Submission to the Department of Planning and Environment in response to the Response to Submission for an Energy from Waste Facility (SSD6236) – February 2018

Summary position

1. Council has reviewed the Response to Submission (RTS) provided by the proponent and has concluded that the application must be **refused**.

2. Council considered this submission at its Ordinary meeting on 28 February 2018 and resolved to:

   - Request that the Planning Assessment Commission refuse the application for the State Significant Development (SSD) application lodged by The Next Generation (TNG) NSW Pty Ltd for a 3 lot subdivision, roadworks and construction of an Energy from Waste (EFW) facility in Honeycomb Drive, Eastern Creek: The key reasons for refusal are:

     a. The application does not meet the Director General's requirements

     b. The findings from the recent parliamentary inquiry into energy from waste technology have not been released

     c. There is no social licence for this proposal; there is significant and valid community concern

     d. We have strong concerns about the projected emissions

     e. There are significant waste management gaps in the information provided in the RTS

     f. There are significant issues identified by our environmental consultant

     g. There are issues that have been overlooked and not addressed in the RTS

     h. It is a prohibited development.

   - Request that we be given the opportunity to review the comments on the Response to Submissions of the other agencies, including the Department of Health and the Environment Protection Authority, before a recommendation is made to the PAC.

   - Advise the NSW Department of Planning and Environment that Council will strongly consider exercising any available right of appeal should the application be approved.

Our submission

Our submission to the NSW Department of Planning and Environment outlines our reasons for refusal under the following headings:

1. Director General's requirements
2. Parliamentary inquiry into energy from waste technology
3. Community concerns
4. Projected emissions
5. Waste management gaps
6. Issues identified by our environmental consultant
7. Issues not addressed in the RTS
8. Prohibited development
9. Review of RTS by other agencies
10. Conclusion
11. Appendices

1 Director General's Requirements

We submit the application must be refused as:

- **The application does not meet the Director General's Requirements**

The Director General's requirements (DGRs) for the EIS were issued in December 2013. As part of the EIS, the proponent was required to provide a risk assessment of the potential environmental impacts of the development and describe what measures would be implemented to avoid, minimise, and, if necessary, offset the potential impacts of the development.

Our assessment has concluded that the DGRs have not been met as follows:

(a) Misleading information on the need for the development

The RTS states that a key factor that has influenced the project is *'to provide New South Wales with the highest standard of technology in the Energy from Waste sector that is tried and proven successful'.* The use of certain technology cannot be considered as justification for why the project should proceed.

(b) Refusal to consider alternatives

No alternative sites were considered for the development. The Director-General's requirements state that the EIS must consider alternatives. The amended EIS and subsequent RTS do not consider alternatives, but rather attempt to justify why no other alternatives are required. This is not the same thing and attempts to distract from satisfaction of the requirement.

Using increased distance from the electricity grid as justification as to why no other alternatives should be considered is short sighted considering the facility has the potential to produce heat and steam, but were not considered as part of the proposal.

(c) Lack of justification for the development

If the proponent was conclusively convinced that the development would have a positive development outcome, and be in the best interests of the local community, then it would have stuck to the initial proposal and have been confident in the fact that approval would be granted.

Prior to any Energy from Waste facility being approved in NSW, a new overarching waste strategy for NSW, that takes into account the findings of the parliamentary inquiry into the waste industry, should be developed. It should go above and beyond the NSW Waste Avoidance and Resource Recovery Strategy, to provide clear direction for the future of Energy from Waste in NSW. It should also provide clearer justification for the need for these types of facilities and how they fit into the waste hierarchy.

(d) No public interest

The proponent has reduced the scale of the development by half, without providing any reasoning other than it was always the case that the second phase would not be implemented until phase one was successful. This demonstrates that, at its core, this development is a private venture for profit, with no demonstrated public need.

(e) Lack of commitment to proper risk assessment – no baseline data

Our previous submissions highlighted that in order to adequately undertake a risk assessment, and to ensure the development does not have adverse environmental impacts, the proponent must undertake air quality monitoring. This must be done for a period of one year prior to the plant operating, to obtain accurate localised baseline data. This will be vital to determine that the plant is not adversely impacting on the air quality of the surrounding area.

The proponent responded by saying '*TNG is not responsible for the operation of air pollution monitoring systems and baseline studies under government agency authority, and as such cannot comment on the nature of investment in these operations'.*

This demonstrates that the proponent is not interested in properly assessing the impacts of its proposal, to ensure that it does not impact on the health of the surrounding community.

