headaches – they're getting this from the incinerator. You can see smokes – the stack producing smokes out into the environment. On a windy day, that smoke blows into the residential area. So I've reaffirmed my position that this is not a good thing to be building anywhere in a residential area. I'm not here saying, "Not in my backyard, I don't want this in my backyard" I'm saying, "We don't

want this anywhere, in anyone's backyard". No resident should be affected. You know, we've heard prior speakers saying

MS KRUK: Mr Atalla, I might get you to summarise - - -

5

MR ATALLA: All right.

MS KRUK: - - - if that's all right. Thank you.

10 MR ATALLA: We've heard prior speakers saying, "Why don't we get it in the North Shore?" I say, "No, not in the North Shore, not in the south shore, not in western Sydney, nowhere in the Sydney Basin". So, Madam Speaker, the health impacts of this has been clearly identified. We have the EPA recommend refusal. We had the Department of Health recommend refusal after we've had the
15 Department of Planning recommend refusal and we've had the 12,000 signatures saying:

...we don't have a social licence –

20 so, Madam Chair, even if you and your committee has refused this application, the only certainty that can be given to the residents if we legislate to stop this type of proposal anywhere in the Sydney Basin and that's the only certainty that these residents will have. I hope you take all of the people's concerns on board - - -

25 MS KRUK: thank you.

MR ATALLA: - - - and refuse this application. Thank you so much.

MS KRUK: Thank you for joining us. Could I see if a Ms Mavis Powell is with us
30 today, who has sought five minutes? Ms Powell? Again, if someone knows Mavis and she comes forward, please let us know because I can make some late changes. The next speaker is Ms Kerry Bradbury, who has sought 10 minutes. Kerry, are you with us? Yes. Is that you, Kerry? Kerry, have you got a presentation or – lovely. Thank you.

35

MS K. BRADBURY: No

MS KRUK: No presentation. Thank you very much. Kerry has flagged that she might need a tiny little bit more. I'm sure that's fine. Thank you. What I've tried to
40 do – you've seen with all speakers, we've tried to give you the time that you've sought but be respectful to the people that have come after you, but thank you very much for that.

MS K. BRADBURY: Thank you, Chairperson Ms Kruk and Commissioners Mr
45 Duncan and Mr Pearson. I would firstly like to say my name is Kerri Bradbury and I'm a Minchinbury resident. I'm – having purchased land in Minchinbury in 1984 when we were engaged and then built in this land in 1989. I've been a long-term

active community member in the local community. I've also been involved in many local community groups long standing member of the P&C at Minchinbury Public School High School. I also have been a committee member of Minchinbury and been enrolled in local community action groups concerns on such matters such as the closure of Mount Druitt pool and no incinerator Western Sydney.

I'm a proud member of my local community. I'm passionate and I care about what happens in my community. My home is within one and half kilometres of the proposed energy to waste facility. Whilst the incinerator will obviously have a negative impact on the local environment is of grave concern to myself, my family and my neighbours, the proposed energy from waste facility incinerator is far more than a local issue. It is an issue that has the potential to negatively affect all of Sydney and any other area which such a facility may be proposed to built in the future. I would like to stat my strong objection to this facility. The reasons why are to do with my family's and our community's health.

The quantity and quality of that took place and the lack of correct detail in the submissions. First and foremost, I am concerned with my family's health. My son suffers from asthma and so do my – many other children in Western Sydney. My suffers from disease and is adversely affected by high pollution I know there are many families in Western Sydney and Sydney who have these same problems. The days of high particulate matter exceeding air quality standards becoming more and more common and because we are on a flat plain here and bordered by the mountains, it causes the air to get trapped.

The community of Minchinbury, Erskine Park, St Clair to Colyton, Rooty Hill, Mount Druitt and many suburbs around are all very close to the proposed site. It can't by guaranteed that our health or the environment won't be affected. In the assessment report for the New South Wales Department of Planning April 2018 stated that:

The applicant has attempted to address these concerns with multiple revisions to the air quality impact assessment and a human health risk assessment. However, the application documents had failed to provide sufficient certainty to the key government authorities and independent experts that the air quality impacts and the risk to health being predicted with an appropriate level of confidence.

New South Wales Health has said in this report it is:

Unable to support the proposal in its current form.

Concerns were raised on accuracy of modelling – using – use for the emissions and the conclusions of the human health risk assessment, management of waste inputs and the increasing ground-level concentrations of ozone levels, also particulate, dioxins, dioxins and the subsequent potential impact on health –

human health. Secondly, quality and quality of consolation has been poor, in my opinion. I strongly feel that the consultation of contacting an active community member two at the very beginning was not enough to inform the wider community of this upcoming development application. I also feel that suggestions that I made
5 overall were mainly ignored.

I was contacted by in late November 2013 to invite me to a tour of the Genesis recycling facility at Eastern Creek. I went out to the recycling facility on 13
10 December 2013 and met with and [REDACTED] from the KJA Consultancy. I was given a tour and then shown a video of the Next Generation Electricity Generation Facility – that’s what they called it back then. The video showed how rubbish was trucked in and unloaded on a conveyor belt and then put in a furnace where it was heated up to very high temperatures. The video said the emissions were safe due to filtration. I expressed my concerns there that day after seeing the video.
15 I was assured it was safe. They said they wanted to invite the community to an open day. What do I think? At the recycling facility, and I said, well, I feel it’s a bit – it was going to be either December or January. I said I feel it’s the wrong time of year to be doing it because Christmas and holidays. And I suggested February.

I rang [REDACTED] later to say that I don’t think the timing was good. I – I discovered that February is not a good time either because they’ve got sports on Saturdays and family that – busy doing sport, and I emailed [REDACTED] to say it might not attract a lot of people due to the sporting commitments, and, also, it was not easy – not an easy location to get to. It was a bit far out and out of the way, windy and – yes. And it
25 would put people off. In my email, I suggested instead trying shopping centres, setting up at shopping centres at Mt Druitt, Minchinbury and Erskine Park, so residents could see the plans and be informed. Also, that an information session be held at Rooty Hill RSL. My thoughts were that the community needed to know about this. I felt very strongly about that.

I explained to [REDACTED] that I had tried to communicate on Facebook to the community and that it didn’t really have any success. I really felt the best way was to go out into the community to reach people, and I have had experience with that myself, being on committees, and that’s the way to go. Prior to the meeting, I was sent a sample of the
35 brochure that was going to be sent out to residents. Looking back on it now, I feel that it was misleading. I have all these emails and the brochure in here, which I will hand to you.

MS KRUK: Sure. Ta.
40

MS BRADBURY: In the brochure, it said electricity generation facility. It explained that thermal technology would convert waste that would otherwise go into landfill into green power. I had no idea what that meant. I had no idea what thermal technology meant, and I doubt that the community will have either. The brochure
45 also said there would be extensive community consultation, and that did not happen it was not until February 2017 when Blacktown and Penrith Councils held information forums for the residents with TNG representatives to speak about the

proposed incinerator. That was the first time that consultation had properly occurred. I have all the emails relating to my suggestions in – into a meeting here.

5 The planning also didn't notify enough residents, in my opinion. 3000 people within a two kilometre radius. You know, this means that three-quarters of Erskine Park residents, most of the St Clair residents and none of the Colyton residents would have been notified at all, which is why Julie didn't get notified. Advertisements were placed in the Penrith papers and Blacktown Advocate, Sydney Morning Herald and the Daily Telegraph, and this was put in the assessment from the Department of
10 Planning, the assessment report, and I note that nothing was put into the Mt Druitt Standard or the St Marys which is our local papers, which is a silly thing.

