

Public submission

NAME REDACTED

Submission ID: n/a

Organisation: *New World Alliancesn*

Location: *New South Wales*

Supporting materials uploaded: *Attached overleaf*

Submission date: 25/11/2024

NEW WORLD ALLIANCES

GLOBAL OFFICE OF PUBLIC & CULTURAL AFFAIRS

25 November 2024

By email: ipcn@ipcn.nsw.gov.au

Mr. Andrew Mills,
Chairman,
Independent Planning Commission
Suite 15.02
135 King Street,
SYDNEY NSW 2000

Dear Chairman,

Re: Proposed Moss Vale Plastics Recycling Facility.

I am writing to inform you that any actions taken by you personally in your role with the NSW Independent Planning Commission to approve Plasrefine Plastic Recycling Facility that results in the operation of the Plasrefine Facility at Moss Vale, will be deemed to be contributing to a violation of Human Rights.

With this proposed plastic recycling plant being located within two hundred metres from residential homes and ten metres from Riparian zones, there are serious human rights concerns around access to clean air and clean drinking water.

HUMAN RIGHTS PROTECTIONS

United Nations Human Rights Special Procedures Executive Summary A/HRC/40/55, titled Clean Air & Human Rights sets out the impact of air pollution and the States obligations relating thereto and specifically states on page 3, paragraph 3 (attached):

With respect to substantive obligations, States must not violate the right to breathe clean air through their own actions; must protect the right from being violated by third parties, especially businesses; and must establish, implement and enforce laws, policies and programmes to fulfil the right. States also must avoid discrimination and retrogressive measures.

Further under heading “Outlining a Rights-based Approach” page 3, of the seven key steps that member States MUST take, in fulfilling the right to a healthy environment and ensuring clear air, point 4 & 6 state:

Establishing air quality legislation, regulations and standards. Air quality standards should protect the most vulnerable members of society, in part by applying the precautionary principle and using adequate margins of safety.

Ensuring the effective enforcement of their environmental standards against public and private actors, and ensuring that people have access to remedies, through judicial or similar processes, when their right to a healthy environment is being threatened or violated by air pollution.

Also note the United Nations (UN): Resolution A/RES/70/169: The human right to safe drinking water and sanitation 2016 (attached)

In October 2021, the UN Human Rights Council (HRC) recognised that the right to a clean, healthy, and sustainable environment is a human right that is important for the enjoyment of human rights. Resolution 48/13:

The [Human Rights Council](#) recognised for the first time, that having a clean, healthy and sustainable environment is a human right. The UN General Assembly reaffirmed recognition of the human right to a clean, healthy, and sustainable environment, declaring such to be a universal human right. The resolution passed with an overwhelming majority – with Australia voting in favour with another 160 UN Member States.

On 28 July 2022, Resolution Adopted by the General Assembly A/RES/76/300 The human right to a clean, healthy and sustainable environment, Recalling Human Rights Council resolution 48/13 of 8 October 2021, and noting that the right to a clean, healthy and sustainable environment is related to other rights and existing international law.

2023 Human Rights (Healthy Environment) Amendment Bill (Amending Human Rights Act 2004) (attached) states in 27C (1) Everyone has a right to a clean, healthy and sustainable environment.

DETAILS OF ALLEGED PROPOSED VIOLATION :

As highlighted earlier in this letter, with this proposed plastic recycling plant being located within two hundred metres from residential homes and ten metres from Riparian zones, there are serious human rights concerns around access to clean air and clean drinking water, not only for residents but for the larger greater Sydney and Goulburn communities as set out below.

1. Drinking water Catchment Area

Riparian zones - Approximately 10m to streams.

Water run-off containing microplastics can enter the Wingecarribee River, which feeds into the Warragamba Dam. Warragamba Dam provides Sydney and Goulburn drinking water. Risk from inadequate water filtration processes is of a great concern as is the long-term risk of microplastics and the potential for multiple medical health issues.

Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) in drinking water is currently being reviewed in many countries around the world. The National Health and Medical Research Council, (NHMRC) is the Australian Government's primary health and medical research funding agency. The NHMRC recently released proposed new drinking water guidelines for public consultation, which recommend lower values for PFAS in drinking water across Australia.

According to Wingecarribee Shire Council submission (page 12, point 7) on this matter, the current Moss Vale Sewage Treatment Plant (STP) has no specific treatment element in the process to remove microplastics. The submission goes on further to state that the proposed Plasrefine development expects to discharge up to 400g/day of microplastics to the Moss Vale STP and that this has the potential to double the amount of microplastics likely being received by the Plant. This will inevitably result in a subsequent increase in microplastics making their way into the environment in treated effluent which is wholly within the Sydney Water Drinking Catchment.

<https://www.wsc.nsw.gov.au/files/assets/public/v/1/plan-and-build/community-interest-items/wsc-submission-to-ipc-re-plasrefine.pdf>

2. Airborne Microplastics

Point 6 of Wingecarribee Shire Council's submission also refers to there being no assessment of where the microplastic dust will settle out, and what the cumulative impact would be once it has settled across the community and further that over the course of time, settled microplastics would reasonably expect to accumulate into substantial quantities. There has been no description of where this is expected to occur and what the impacts would be.