Our request has nothing to do with baseline studies under government agency authority, but was intended to give the proponent the opportunity to prove to the community that the plant will not have a detrimental impact. The lack of commitment by the proponent to this request is a significant concern as it suggests that they are not confident that the development will not have an impact.

2 Parliamentary inquiry into energy from waste technology

We submit the application must be refused as:

- **The findings from the recent parliamentary inquiry into Energy from Waste technology have not been released**

(a) The approval process needs to ensure specific controls for Energy from Waste facilities reflect what can be achieved with best available and developing technology. We have maintained that the approval process must ensure that:

- The risks have been adequately assessed
- The right environmental controls are put in place
- There is adequate community consultation
- There are no compromises and no concessions.

(b) We have recommended that the Environment Protection Authority's Energy from Waste Policy provides mandatory requirements for any future proposal including:

- Clear and defined minimum requirements for Energy from Waste facilities in the NSW Protection of the Environment Operations Act 1997
- Energy from Waste facilities proprietorship, operator checks and licensing restrictions
- Planned obsolescence of the facility to meet the requirements of the NSW Waste Avoidance and Resource Recovery Act 2001.

(c) It is our view that any Energy from Waste Policy statement must be specifically referred to in the act and/or regulations to ensure compliance with it is compulsory.

(d) To supplement the Environment Protection Authority's Energy from Waste Policy Statement, we believe there need to be minimum standards for emissions that are specific to, and absolutely reflect, the best technology available for Energy from Waste facilities. If we are to follow the world's example and embrace Energy from Waste as a solution to our waste disposal needs, we need to learn from the overseas examples and show our local communities that our standards are the best.

(e) There is the strong potential that the Portfolio Committee No. 6 Planning and Environment inquiry into 'energy from waste' technology held in 2017 may result in further restrictions being imposed on future Energy from Waste developments.

(f) It may also trigger a change to the *Protection of the Environment Act 1997 (NSW)* Regulations.

(g) The submission by WSROC to the parliamentary inquiry also highlighted that there has not been sufficient waste planning for Metropolitan Sydney.

(h) Prior to any Energy from Waste facility being approved in NSW, a new overarching waste strategy for NSW, that takes into account the findings of the parliamentary inquiry into the waste industry, should be developed. It should go above and beyond the NSW Waste Avoidance and Resource Recovery Strategy, to provide clear direction for the future of Energy from Waste in NSW and provide clearer justification for the need for these types of facilities and how they fit into the waste hierarchy.

(i) There is strong potential for changes to legislation and/or the NSW Government's Policy Statement on Energy from Waste. Therefore, the NSW Government has an imperative and a duty of care to ensure that the development is only considered after the findings of the parliamentary inquiry are made publicly available. This is the only way to ensure the best possible outcome for the residents of Blacktown City and neighbouring council areas.

3 Community concerns

We submit the application must be refused as:

- **There is no social licence for this proposal and there are significant and valid community concerns**

(a) As detailed in the Environment Protection Authority's Energy from Waste Policy Statement, the proposal must have the support of the local Council and the local community.

(b) Blacktown City Council hosted a joint community information forum with the proponent on 6 February 2017 in Minchinbury. Community members strongly expressed their health fears and environment concerns with this proposal and it was evident that the Blacktown community, in particular Minchinbury residents, do not want this proposal to go ahead.

(c) Community members also expressed concerns with the validity of the proposal as a solution to waste disposal. A copy of a very recent review by the European Commission of EFW in Europe is provided in Appendix 1. This raises valid concerns about the value of EFW plants in the waste hierarchy, which could have the result of significantly discouraging the achievement of recycling targets.

(d) Public concern has become most evident as about 1,000 public objections to the proposal were received by the NSW Department of Planning and Environment.

(e) Since then, about 12,000 signatures have appeared on a petition against the facility submitted to the NSW Government.

(f) The proponent was given the opportunity during the RTS to address community liaison initiatives recommended by Council, however failed to even address the suggestions in our submission.

(g) The proponent has been given ample opportunity to convince us that the proposal will benefit the local area, yet has failed to do so. Instead, the proponent has chosen to publicly dismiss our concerns at a number of public forums, including an address at a recent waste conference and various radio interviews.