15 It was evident that not enough was done to inform the community, and getting signatures for petitions, myself and other residents, as part of the No Incinerator for Western Sydney, found people were not aware of it or had only just found out since it was on the news on TV or from a forum by Blacktown Council and Penrith Council, although the meeting organised by was Jeremy Buckingham, which was the meeting that Julie went to. When No Incinerator for Western Sydney started surveying residents in the May 2017, we found 72.5 per cent of the residents –
20 that's 29 people out of 42 people that we surveyed, which took a long time to survey – did not know about the TNG energy from waste incinerator until February/March 2017.

25 Likewise, at family fun day on 6 May 2017 at St Clair, we found 74 per cent of people, which was 26 out of 35 people surveyed, didn't know about it or had just found out about it in the last two to three months. So I strongly feel letterbox dropping a brochure and CD or USB in both the 2015 and 2017 when they put the application on display on the website, they put the brochures in the letterbox with a CD in 2015, and then in 2017, they put a brochure in the letterbox with a USB
30

MS KRUK: Kerri, I've pushed you just a couple of – another minute. Is that all right?

35 MS BRADBURY: Yes.

MS KRUK: Yes, great. Thank you.

40 MS BRADBURY: be okay. Maybe two?

MS KRUK: No, I think I've got you on 15 already. I will get in trouble - - -

MS BRADBURY: Okay.

45 MS KRUK: - - - with your colleagues - - -

MS BRADBURY: I'm sorry. Okay.

MS KRUK: - - - afterwards.

MS BRADBURY: Yes.

5 MS KRUK: This is in your submission, isn't it, because - - -

MS BRADBURY: Yes. Yes.

10 MS KRUK: - - - the chronology is very, very useful.

MS BRADBURY: Most people would have just have thought it was more a – I feel personally that most people would have thought it was more advertising and thrown it in the bin. We get lots of junk mail. Furthermore, a letter from the New South Wales Department of Planning dated 25 May 2015 informing us that an application
15 was put in had a misleading title. It had title Eastern Creek Energy From Waste Facility. Then right next to it Blayney Export Meat Small Stock Abattoirs, and I have this letter with me as well. And I thought straightaway that's going to be very misleading to people, and only because I've been involved with it since 2013 and I knew what this meant – the – what energy from waste meant – it was only that I was
20 already familiar with this that I read on.

I don't think many people would have read it. Once again, when surveying we found that most people didn't know about it until February/March last year. Consultation did not happen with all the community groups either. The local soccer
25 club, Minchinbury Jets Soccer Club, did not get approached or consulted by TNG, and yet in the second report, his – they said that they consulted community groups. So I don't know. They didn't consult all the community groups. My husband is actually on the committee as the secretary and president, and he has been since 2004. And he had no correspondence.

30 And the Minchinbury Soccer Club is only 1.6 kilometres from the proposed site and you would think they would've been consulted. From May 2015 up until the amended EIS came out on January 2017, there was no attempt made to hold an information meeting by TNG. We had – we only had a forum held by Blacktown
35 Council on the – on the incinerator in June 2016 in Minchinbury where we heard more information about it which we didn't know about and for some residents, they found out for the first time

40 MS KRUK: Kerri, could I get you to summarise, if that's possible, please, thank you.

MS BRADBURY: very important

45 MS KRUK: Yeah, it's all very important.

MS BRADBURY: Yeah.

MS KRUK: Yeah.

MS BRADBURY: There was a telephone survey done and one of my friends who lives in Rooty Hill on the 2nd or 3rd of August – it was a market research company
5 ringing from Queensland. The man wouldn't identify who he was calling for but was surveying about energy. He did admit it was about the energy-from-waste incinerator at Eastern Creek after my friend Julie questioned him. However, the questions were slanted in a way to ask her to agree to energy options imposed. She had no other choice. I have a copy of the conversation Julie had with me on a
10 message about it and I've got that for you as well and Julie's phone number is on there as well.

MS KRUK: Okay.

15 MS BRADBURY: - - - to verify it. My point here is, this is presented as evidence today, or has been presented as evidence in previous submissions by - - -

MS KRUK: This is the survey that's referred to?

20 MS BRADBURY: Yes - - -

MS KRUK: Okay.

MS BRADBURY: - - - this is like a market research survey, but TNG, like, did
25 have permission.

MS KRUK: I understand.

MS BRADBURY: If they have presented that as evidence that people accept this –
30 and the questions were slanted in a way that was skewed towards what the person wanted to say – you didn't have a choice of what – you know. As in, they wanted people to say energy-from-waste was a good idea. As quoted in the assessment report, the Department of Planning does not consider the entered into genuine dialogue with the community, nor has it made their acceptance And my final
35 one, just very quickly. The continual lack of correct detail that was brought up in the assessment report is very concerning, and, you know, the rigor, as put in the assessment is of major concern. After three attempts and still not satisfying the same independent experts and consultants, the EPA, New South Wales Health and the Department of Planning.

40

The department concurs with Arup and the EPA that is not clearly treating a like-waste stream, regardless of what Urbis has just said. Therefore, concerns are raised about accuracy of modelling. In conclusion, the unknown impact on air quality, the environment, on the health of my family, my community, as stated by New South
45 Wales and the EPA, is a major concern. Lack of community engagement and consultation is also a major concern. I do not know what that 1800 number was,

never knew about that. That's also put on that report. The notification process of the development application going

MR: Kerry, I'm going to have to pull you up here.

5

MS BRADBURY: Okay. The fact that saying there's an issue on the petition. 98 per cent of the public submissions were against it. It's enough to say that there is no community acceptance and I ask the Commission, please, to follow the recommendation of the Planning Department to reject the application. Thank you.

10

MS KRUK: Thank you very much. Kerri also promised us quite a number of documents, which we'll take you up on that proposition. Could I ask Dianne Fitzgerald to come forward if she's here. Dianne has requested five minutes. Can I also say, if what you feel has been said before, just make that quite clear. You need not restate it fulsome. Just make that very clear. So you need not repeat it. Dianne, are you here?

15

MS D. FITZGERALD:

20

MS KRUK: Excellent. See, my glasses are on the wrong setting. We met in the bathroom. Thank you very much. How embarrassing.

MS FITZGERALD: Well, I don't have anything new to say, but I'm here so I'll say it.

25

MS KRUK: Please, please go for it.

MS FITZGERALD: live some new life with fresh air and healthy environment in the city. And I've lived here since 1958 and value my surroundings very much. The area in Western Sydney is already polluted and we don't need an incinerator burning seven days a week for the next 50 years to add to it. The Eastern Creek incinerator would have two 100-metre smokestacks pumping out cancer-causing emissions such as arsenic, cadmium, nickel, mercury and dioxins 24 hours a day, seven days a week for the next 30 to 50 years. An independent study has incinerator emissions flue will be one of the largest in the world. It would travel up to 40 kilometres, putting the air quality of all Sydney residents at risk.

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I live only 800 metres from the proposed incinerator, and there are hospitals, schools, baby crèches, football fields and shopping centres just as close – never mind the residents. I say we've got to stop this incinerator in its tracks right now.

40

MS KRUK: Thank you very much for that submission. Could I invite Kim Wright to come forward. Kim as requested 10 minutes. Kim, have you got a presentation? I should quickly have a look. Here you come. Thank you.

45

MS K. WRIGHT: Thank you to the committee and Madam Chair for listening to me today. Good afternoon. My name is Kim Wright and I have lived in and raised a family in Minchinbury over the past 29 years. I live 1.19 kilometre from the proposed incinerator. My first introduction to the possibility of an energy-from-waste facility being anywhere near my home came by way of a notice of exhibition from the New South Wales Planning and Environment on 25 May 2015. However, below the headline of Exhibition of State Significance, Development Application, it said:

10 *Eastern Creek energy-from-waste facility, Blayney Export Meats small stock abattoir.*

Due to my lack of knowledge of incineration, and the seemingly innocuous heading of export meats small stock abattoirs, and lack of included information, I disregarded the notice at that time. I did, however, keep it. It wasn't until April of 2016 that in a conversation with my neighbour I found out that an energy-from-waste incinerator – what it was and what it would mean to our community if it went ahead. My neighbour, being an inquisitive person, had done his investigation to inform himself. What he told me rang alarm bells and made me contact other people in the community who were equally concerned.