(h) The proponent even offered to install solar panels at 1,000 homes in Erskine Park and Minchinbury once construction of the proposed waste incinerator begins. There is an irony about an offer to give away solar panels in exchange for getting support for a waste incinerating electricity generator. Giving away solar panels cannot be considered a social licence.

(i) Despite the assurances from the proponent that there has been adequate community consultation, the opposition and pressure from the community continues to mount.

4 Projected emissions

We submit the application must be refused as:

- **We have strong concerns about the projected emissions**

(a) Our concerns are centered around the changes to the predicted levels of emissions each time the proponent is given a further chance to revise the application.

(b) The following examples highlight our concerns:

- **Nitrogen Oxide**

  By way of example, the pollutant comparison table provided at Appendix 2 highlights the changing levels of Nitrogen Oxide emissions throughout the life of the ever-amending Environmental Impact Statement (EIS). The average emission limit continues to decrease, from 286 mg/m3 in the initial EIS, now down to 120 mg/m3 in the RTS.

  A check of the proponent's reference facility, 'Riverside', reveals consistent monthly average emissions of around 170 mg/m3. If the same technology is being used and a similar waste stream, then the proponent's ability to accurately report on projected emissions needs to be considered.

(c) The RTS Appendix N also states that the technology can be optimised to reach 120 mg/m^3 Nitrogen Oxide and this has been adopted for the EFW facility. The increased efficiency comes with a modest increase of CAPEX and additional consumption of ammonia. If the proponent was truly concerned about the health of the community and using best practice, why wasn't this level of optimisation included in the first place.

- **Dioxin testing**

  In terms of monitoring emissions, it is also unacceptable that it is proposed that a facility of this magnitude would only undertake dioxin testing twice in a 12 month period. Relying on the assumption that the pollution control devices will adequately remove dioxins is unacceptable.

  Even the reference facility 'Riverside' conducts quarterly dioxin testing after having operated since 2011. If the facility is approved, to provide the public with an increased level of assurance, dioxin testing should be undertaken monthly during the proof of performance commissioning period.

- **Greenhouse gases**

  The project is claiming it will deliver a net positive greenhouse gas effect, and remove approximately 544,000 tonnes of CO_2 per annum, yet after 4 attempts at justifying this, our independent environmental consultant (Jacobs) has still determined that there is a general lack of detail and clarity surrounding the calculations.

  Jacobs has determined that 'there is a general lack of detail or clarity in calculations to determine the magnitude of GHG emissions. Greater detail should be presented on calculation methods. In particular, the specific assumptions regarding Degradable Organic Carbon (DOC) content and fossil carbon % of specific feedstocks could be presented to make clear the

assumptions used in the calculation process'.

- **Cadmium**

  Jacobs has highlighted that there remains a potential for Cadmium to exceed the ambient air quality criteria in the event of plant upset conditions.

- **Other pollutants**

  A pollutant comparison table is provided at Appendix 2. It highlights the changes in projected pollutant levels for each revised version of the EIS and the RTS. For solid particles, TOC, Hydrogen Chloride, Mercury, Sulphur Dioxide, Hydrogen Fluoride and Carbon Monoxide there are significant reductions which are not justified in the RTS and require further explanation to verify the accuracy, particularly given that the technology has not changed.

(d) The other major concern is that the modelling for the projected emissions is based on when the plant is operating under ideal conditions. We are not aware of any modelling for a worst case scenario when the plant continues to operate instead of shutting down.

5 Waste management gaps

We submit the application must be refused as:

- **There are significant waste management gaps in the information provided in the RTS**

(a) There are still issues in the RTS that we have significant concerns about, including the source of the waste and the inability of the proponent to guarantee procedures and processes that satisfactorily demonstrate how all waste will be satisfactorily sorted.

(b) Waste fuel will be sourced through the neighbouring Genesis Xero Waste plant and also potentially without adequate screening through independent third parties.

(c) The RTS indicates that waste types will include chute residual waste from Genesis, commercial and industrial waste (C&I), construction and demolition waste (C&D), floc waste from car and metal shredding, paper pulp, glass recovery, garden organics, alternative waste treatment residues and material recovery plant waste residues.

(d) We are concerned that some of this material may be unsuitable for the EFW plant (e.g. it may contain hazardous material such as asbestos, with asbestos fibres not being able to be completely incinerated) and should continue to be sent to landfill, or it may be capable of further recycling.

(e) The RTS specifically states that it is 'highly unlikely' that asbestos will enter the waste stream, and if it does accidently then there is no way it can escape the facility as it will either end up as fly ash or bottom ash. If that is the case then all fly and bottom ash must be handled as potentially asbestos containing material and disposed of accordingly. Considering that ferrous material is proposed to be removed from the bottom ash and transported to a metal recycler, we need an assurance that the metal does not have some asbestos residue in it, as the metal is covered with ash.

(f) It is considered appropriate that each waste load should undergo a thorough sort (rather than just a quick visual inspection) prior to determining if it should be rejected or not. If the acceptability of the load is determined by a visual inspection only, there is the potential for problem items (e.g. asbestos, gas bottles, other hazardous materials and those foreign objects not suitable for incineration) to be concealed. We believe all waste should first go through the Genesis plant to prevent this from occurring.

(g) Point (c) above includes a list of items that will fuel the EFW plant, and includes everything from glass and paper to garden organics. It is considered totally unsatisfactory that paper, garden waste, etc. is being added to the fuel stream for the proposed EFW plant and is not being recycled.

(h) The RTS states on page 59 that it confirms that the proposal '**does not seek approval for receiving or processing of MSW'**. The RTS also states on page 43 that it will be 'making use of residual waste fuel obtained from the **processing of various sources of municipal solid waste (MSW)**, commercial and industrial (C&I), construction and demolition waste (C&D)'. Clarification is required on whether the facility does or does not intend to process MSW.

6 Issues identified by our environmental consultant

We submit the application must be refused as:

- **There are significant unresolved issues as identified by our environmental consultant**

(a) An independent environment consultant, Jacobs Group (Australia) Pty Limited (Jacobs), has been engaged by Council to assess the RTS. Jacobs has advised that the application has addressed some aspects previously raised, but there are still gaps.

(b) Jacobs has previously provided standalone reviews of the initial and amended EIS. These reviews do not emphatically represent the view of Council, but have been used by Council to assist in our assessment process.

(c) The Jacobs review focused on:

- an update on the technology proposed in the submission
- the specialist reports contained in the RTS, to ensure that inadequacies and discrepancies previously identified have been adequately addressed.

(d) The Jacobs review of the RTS has outlined the following material findings:

- In summary the amended EIS presents an improved assessment compared with the original EIS. However, there remain some critical aspects of the development as presented which require further consideration and clarification, as follows:
    - An air cooled condenser (ACC) has been proposed as the main cooling system. This has not been demonstrated to be best practice. Air cooling increases the noise output, reduces the efficiency of the plant, particularly during summer time, but has lower water consumption. Lower electricity production from high ambient temperatures has not been accounted for.

- Odour management when the facility boilers are offline for maintenance has not been addressed.
- Additional waste audit, composition and modelling data has been presented, providing further information on the quantity and type of proposed feedstock. There is ambiguity surrounding the nomination of suitable facilities which are capable of accepting Air Pollution Control (APC) residues from the EFW process. There is also an inconsistency regarding treated wood waste. The RTS and project design brief (PDB) state that treated wood will be removed and sent to landfill. However, the MRA Feedstock Review Report included 5,523 tonnes of chromated copper arsenate (CCA) treated timber as part of the feedstock inputs. Clarification is required on whether CCA treated timber will constitute part of the input feedstock and, if not, which materials will make up the remaining input tonnages. It is still unclear how C&I and C&D outputs from the Genesis MPC facility will be measured and reported on, however it is presumed that audit assumptions are applied on receival.
- In terms of odour impacts, the air quality assessment states that combustion air for the furnace will be extracted from the tipping hall, but it is recommended that ventilation be discussed more fully. For example, in the event the EFW plant is shut down, how will the foul air from the tipping hall be extracted and treated.
- With respect to operational noise, the amended EIS includes an assessment of low frequency noise (LFN) impacts. However, no detail as to how LFN impacts have been predicted is provided. It is noted that the EFW facility is proposed to include 24 air cooled condenser (ACC) units, each with a sound power level of 102 dB(A). This is a significant source of noise and ACCs can have dominant low frequency components. In summary, further assessment of LFN is recommended, particularly as the noise modelling shows that compliance with project specific noise levels is marginal during adverse meteorological conditions within residential areas of Erskine Park.
- The amended EIS and RTS include an assessment of stack plume rise and consider the potential impacts on aviation safety as required by the Civil Aviation Safety Authority (CASA) Plume Rise Assessment. There appear to be 2 errors in the application of CASA guidance to calculation of plume rise heights. It is expected that the errors would underestimate the buoyancy of the plumes from each of the 4 ducts. This needs further assessment to determine if there is any change to the conclusion of the assessment, which is that aviation airspace navigation will not be adversely impacted by the development.