It wasn't until Jeremy Buckingham from the Greens organised a meeting at Erskine Park Community Hall on 13 April 2017 that public knowledge began to grow. Because of Jeremy's involvement through advertisements on television, public announcements, the production of anti-incinerator stickers that were letterboxed to local residents, the real nature of this proposed facility was finally gaining public awareness. So having formed a group comprised of local residents, we continued to try and educate ourselves, and also tried to inform the rest of our community about the proposed incinerator. Groups like the National Toxics Network provided us with up-to-date information on the incineration industry.

With this growing knowledge extreme levels of concern for our group and we made contact with our local Labor MPs and realised they shared our concerns. Since then, we have attended community forums held by Blacktown Council, left signatures for a petition to stop the proposed waste incinerator, by doorknocking and attending various community festivals, by forming several Facebook groups. We've done radio interviews, liaised with many politicians from the Greens and the Labor Party. We've attended Parliament and generally tried to think of any method we could think of to raise public awareness.

This has been a long drawn out process that caused immeasurable stress to the people in our group and to those who had followed us on our Facebook pages. We're a group of people who do not have the benefits of vast wealth that the proponent has. We have struggled to get our message across in some elements of the media is slight, making numerous requests. The proponent did not seem to have this same problem after we raised awareness with the politicians. He was seen to give radio and

television interviews after this. The proponent even offered to give some residents of Minchinbury and Erskine Park, free solar panels if the development went ahead.

5 As recently as this past weekend when I handed out 200 flyers about today's public meeting, right, this was at Minchinbury fruit and vegetable market, roughly half of the people I spoke to still had absolutely no knowledge about the incinerator. Every single person in our group has found this to be the case throughout our campaign to raise public awareness. Considering the health and environmental impact this proposed facility will have on Sydney, the proponent has not done anywhere near
10 enough to inform the public about the development.

And members of our group, no incinerator for western Sydney, on a daily basis are asked by the public why have I not heard about this before? You know that far more was needed to be done by the proponent in this area of communication. As part of
15 our efforts to educate ourselves about energy from waste facilities, we made contact and met up with Dr Paul Connett at the completion of his speaking tour in New Zealand. Dr Connett is a graduate of Cambridge University in Canton, New York, America. He has a PhD in chemistry from Dartmouth College, New Hampshire, United States, and has taught chemistry and toxicology for 23 years. He has now
20 retired from his professorship and is currently director of the American Environmental Health Studies Project. He travels the world educating the public on the effects of waste incineration.

We learnt that energy from waste technology is not new. It has been operating in
25 many countries overseas for a long time. Waste incineration is the controlled burning of waste where heat is recovered to reduce steam, then in turn, produces power through steam turbines. Incinerators produce acid gases, toxic metals like lead, cadmium, mercury, arsenic and chromium. As a result of the burning process, they also produce dioxin and furans. None of these toxic elements can be destroyed.
30 At best, they can only be captured in filters at extreme cost and even then, not with complete success.

In their proposal to build the city incinerator, the company even said, and I quote,
35 "The proposed facility may release substances to atmosphere which has the potential to harm human health." Incinerators produce ash and slag, which is the residual matter at the end of the incineration process. The ash and filters become hazardous waste themselves and have to go into special secure landfill so as not to come into contact with animals and humans. However, the toxic elements can leech out into the nearby land, contaminating it and any nearby resources – sorry, sources. The
40 waste to energy industry promotes itself by saying that incinerators eliminate waste going into landfill and as a result, stop gases like methane being released into the atmosphere. Interesting, is it – isn't it that they do not – have not been forthcoming about the incinerator production of toxic ash that requires it to be disposed of in land put aside specifically for hazardous waste.

45 Waste incinerators produce particular matter which is very small, solid and liquid particles suspended in the atmosphere that can travel long distances from the original

source of the pollution. Particulates carry the toxic metals and dioxins and furans that I have already mentioned. These elements are so toxic they endanger human health. So what do the particulates carry – carry these toxic elements through our atmosphere actually do to us? Particulates cannot be seen by the human eye and are
5 so small they can be inhaled into the lungs. From the lungs, they then pass into the bloodstream and travel throughout the body. They are capable of crossing the placenta, the blood/brain barrier, and accumulate in the orders causing irritation, illness and/or even death. This is a documented fact and is discussed at length on the New South Wales Department of Planning and Environment website.

10 Exposure to particulates in the short term can cause eye, nose and throat irritations. People with asthma and bronchitis get progressively worse as do people with pre-existing heart conditions. To such people, particulate exposure can lead to irregular heartbeat and heart attack. Long term exposure causes decreases lung function, the
15 development of respiratory and cardiovascular diseases in previously health people. A faster progression of these diseases also occurs, early death, cancers – especially lung cancer, mental health disturbances, Alzheimer’s, lifelong developmental like autism, premature and underweight babies, interference with hormone – hormone that regulate foetal development. They also interfere with the development of male
20 and female sex hormones with thyroid hormones and with the immune system of the foetus. I’ve still got a little bit more, not much.

MS KRUK: Kim, could you just summarise your main points.

25 MS WRIGHT: I’ve still got a little bit more on that point to do.

MS KRUK: Okay.

MS WRIGHT: There’s not much more.

30 MS KRUK: Okay.

MS WRIGHT: Aside from breathing these toxic compounds directly into our lungs, we can also take it into our bodies by locally produced food or from water that has
35 been contaminated by air emissions. Another way is by eating fish, chicken and any other wildlife that has, themselves, been contaminated. The toxic metals and compounds are also transferred from contaminated chickens to the eggs they lay and then, of course, to us once we have consumed them. With dioxin, our bodies are not able to get rid of it once it is present. Like mercury poisoning, the levels can only
40 rise. This is, however, if you are a man. There is a method for women to reduce dioxin levels and that is by having a baby. The baby received dioxin from its mother through the umbilical cord and the transfer process increases the concentration of the dioxin. As I’ve already said, this has extreme health consequences for the baby. It is worth noting at this point that Aldi and Woolworths have food distribution centres at
45 Minchinbury immediately across from the proposed incinerator. Lite n Easy also have a distribution centre that is adjacent to where the incinerator would be built. What about our elderly? Their immune systems are already compromised and their

heart, lung, brain function and blood circulation are also deteriorating due to the process of ageing.

5 So what does this all mean for our healthcare system? It will mean an increased number of hospital admissions across all of Sydney, but particularly, in the outer western suburbs. We've already had a major bed shortage in our hospitals, so an even greater admission rate would cripple our health system. As a better alternative to incineration, we need to move towards zero waste economy by (1): reducing the amounts of waste by removing all unnecessary packaging; (2) by reusing; (3) by recycling; (4) by composting; (5) saying to industry, "If we can't reuse it, can't 10 recycle it, can't compost it, you shouldn't be making it."

The recycling industry is better for our economy as it generates more jobs than the waste incineration industry where most of the jobs occur in a setup place and then 15 stop. We need to realise that our natural resources are finite – that once they are gone, they are gone for good. If we burn in incinerators, not only have we immediately lost a resource, but the time, energy and money that was needed to make something from the raw materials is also lost. There is no quick easy solution to our waste management problem because as a society, we have to moderate our 20 consumption, turn off our TVs that tell us what to buy every minute of the day.

MS KRUK: Kim, I'm going to have to wind you up here.

MS WRIGHT:
25

MS KRUK: I've got a couple of 15 minute speakers coming after you.

MS WRIGHT: Okay. I'm almost - - -

30 MS KRUK: Thank you.

MS WRIGHT: I'm almost right at the end.