(e) The full review of the RTS by Jacobs is provided at Appendix 3.

7 Issues not addressed in the RTS

We submit the application must be refused as:

- **There are issues that have been overlooked and not addressed in the RTS**

(a) This is the fourth time Council has considered and reviewed a variation of the EIS for the proposal, with the previous times being in March 2014 (SD330112), August 2015 (DD350055) and February 2017 (DD370006).

(b) In our official submissions to the Department, Council strongly objected to the proposal. Objections and concerns were also raised by government agencies including the NSW Environment Protection Authority, NSW Department of Health and neighbouring councils.

(c) The proponent has had at least 3 formal attempts to get this right, yet a significant number of the issues raised in our most recent submission were overlooked or ignored by the proponent in its RTS.

(d) These have been summarised in the table below.

Outstanding issue not addressed in the RTS	Comment
Section 1 (15): The Genesis Xero Waste plant lodged a separate Section 75 W application under the Environmental Planning and Assessment Act 1979 to seek approval for the construction of an undercover pre-sort centre (PSC) on its site to increase the amount of recycling achieved. This was approved by the Department of Planning and Environment in September 2016.	There was no mention of any further undercover pre-sort reflected in sorting practices.
Section 2 (g) (viii) Summary Statement: The technology proposed is based on European climatic conditions with shutdowns potentially at ambient temperatures above 37 degrees Celsius. The application must be refused as the technology proposed is not appropriate to the Australian setting.	There has been no change to the technology proposed to be implemented in the facility.
Section 2 (5) Waste Management table: Data on Alternative Waste Treatment (AWT) (i.e. non landfilled waste) and Garden Organic (GO) residual waste has been based on the Sydney Metropolitan Area Council data, however there are no proposed contracts with Councils that have been discussed.	No proposed contracts with Councils that have been discussed.
Section 2 (5) Waste Management table: Projections for future changes to available tonnages of material are not presented, to review waste growth, waste composition change, potential changes in recycling rates and the resulting feedstock effects.	Projections only account for Stage 1 construction and operation.
Section 2 (5) Waste Management table: Greater detail, including sources of data and assumptions, should be provided to provide confirmation that the plant will have sufficient feedstock of approved materials. However, performance trials must be undertaken during the commissioning phase and verified by the EPA prior to the commencement of operations.	Not indicated to be completed during the commissioning phase.

Outstanding issue not addressed in the RTS	Comment
Section 2 (5) Waste Management table: Procedures for complying with the NSW EPA Energy from Waste Policy are not sufficiently detailed to allow the reader to determine how compliance will be achieved, and how the recovery rates of C&I and C&D material streams post-processing (after materials are presumably mixed) will be demonstrated to the NSW EPA.	Not addressed.
Section 2 (5) soil and water table: Further information is required regarding surface water quality and groundwater quality. Baseline monitoring should be undertaken to allow appropriate pre-development and operational monitoring requirements.	RTS does not provide sufficient data due to lack of monitoring points and monitoring events.
Section 2 (5) noise table: Further assessment of low frequency noise is recommended, particularly as the noise modelling shows that compliance with project specific noise levels is marginal during adverse meteorological conditions within residential areas of Erskine Park.	Further assessment not completed.
Section 5 (5): To address the concerns relating to design and in order to achieve an architecturally innovative building, the proponent should be required to conduct an Architectural Design Competition for the envelope of the building. Alternatively, the building envelope should be redesigned and reviewed by the Government Architect's office or a panel of eminent architects to ensure the architectural design objectives are met.	Envelope not changed and design competition not addressed.
Section 6 (3) (a) (i): Waste management concerns i The proponent must outline how foreign objects will be excluded from the waste stream, to prevent the need for an abnormal operation allowance that has the ability to have an impact on meeting emission criteria.	Not addressed.
Section 6 (3) (a) (ii): ii The proponent must ensure all waste (with no exclusion) undergoes some form of validated pre-treatment at off-site waste transfer stations, or otherwise goes via Genesis for sorting.	Not addressed.
Section 6 (3) (d): Human health concerns i The Next Generation must undertake air quality monitoring for a period of one year prior to the plant operating, to obtain accurate baseline data to be used to determine that the plant is not adversely impacting on the air quality of the surrounding area when operations commence.	Not adequately addressed by the statement on page 117 - *TNG is not responsible for the operation of air pollution monitoring systems and baseline studies under government agency authority, and as such cannot comment on the nature of investment in these operations.*