MS KRUK: Thank you.
35

MS WRIGHT: This is just the summary because if we take the quick solution, we will poison our children with hazardous toxins, render land unusable because of toxic ash, and permanently deplete the world's resources. I would like to publically thank everyone who has helped us in our plight to stop this proposed waste 40 incinerator, particularly the Greens and the Labour Party. I wish also to acknowledge the efforts of the rest of my group, No Incinerator for Western Sydney. I'm asking you, the committee, Madam Chairwoman, please, to put a stop to this proposed incinerator, and I think you very much for your time today and listening to me.
45

MS KRUK: Thank you for your submission. And our next speaker is Melinda Wilson from No Incinerator for Western Sydney. Melinda, that's right, the organisation?

5 MS WILSON: Yes.

MS KRUK: And you have a presentation.

MS WILSON:

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MS KRUK: Okay. Thank you. You are looking for 15 minutes. Could I ask if that's possible you keep for 15 minutes. I'm conscious of having promised other speakers in terms of timing.

15 MS WILSON:

MS KRUK: Do your best. Do your best.

MS WILSON:

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MS KRUK: All right. Thank you. I might shift over here.

MS WILSON: Okay. So while we're just getting this ready, I just wanted to say that the PowerPoint is actually – it has been created by Dr Paul Connett. So the previous speaker was speaking about Dr Paul Connett. When he came to Australia, he actually did this PowerPoint, presented it to us, so I would like to show you quickly. Okay. So Incineration Doesn't Make Any Sense in the 21st Century by Paul Connett incineration is bad for the local, regional and global economy. Incineration is the most expensive way of dealing with waste.

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It is the most expensive way of making electricity. Incineration is not in the community's interest. It creates a jobs. It's a threat to agriculture, tourism and industries. It's a threat to company values, a threat to health and the intellectual development of children. Now, that's an important one. This is our children.

35

Incineration produces toxic air emissions. It produces toxic ash. It does not get rid of landfills. Incineration is a waste of energy. It is a wasted opportunity to fight global warming, does not lead us towards a sustainable society, far better alternatives, sustainable alternatives. See in the 20th century these were our goals. Our goals now is – should be:

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How do we handle our discarded resources in a way which do not deprive future generations?

Now, incineration causes a lot of problems for future generations. The key issue today is sustainability, a circular economy. Incineration does not create a circular economy. We would need five planets if everyone consumed as much as the average American. Meanwhile, India, China, are something has got to change, and the

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best place to start with that change is with waste a throwaway society to a sustainable society. Have to move from a linear economy to a circular economy. This is linear economy of what we used to think was a good idea. Destruction of raw materials, consumption, waste, which is going to landfill. So the global impacts are
5 – is the exhaustion of fossil fuels and mineral resources, lots of production of carbon dioxide, global warming. So how the different waste handling methods impact on the linear economy. This is landfilling.

10 When we bury our waste, we have to go backwards to square 1. There was no movement towards a circular economy. When we burn our waste, we have to go back to square 1. In addition we put out toxic air emissions, more carbon dioxide and are left with toxic residues. Incineration is not a sustainable solution. Local incinerators produce a little little energy but globally are a huge waste of energy because they waste the opportunity to recover the embedded energy in the extraction,
15 transport and energy use of the linear society. Far more energy is saved in recycling, reuse and composting. So energy comparison rates, recycling versus incineration.

20 You can see the energy saving from recycling is a lot greater than the energy saving versus in the incineration – a huge difference there, and a huge wasted opportunity to fight global warming. Recycling our discarded materials back to industry we eliminate the global impacts of the when we reuse products, we cut out the global impacts of extraction and manufacture. When we compost the organic we reduce the need for synthetic fertiliser compost, also nutrients and carbon.
25 Incineration is not good for tourism. As far as sustainability is concerned, every tonne that we bury or burn takes us in the opposite direction, whereas every tonne that we compost we reuse and we recycle and we avoid. It takes us in the right direction. Incineration puts many highly toxic and substances into the air. So these are the air emissions: CO₂, acid gases, toxic metals, as well as Dioxins and
30 purins.

Now, these are also the size of particles which is 0.1 nm to 100 nm. There are no regulations for nanoparticles emitted from incinerators and gases that
35 respiratory problems for local people, major problems with toxic metals, lead and mercury, is that they are brain damaging. They're neurotoxic. The major problem with Dioxins and purins and related compounds is that they are highly persistent and accumulate in the so in our things like our meat, our eggs, our chickens, Dioxins are a major health concern. Dioxins accumulate in animal fat. One litre of cow's milk is the same dose of Dioxins as breathing air is to the cow for eight months.
40

In one day, the grazing cow puts as much Dioxin into his body as a human being would get in 14 years of breathing. Dioxins steadily accumulate in the body fat. The man cannot get rid of them, the woman can by having a baby, thus the highest dose of Dioxin goes to the foetus and then to the newborn infant via breastfeeding.
45 Dioxins interfere with the foetal and infant development. Dioxins act like fat-soluble hormones, destruct male and female sex hormones. We must get dioxins out of our babies. This is our children. These are will go – to our children. This is not

what we want. Foetuses and breastfeeding infants may be at particular risk from exposure to dioxins and like compounds due to their potential to cause adverse neurodevelopment, neurobehavioural and immune system defects in developing systems.

5

A committee recommends that the government place a high public health priority on reducing DLC intakes by girls and women is likely to occur by substituting low fat or skim milk for whole milk and foods lower in animal fat. We must keep dioxin out of our food chain. Once it's there, it's there for good and it will only increase.

10 While modern incinerators have reduced toxic metals and dioxins – emissions – there is no real accountability. The most toxic emissions are not monitored on a continuous basis, but only the spot tests conducted tests for dioxins made one, two or even four times a year are a confidence trick played on the public.

15 Ultrafine particulates – the size of particulate in an incinerator emissions are from PM2.5 to PM10. So anything under PM2.5 is not regulated, is not captured. We know that PM10 and PM2.5 cause many health problems. In urban areas, both mortality and morbidity increase with particulate levels. The smaller the particulates, the worse it gets. Incineration of narrow particles – narrow particles are not
20 efficiently captured by air pollution control devices. They travel long distances, remain suspended for long periods of time – penetrate deep into the lungs. Narrow particles are so small they can easily cross the lung membrane, and I just wanted to in relation to narrow particles.

25 There has been a failure – it has been proven that there is a failure of waste energy – incinerator filters. Information submitted to the UK East Sussex, Brighton and Hove local plan public inquiry in 2003 by Veolia confirms incinerator baghouse filter collection efficiency for ultrafine particulates is only 5 to 30 per cent. This proves 70
30 to 90 per cent of these ultrafine particulates will be released into the air if the incinerator at Eastern Creek goes ahead. This is not acceptable. Narrow particles are so small they can easily cross the lung membrane. Once narrow particles have entered the bloodstream, they can easily cross the membranes of every tissue in the body.

35 So this was the case that I was just referring to in relation to the filters; it was the waste to energy facility that it was in relation to. Incineration does not get rid of landfills. U still need landfills to handle the ash. Over half the money spent on building an incinerator today goes into the cost of the air pollution control for every four tonnes of trash you get, at least one tonne of ash which goes to landfill –
40 specially – you know, it's actually toxic, so it has to be treated specially. The better the incinerating protecting the air from toxic metals and dioxins, the more toxic the ash. Is the ash toxic? Most countries think so. In Germany and Switzerland, the fly ash is put into nylon bags and placed in salt mines. In Japan, many of their incinerators vitrify their fly ash and some even bottom ash to prevent leaching out of
45 metals. In Denmark, they sent all their ash to Norway. In the UK, the fly ash is sent to hazardous waste landfills. Okay.