Outstanding issue not addressed in the RTS	Comment
Section 6 (3) (e) (i): General environmental and community concerns i The EPA's Energy from Waste Policy Statement requires best practice. Therefore, prior to any approval, there needs to be a requirement that the proponent demonstrates that it **goes beyond** the requirements of the European Union's Industrial Emissions Directive's Best Available Technology reference document.	RTS on page 75 - Report only notes that the emissions produced from the EFW facility are defined by emission limits for waste incineration set by the European Union Industrial Emissions Directive (IED; Directive 2010/75/EU).
Section 6 (3) (e) (iii): The Next Generation proposal should have a designated NSW EPA regulatory officer to exclusively monitor the environmental performance for the life of the plant.	Not addressed.
Section 6 (3) (e) (vii): The proponent must obtain ISO 14001 environmental certification to demonstrate that the process being undertaken is industry best practice using the best available technology.	Not addressed.
Section 6 (e) (xii) (xiii) (xiv): The proponent must establish a Community Liaison Group of local stakeholders, including nearby businesses, objectors and residents, Council and the EPA, which will be a forum to discuss concerns and monitor the performance of the plant. The proponent must offset some community concerns by funding local community improvements and enhancement programs, which must be outlined in a Community Strategy and incorporate a visitor information and education centre within the plant. This should be operated for the life of the plant without charge to visitors.	Not addressed.
The proponent must host regular community forums and hold an annual open day to allow residents to tour the plant.	
Section 6 (3) (e) (xvi): Payment of a host fee to Council (similar to the current arrangements at the Eastern Creek Resource Recovery facility), based on a fee per tonne of waste processed, to assist in offsetting the impact of the plant on the community, e.g. damage to road surfaces from significant heavy vehicle movements and the enhancement of existing open space areas in the nearby suburbs, to improve the quality of life of residents who feel impacted by the development.	Not addressed.
Section 9 (5): No updated flood modelling has been provided. The response to submissions proposes to conduct this prior to any CC being issued. It is unlikely that the proposed development will be adversely impacted by flooding based on the preliminary information available and therefore this can be resolved prior to any CC. The proposed works may encroach into the existing flood extents and this issue needs to be addressed as part of the detailed design.	Flood modelling not provided.

Outstanding issue not addressed in the RTS	Comment
Section 9 (6): The amended EIS does not provide details of how public access will be provided to the proposed precinct basin. Details of the required public access should be provided and approved by Council prior to the issue of any CC.	Not addressed.
Section 9 (7): The original stream erosion index calculations may have included full storm water reuse in the developed conditions modelling. Amended stream erosion index calculations need to be provided based on the current strategy of harvesting roof water only for reuse.	Not addressed.

8 Prohibited development

We submit the application must be refused as:

- **It is a prohibited development**

Council previously noted that 'Electricity generating works' are prohibited in the IN1 General Industrial Zone, except when the zone objectives can be satisfied. The urban design objective of the IN1 General Industrial zone still has not been met. On this basis, as the design has not improved, we believe the development is prohibited.

9 Review of RTS by other agencies

There are many similarities between our concerns and the submissions and concerns made by other agencies, including the Department of Health and the NSW Environment Protection Authority, on the amended EIS.

Our focus has been a review of the RTS as it relates to our concerns.

Our environmental consultant was asked to review the Department of Health and Environment Protection Authority submissions and some references to similar shared concerns have been provided.

Given the technical detail of the EPA's concerns, the EPA's own experts would need to assess whether the proponent's Response to Submission sufficiently answers its concerns.

There should be a requirement that we are given the opportunity to review the comments on the Response to Submissions from the other agencies, including the Department of Health and the Environment Protection Authority, before a recommendation is made to the PAC.

10 Conclusion

Despite the RTS addressing some issues identified in the amended SSD application to the original EIS, the development application must be refused for the reasons outlined in this submission.

11 Appendices

1. European Commission - The role of waste-to-energy in the circular economy (dated 26 January 2017)
2. Pollutant comparison table
3. Copy of Jacobs Group (Australia) Pty Limited RTS review