So this is what the ash looks like. This is a truck that's actually dumping off some of that toxic ash. You can see how fine and how light it is – that the air's picked it up and is taking it into the air where those people's homes are. This is a combined ash monofill. Now, all of that fill up there is toxic ash from the incinerator. How much ash are workers at the incinerator exposed to? How are the workers monitored for toxic metal and dioxin exposure? Is the health of workers monitored? How much lead ends up in surface runoff water on rainy days or when surface How much of the fine ash particulates are carried by the wind to nearby homes and unloading that landfill? During movement of landfill how much of the mercury re-evaporates from the ash on hot days?

The modern incinerator is that idea. Our task in the 21st century is not to find better ways to destroy discarded materials, but to stop making packaging and products that have to be destroyed – the better alternative to incineration and landfills. The waste problem will not be solved with better technology, but with better organisation, better education and better industrial design. These are key components of a zero waste strategy. Now, I will – I have this Ten Steps to Zero Waste; I'm just going to leave it for the panel to look at at their own leisure. It's on the thing that I've given you. So I just wanted to read a few other things. The incinerator at proposal at Eastern Creek fails to meet the basic principles of the New South Wales energy from waste policy. Our community survey which is in this folder here – which is also on that flash drive I've given you – of 1200 people shows 98.3 per cent of people surveyed were opposed to the incinerator. 12,000 people signed petitions to the Legislative Council and the Legislative Assembly against the incinerator going ahead. This proves community acceptance to operate has not been attained.

The incinerator fails to meet the basic principles of the Renewable Energy (Electricity) Act of 2000. The Act specifically excludes fossil fuel-based materials such as plastics, while the proposal at Eastern Creek would burn plastics. Burning waste fuels based on petrochemicals which are fossil fuels and burning plastics derived from fossil fuels does not create green energy. It is simply burning fossil fuels in another form and is therefore in breach of the Act. The incinerator fails to meet the basic principles of the European Human Rights Convention. Waste to energy incinerators can contravene basic human rights, as stated by the United Nations Commission on Human Rights. The foetus, infant and child are most at risk from incinerator emissions. Their rights are therefore being which is not in keeping with the concept of a just society, nor is the present policy of locating incinerators in deprived areas where the health effects will be maximal.

The incinerator fails to meet the basic principles of the Stockholm Convention on Persistent Organic Pollutants. The Stockholm Convention is a legally binding international instrument that aims to eliminate or restrict the production and use of persistent organic pollutants. Waste to energy incineration goes directly against the directive of the Stockholm Convention by releasing persistent organic pollutants such as dioxins and furans into the environment. The incinerator proponent fails to

meet the fit and proper person test under section 83 of the Protection of the Environment Operations Act.

5 The proponent has 18 EPA breaches on associated since 2005. The proponent has contravened environmental protection legislation making him an unfit person under the Act. The incinerator will produce ultrafine particulates. The proponent's EIS states that ultrafine particulates will increase as a result of this project. Ultrafine particulates are particulate matter of nanoscale size – less than 0.1 nm or 100 nm in diameter. Regulations do not exist for this size class of pollution. They are much smaller than the regulated PM10 and PM2.5 particle classes and are believed to have several more aggressive health implications than those classes of large particulates.

15 A government health study provides ultrafine – sorry, a government health study proves ultrafine particulates kill more people each year than traffic accidents. The National Environmental Protection Council released a health study on 3 August 2017 that showed Sydney residents had their lives reduced by an estimated 72 days for men and 65 days for women by breathing in fine particulate pollution based on 2008 exposure levels and this is before incineration – incinerator is built. The reports show 520 deaths in Sydney every year are caused by fine particulate pollution – more than traffic accidents.

25 Many studies show communities around the world living close to incinerators – even modern facilities – suffer high rates of cancer and respiratory problems. The Paris Memorandum supported by the European Standing Committee of doctors representing 2 million doctors urged a moratorium on building any new incinerators due to health concerns. A study completed by George Burstyn in November 2017 found that waste to energy incinerator carried the same health risks as second-hand cigarette smoke. The increase in lung cancer from long-term exposure to fine particulate matter is roughly the same as the increase in lung cancer of a non-smoker who breathes passive smoke while living with a smoker, or about 20 per cent increase in lung cancer risk. A study published recently in the American Medical Association's JAMA Paediatrics Journal is the first to examine the impacts of ultrafine particulates on health. It found an increase in PM1 of 10 micrograms per cubic metre over the entire pregnancy led to a nine per cent increase risk of preterm birth. We don't want our children and grandchildren breathing in incinerator emissions 24/7 for the next thirty years. There are 15 schools and six preschools surrounding the incinerator site with the closest preschool only 800 metres away. Homes and workplaces are only 800 metres from the incinerator site.

40 All through – all the way through this incinerator development process, every important meeting has been on a workday making it impossible for people to attend. The site visit to Dial A Dump was on a workday with only one days notice making it impossible for many people to attend. Today's public meeting is also on a workday making it impossible for everyone to be here. No Incinerator for Western Sydney was set up to represent the wishes of everyone in Western Sydney who are against the incinerator.

MS KRUK: Melinda, are you nearly done?

MS WILSON: Yes.

5 MS KRUK: Thank you very much, Melinda. It's also been very useful to see that Connett study. So thank you - - -

MS WILSON: Okay.

10 MS KRUK: - - - for providing that.

MS WILSON: So everything that I've showed you today I have put on the flash drive.

15 MS KRUK: On the flash drive. Thank you.

MS WILSON: I have quite a few documents on there.

MS KRUK: Please give us as many documents as you've got.

20

MS WILSON: Okay. So everything I have given you – see, I have got my name on that. So you're going to know that's from me. Yes, that's got a copy of my speech, the - - -

25 MS KRUK: Can I also say all the documents you give to us will be in the public arena as well - - -

MS WILSON: Yes, that's fine.

30 MS KRUK: - - - too. So have no concern with that.

MS WILSON: Yes.

MS KRUK: Okay.

35

MS WILSON: That's fine.

MS KRUK: All right.

40 MS WILSON: So everything – yes. And there's actually an additional written submission as well there for you.

MS KRUK: All right, then. Melinda, thank you very much.

45 MS WILSON: Thank you

MS KRUK: Could I check if – is it a Mr Rafael Perez – is here. Rafael? Could I refer to the next speaker then, Mr David Archbold, who had sought 10 minutes. David, are you here?

5 MR D. ARCHBOLD: Yes.

MS KRUK: David, thank you very much.

10 MR ARCHBOLD: Well, hello, everyone. Thank you, Madam Chair, and thank you, panel, for taking my submission. I will speak slightly different to the other speakers because these topics have been well covered, but I speak respect and the importance of a clean environment. We read every day what we're doing to our planet. In a practical way, my background is my family tree. Richard had an orchard from Pacific Highway to Middle Harbour. My father in his position at the Ku-ring-gai Council spent all his time planting trees; thus, the area we have Ku-ring-gai
15 National Park and Park, two huge areas.

And we move west. We have what was the Greater Western Sydney Parklands is now Pacific Parklands where this incinerator is going to be built. And we've got
20 OneSteel, and the list is endless, what has been built in and around that supposedly great park that was supposed to mirror image Centennial Park. So as I was saying, between – we have a great contrast between the north and the west, and governments – New South Wales Government through planning has spent all their time positioning unwanted experimental dumps, pipedreams, to the west. The list is
25 endless.

Now, I'm also an athlete – a distance athlete. So I travel in my runs over the years huge distances. I've run actually Portsea to Melbourne, 100 ks. So I get to breathe and see firsthand our environment. I can take you to SOPAC, Sydney Olympic Park
30 Athletic Centre which – we go there, visit there. There's massive mounds. They're just not hills. They're covered in intractable waste from failed experiments from the past that has cost a fortune to cover them up. I can go to many other areas such as roads. I won't Silverwater. Seven Hills, I've seen a factory blow up sending 44-gallon drums 50 metres into the air and exploding. All these failed
35 experiments have now gone, vanished. And now, we're looking at starting up again another failed experiment and I ask you – we have – in that failed experiment – what will be a failed experiment: four huge stacks reaching high into the air and what do they emit: I'll leave that to your answer. Supposedly, scientifically, we get them up there so they deliver the air stream away from residents I live at Seven Hills and during the bushfires – I've got a jar at home of collected leaves burnt so all this
40 ash comes into the city basin, doesn't leave the city basin. Science – no one wants to understand science. We – you – we keep on destroying our planet; it's unbelievable. Someone wants to go to Mars; I mean, we've stuffed up Earth, we – do we want to stuff up Mars too? It's unbelievable. I could go on and on. I'll finish with this from
45 the United Nations Universal Declaration of Human Rights. It's a milestone document in the history of human rights, drafted by representatives from different legal, cultural background for all regions of the world. The declaration was by

the United Nations General Assembly in Paris on the 10th of December 1948. Boy, and we still haven't it. General Assembly resolution 217A as a common standard of achievement for all peoples of all nations.

5 It sets out for the first time fundamental human rights. Everyone has the right to live, liberty and security of a person so I present to you, panel, the fate is in your hands of the people not only in Minchinbury, not only of Blacktown, of people in the Western Sydney basin. It will be your decision and it will live – you forever, thank you.

10 MS KRUK: Sir, thank you. Now, Mr Charles Casuscelli gave his spot up earlier to the mayor.

MR C. CASUSCELLI:

15 MS KRUK: So what time did you negotiate with him?

MR CASUSCELLI: 10 minutes

MS KRUK: 10 minutes, that would be right. Thank you very much for your
20 patience.

MR CASUSCELLI: Madam Chair, I need to remind – actually, what I should be saying is I shouldn't need to remind the commission that the aspirations of Greater Western Sydney are captured most succinctly in three key documents that have been
25 published very recently. One is the Greater Sydney Regional Plan and the other two documents are the district plans reflecting the aspirations of the Western Parkland City and the Central River City. Those documents are not just a succinct detailing of the aspirations; it's also a – the detail of the expectation of both the federal and State Governments as to the future of Greater Western Sydney.

30 Now, for the first time, in those documents there was an acknowledgement by the federal and State Government that waste – waste management, as an essential service, needs to be up there with the same planning consideration, the same
35 foresight as the provision of energy and water and roads and transport, all the other things that are considered essential in a modern society. Now, it's great that waste management has made into those wonderful document but we do have a problem and I think the commission needs to address – well, I'm pretty sure you're going to have to – to address this problem through your deliberation.

40 So we have waste management in those documents. Those documents also cover a couple of other aspects that are important to your deliberation. The other one is that, maybe for the first time, both the federal and State Government have acknowledged the role of local government as the experts in place based planning. There is an
45 increasing expectation now by the other two levels of government to give local government its due acknowledgement that when it comes to decisions around place – and the proposal now is all about place – that there are a bunch of experts called local

government who are closest with the communities and they're starting to be acknowledged now as the experts in this place.

5 Why do I – why do I bring this up; you now have a bunch of experts at local
government level reflecting the – the concerns of their community staying – on the
basis of place, this thing does not belong here – that's the first thing. The other thing
I think is a – even though we have waste management as a issue that's covered off by
these strategic plans: the Greater Sydney Regional Plan and the district plans, the
unfortunate thing, though, is the plans actually don't articulate what waste
10 infrastructure is required for Greater Sydney. In fact, it is silent on this and there is
the first problem that the Planning Commission needs to deal with.

15 So is there some causes for joy; I don't think so. I'm going to make a couple of
comments on just two issues that haven't been brought up until now. It is not to be
critical of the current government, nor is it to be critical of the previous
administration. What it is critical of is the situation that we find ourselves today.
The situation that we find ourselves today is a very simple one. There are two
elements that you need to consider in trying to deal with the single proposal before
you. One is has anyone thought about what is the waste infrastructure needs for
20 Greater Sydney between now and 2056, for example, acknowledging the fact that
there are now strategic long term planning documents that go out that far if you look
at transport, for example, and also for the aspirations of the Western Sydney Airport.
We now have this.

25 So I can't understand how the Commission is able to come to an informed decision
about a single proposal when there is no framework that says to the Commission
we're going to inform you about what are the infrastructure needs for Greater Sydney
looking out into the long term future so that we can make a proper decision about
one single proposal. The fact that that framework doesn't exist makes your job very,
30 very, very difficult. In fact, I think almost impossible. The Greater Sydney Region,
does it actually require a mega-sized energy-from-waste facility in the middle of the
new Western Parkland Sydney? Does it need it west of the central city?

35 Does it need a big one or can it actually have smaller ones on the boundaries of the
city? I don't know the answers, I'm not a technical expert, but I think those
questions have not been asked and before they be asked, your decision about a single
proposal is made almost impossible. I think you need to take that on board. Now, I
think the Commission is acting in the public interest here, not in the interests of the
proposed – of the proponents of the commercial viability or otherwise of this. I think
40 you will come to the right decision based on that. Can I also just suggest the second
element I wanted to talk about. And I think the public servants who – the public
service and I have a love/hate relationship, given my current job, but in this case I
think the Department of Planning and the EPA and health services have got this
absolutely right.

45 And they have got it absolutely right in rejecting this proposal not only based on the
merit – the technical merits of the proposal but I think they're sending a message.

Now, they can't actually say this – I'm going to say I'm going to be presumptuous. I think the message that they're sending through the rejection of this proposal is that they're not confident that the regulatory and enforcement arrangements we have in New South Wales today could guarantee the public safety.

5 That's the bottom line. I think, given my exposure to the current regulatory framework and the ineffectiveness of some of the compliance issues that come up to date – there's some mining operations, there's some energy companies – suggests to me that because that is lacking, they have a fear.

10 And while they don't say it explicitly, I think that's the message they're sending here as well. Until we get a more comprehensive, coherent, effective regulatory and enforcement environment, we cannot, in good conscience, be talking about a proposal of this nature where the public safety cannot be guaranteed. It's as simple as that. Now, you have a very difficult decision to make. I think you're going to
15 make the right one simply based on the fact that not only are the public service the agency specialists who look at this from a technical merit perspective, but also those experts in place-based planning are saying to the Commission this doesn't belong here. It may not belong here, it may not belong in nobody's back yard. Those are probably some of the questions that need to be answered to inform the Commission
20 to come up with the right answer. Haven't been asked and haven't been answered. I thank you.

MS KRUK: Thank you. Just a – thank you very much for that and also relating it back to the policy context. Is West Rock intending to make a further submission
25 based on the Department of Planning document?

MR CASUSCELLI: No, we're not.

MS KRUK: You're not. So I can take this as your formal statement?
30

MR CASUSCELLI: Yes.

MS KRUK: Thank you very much for that and thank you also for your patience and the mayor owes you one.
35

MR CASUSCELLI:

MS KRUK: Kim Vernon. Is Kim here? And Kim has sought five minutes. Kim, thank you.
40

MS K. VERNON: But if you're really busy, I'm happy to - - -

MS KRUK: No. No. Please. No. We want to hear you.

45 MS VERNON: And is it supposed to be So when a group of seven strangers meet over a common concern and work together to, firstly, learn about and then spend to educate tens of thousands of people and also manage to personally face-

to-face collect over 14,000 signatures whilst still working their day and night jobs and looking after their families, you know they have worked damn hard to achieve that. It wasn't something they wanted to do, it was something that had to be done because if they didn't, we would all suffer the terrible and long-lasting consequences
5 that waste-to-energy incineration has on human health and the environment and
This should never have been this hard.

We don't even have to pay the big bucks for research to see how bad this is. The rest of the world has done it for us. They now know that this is why – they now know
10 and this is why they are turning away from waste-to-energy. Why can't we learn from their mistakes? Why do we have to make our own? We're a small country and our pristine environment is one of the - - -

MS KRUK: Two moments. Can I just check do you have agreement to record that
15 from this speaker? That's - - -

MS VERNON: Absolutely.

MS KRUK: Then that's okay. Please go ahead. I'm just very conscious of – that's
20 not always the case.

MS VERNON:

MS KRUK: Thank you.
25

MS VERNON: Anyone else – just her. We're a small country and our pristine environment is one of our greatest strengths yet every day we find new ways to destroy it. So let's be smart and be at the forefront of the answer for a change instead of being dragged along behind something that's thought to be a great idea over a 100
30 years ago. Only one incinerator has been built in the US in the last 21 years. Does this sound like new and ground-breaking technology to you? If a proposal goes ahead, hundreds of thousands of women, men and children will be at work and attend school in what is known as the sacrifice zone.

Whilst this is bad enough, what about the 5.37 million residents of Sydney who are also negatively affected by a waste-to-energy incinerators smack bang in the middle of our uniquely shaped topography known as the Sydney Basin. Poor air quality is a well-known problem for the Sydney Basin and even more so in the western suburbs where air pollution is high to escape due to hotter temperatures and lack of sea
40 breeze among other things. Sydney's air kills more people than traffic accidents. But by all means let's build the world's largest toxic fume-spilling incinerator right there. Each day I receive air quality alerts on my phone for the Sydney area and from 1 January this year, out of 134 days so far, we have only had 63 good air quality days.

45 The rest were fair and poor quality – poor air quality days. This is less than half and also for an incinerator adds to these outrageous numbers. Not only that, I received

approximately 70 alerts for exceedances of the national health standards for air quality, ozone levels and particular matter. With this knowledge also comes fear of the problem you are living with and the dangers it presents to your health. A simple daily walk becomes another worry in your life. Is it even safe to go out in this?

5 Which is worse: not going for the walk, or sucking in those dangerous toxins while you do? All of the toxins are settling on our food and water and entering the food-chain. Why doesn't anyone care? Where will it end? All of this weighs heavily on your mind and is a continued stress that no one needs.

10 I'm astounded and appalled that I have had to waste so much of my time over the last few years to fight this, when the information is readily available, simple to understand; and yet the government, who are supposed to be in place to do the right thing by the people, continue to give more and more chances to allow this insanity to continue. I am tired of fighting this. I'm tired of hearing the lies. I'm tired of seeing
15 the current government dodge their responsibilities of keeping us safe and protecting us because there's some money in it for someone, which has become infinitely more important than people's lives in our society. I'm tired of being told the EPA is against it. The Health Department's against it. And now the Planning Department is against it. But we still have a few more hoops – meetings, objections, submissions –
20 to jump through. Everyone is against it. Why are we even here?

I'm tired of worrying about who is going to give the proponent another chance next. But most of all, I'm tired of learning more than I ever wanted to know about our
25 society and the politicians who are just playing their own selfish games, and people who have been so beaten down by the big end of town that they can't be bothered to attend a rally or write a letter, because they feel that this is useless and a foregone conclusion, and the people who get their way just because they can pay their way in. This whole experience has just been one big, ugly insight. Our goal is simple, and of the greatest importance: to save Sydney, and then Australia, from this outdated and
30 life-threatening technology. Their goal is simple, too: to make more money, no matter what it costs to others in terms of human health and damage to the environment.

35 It's as clear as day to see what's happening here, when there is not one person on the side of the proposal who is working for free to make this project a reality, because they honestly believe it will be the best thing for our environment. They are working towards this for one reason only: corporate greed. They are being paid to further their cause, unlike those of us in the community who have surrendered countless hours and whose only motivation is to save the lives of our families and future
40 generations. We have one chance to get this right, and the time is now. Once we go down this path, it is too late.

Above all else, this technology has been proven not to be a way forward, and that waste-to-energy incineration is neither clean nor renewable. Recently, 250 mayors
45 across the US voted unanimously for a renewable energy plan that does not include waste burning, and the EU recently voted to end all subsidies to the waste incineration industry. Its only benefit is for the people making money from it. It's a

dangerous backward step that we don't even need to make. We can learn by the mistakes of other countries, after decades of use, who are now turning away from this technology. We don't need to make the same mistake ourselves. Australia is at a crossroads. Decisions made today about waste-management will have long-term financial, ecological and human-rights impacts. Please, please, please choose to be on the right side of history. Millions of lives depend on it.

MS KRUK: Thank you very much. Is Tracy Hewitt here, just to check? Tracy is an apology. Now, my record says Keelah Lam. Thank you very much. You've asked for 10 minutes - - -

MS K. LAM: Yes.

MS KRUK: - - - is that right? Thank you very much.

MS LAM: been scribbling away and I hope I can fit it all in.

MS KRUK: Give it your best.

MS LAM: But thank you for allowing me to present to you, and I am respectful of the traditional elders and leaders of the Aboriginal community. The made a rare decision and wisely put the waste to energy Dial A Dump incinerator on ice. The EPA recognises the key issues of air quality and serious health impacts on the Sydney Basin. Once built, we must continue to feed the best. The proposed massive incinerator will undermine incentives and attempts to reduce, re-use and recycle. According to David Suzuki, incineration of waste appears to be a convenient win/win easier plan but it's problematic. Sweden and Germany must now import waste to fuel their generators. They're doing so well at reducing waste. Incineration of waste is a desperate attempt to make waste go away. It's unnecessary and bad to waste our non-renewable resources. Please let's go back – whoops, that's the wrong bit. Okay.

So there are toxins – mercury, dioxins, furans, carbon dioxide and nitrous oxide emissions that equals climate change. In Canada, bottom ash is 17 per cent of the rate of incinerated waste. There are high levels of carcinogenic heavy metals and cadmium of twice the allowed limited and high lead levels to be disposed of. I lived in Malaysia for 17 years. I'm the last generation to have grown up before the invention of disposal plastic and products. Disposable plastic was unknown in Malaysia. The nature-based waste innocently chucked out the door into the monsoon drain and back to nature. I passively watched the embrace of "best is west", mindless western consumerism. I returned to KL. I'm sicked by the filthy plastic litter, not out of sight or out of mind. This waste does not go away.

In 1993, the EPA's Earthworks course on waste minimisation led to my 25 years of serious involvement in the issue of waste and my vision for zero waste legislation. We students were so shocked, we started Manly Food Co-Op 21 years ago to offer waste-free shopping. Our protests helped closed down the dirty Waterloo incinerator and both North Head sewage chimney stacks for a slightly better sludge drying

system. In 1995, the Waste Minimisation and Management Act – that was excellent – gave real hope to stem the waste flow. The Sydney garbage tips were filling fast. Each industry was required to document how they would reduce their waste by 60 per cent by the year 2000. The State Waste Advisory Council oversee each plan
5 consisted of EPA representatives, relevant industry representatives, LGA representatives and community environment representatives. I was a representative for the New South Wales Nature Conservation Council. The EPA and the Government have let the state down. They've buckled under industry pressure. I wonder if political donations had something to do with this. And they wasted the
10 perfect opportunity to step the burgeoning flow of waste.

The dairy industry wrote the first reduction plan under the required heading of Percentage of Refillable Bottles, the dairy industry dictated under that heading there will be zero percentage of refillable bottles. The refillable bottles were removed
15 from sale shortly thereafter. The beverage industry under the leadership of Coca-Cola got away with doing nothing. The tyre industry waste reduction plan – I learned from our local tyre man that they would willingly re-tread all tyres but the wide range of sizes and gauges made locally or imported tyres – it made it impossible to own all the necessary retread machinery and the large manufacturers
20 instructed them to slash all tyres as they removed them.

Following the collapse of the Waste Act came the risky plan to transport Sydney waste to fill up the huge ex-copper mine at Tarago. Its base is lower than Lake George in the south. To the north is Sydney's drinking water catchment and
25 Goulburn to the west. Granville residents took this plan to the Land and Environment Court and won the case against trucking and dumping waste from the floor of a local factory and wrapping the stinking waste in their residential suburb before transporting it by train to Tarago, then by truck to Woodlawn mining promising plenty of non-existent jobs, of course. But the very next day, the
30 Government intervention overturned the win.

Our plunder and waste of non-renewable resources is related to excessive package, planned obsolescence – France in 2015 outlawed this – hyper-consumerism, lack of awareness, madness of desiring ever cheaper, newer, shinier stuff. I watched in
35 horror as my elderly deceased neighbour's quality solid long life furniture was crushed, splintered and shattered in a council garbage compactor. Our dying oceans, a major oxygen and food source for our planet, are fast filling with our waste bottles, plastic bags, drift nets, fridges – just to name a couple. Nothing has value at end of life in our society except maybe the new 10 per cent deposit for bottles which
40 nobody knows about. Waste is much more than stuff we don't want to keep.

The cumulative effect of waste is driving climate change. The mining of non-renewable resources used untold water and energy. The transport of raw materials
45 more. The manufacturers using water, energy and toxic waste and environmental destruction, for example, aluminium production – consume, consume, consume in a frenzy and then dispose. It's a linear system. Just look at the Hunter Valley coal mining destruction of valuable farmlands leaving a desolate moonscape to future

generations and destruction from fracking for coal seam gas so that China can manufacture disposable products for us to briefly use then chuck out. This climate chaos driving linear system must convert to a closed loop, cradle to cradle system.

5 The Story of Stuff by Annie Leonard, the Greenpeace international staffer – she spent years visiting factories in 40 countries and exposed the international caustic toxic waste trend and explains in cartoon form our uneconomic linear system of production to waste. You may have children and grandchildren. You may not be prepared to leave them with this unsolved problem. My vision: a zero waste solution to the shameful waste. It is not difficult. Zero waste legislation means giving everything which cannot go back to earth a tracked deposit/refund value. Industry must take responsibility from manufacture till end of life for each product, instead of producer responsibility. Ultimately, having producers factor in the impact of waste will drive greater efficiencies in waste reduction, avoidance and recycling. They will have incentive, and necessarily a disincentive, to design waste out of the manufacturing process.

MS KRUK: Ms Lam, is it possible for you to identify some of the closing points.

20 MS LAM: Sorry?

MS KRUK: Can you identify some of the closing points, because I have still a number of other speakers.

25 MS LAM: Okay. Well, I was going to comment on some examples. For instance, Manly Council had a dishwashing machine for their food and waste festival, and reusable plates, but they ran it not according to the tried and true Nuremberg system. The Netherlands have repair cafés, and we now have them in Sydney. Sweden has tax-relief incentives. Xerox had a wonderful remanufacturing plant, which went out of business because nobody else had to do that. And Interface has been mentioned: a fantastic, moral system. And it is possible to reach zero waste. We must never, never invest in such expensive, wasteful dinosaur technology as incineration waste-to-energy.

35 MS KRUK: Ms Lam, thank you very much for your submission. Really do appreciate it. Colleagues, we have had a number of late registrations. And I would like to give people the opportunity to speak, if that's possible, if they are here. A Jennifer Barwick. Margaret Bennett. Jean Maclay. Valerie Phelps. Lee Miller. John Phelps. Beverly Ryan. And Kevin Ryan. Colleagues, there were a number of people who were not here earlier who may now be here. Mr Gerard Bar. Ms Shirley Taggart. And Ms Mavis Powell. I think we have now provided the opportunity to all people who registered or who expressed an interest in registering. Can I on behalf of the panel members thank you. I don't think there is one submission that we heard today, or the ones that we've received, that haven't argued for their position. They have referred to policy matters – sorry, I'll come to you in a moment, sir – or raised examples. They have provided additional pieces of information, in some instances. And we welcome those. Can I take your question.

MR P. KERN: I didn't – could I say something.

MS KRUK: Please, sir. Can you identify yourself.

5 MR KERN: I didn't make any submissions or anything. My name is Peter Kern.
I've lived in for 47 years and I reckon that the Minister for Western Sydney,
Stuart Ayres, should have been here today and [REDACTED], the man that wants to
build the incinerator – he always says in the paper, "It's going to be built, no matter."
All the people against it, he doesn't care about. It's going to be built. He should be
10 here and listen to the people. We do not want that incinerator built. Thank you.

MS KRUK: Mr Kern, thank you very much. Are there any other speakers that
would just like to make a final closing comment.

15 MS LAM: Can I just read a last little bit

MS KRUK: Please. But any other speakers before because I will make yours then
the closing comment. Members, happy with that?

20 MS:

MS KRUK: All right. And we finish on that basis.

25 MS LAM: We must not ever – never invest in such expensive waste for dinosaur
technology as incineration of waste to energy. We must not waste non-renewable
resources. We must not poison the air and the land. Mindless consumerism must
end. But it won't happen voluntarily. We must plan to leave a better healthier life
for coming generations. Industry must have incentives to manufacture products for
long life, repair, refit recycling with inter-generational equity front and centre.
30 This will create unending relocalised jobs, professional and modern trade. We must
embrace the vision of zero waste with strict zero waste legislation. We must work
hard and systemically with producers, importers, with the financial incentives and
necessary disincentives. They need to design zero waste into their products and
remanufacturing. Zero waste is my vision. Without it, we will rely on failing short-
35 term attempts to deal with waste and its far more serious outcome chaos.

MS KRUK: Thank you very much for that. Now, a closing comment from you.
Thank you.

40 MS BRADBURY: Thank you for listening to me. I worried about running out
of time

MS BRADBURY: Thank you for listening to me. I was going to initially – (1) I
was worried about running out of time at – what's the raised this morning about a
45 letter or letters being sent to people. I was one of those recipients of a letter, and I
found it extremely threatening and

MS KRUK: This was a letter from the applicant?

MS BRADBURY: From – yes.

5 MS KRUK: From the proponent, sorry.

MS BRADBURY: Yes

MS KRUK: All right.

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MS BRADBURY: It caused a lot of problems in my family. A threat of possible, you know, defamation and suing and – you know, I've never experienced anything like that in my life, and just because I posted something that we all believe in that it – you know, what's – the poison that come from this incinerator will go underground and will, you know, killing the animals and plants and it will, in fact, you know, affect us all. And he didn't like that and, you know, the company didn't like it and he thought I was complaining, you know, and I found it very stressful, and it took a long time for me to get confidence up again to actually feel confident to say things. I didn't know what to say. I was very fellow members in my group knew I was very wary and I still am, and – yes, I just wanted to let you know that it was a very distressing time. Was a lot of problems.

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MS KRUK: Thank you for clarifying that.

25 MS BRADBURY:

MS KRUK: Can I also assure you, I think the mayor indicated this morning that, I think with your agreement, that he would provide a copy of that letter to us. Otherwise, it would be made anonymous, if that's what you wish as well too, but thank you for clarifying that. Members, can I, again, on behalf of the panel, thank you. All of your submissions have, I think, gone – you've covered the major issues. We will obviously have a number of issues to reflect upon. I think you're all very understanding of the process that we're part of. We are given the responsibility to make the decision on this development.

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There are clearly legislative requirements that we have to consider, and I think submissions have touched on all of those aspects, one way or another. People have asked me as – in the various breaks, the timing. We clearly want to do justice to the submissions that we've received. You have raised a number of matters as had meetings with the proponent, with the agencies and with the councils. They're a series of other questions that we seek clarification on. It is important that all of the steps of this process are followed according to the requirements of the Environmental Planning and Assessment Act. Again, thank you for your patience. I thank you for the time you've dedicated to come to the – what is it – commission meetings today. Thank you very much again. Thank you.

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MEETING CONCLUDED at 3.19 pm INDEFINITELY