The potential impact of air pollution in the event of failure of any ventilation system could result in volatile organic compounds (VOCs) or other hazardous toxins that may be harmful to health.

Plastic recycling refineries are not only classed as heavy industrial, due to risk of both air and water pollution in event of failure of safety processes but also have an extremely high fire risk. There have been over 19 devastating fires associated with plastics facilities since 2019 in Australia alone.

Fires occurring in plastic facilities are common and have had temperatures reaching ~1000 degrees centigrade (see information on Hume, ACT fire in December 2022). Such fires result in toxic fumes and may release dioxins, benzene, hydrogen cyanide, cyanide,

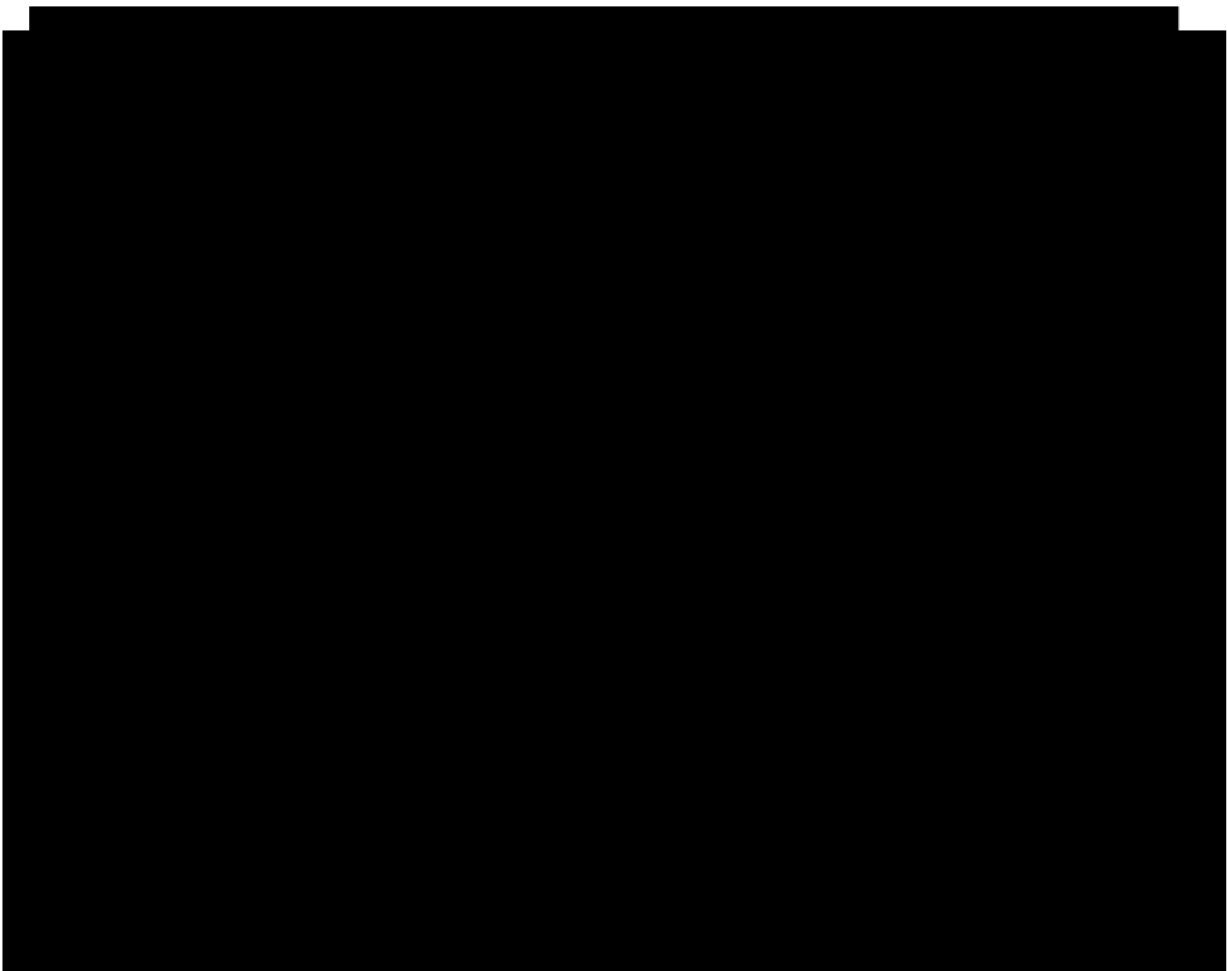
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In summary this letter is issued to exercise the human rights of the Australian people to have access to clean air and water and issued to you personally. This letter serves as an official notice and you are hereby informed that we do not consent.

Please understand that this is a gravely serious matter and failure to recognise and act accordingly can mean that further steps may be taken against you personally which could escalate to New World Alliances referring this matter to the International Criminal Court.

We look forward to a favourable outcome for the human rights of Australians.

Most Sincerely,



NEW WORLD ALLIANCES

GLOBAL OFFICE OF PUBLIC & CULTURAL AFFAIRS

25 November 2024

By email: ipcn@ipcn.nsw.gov.au

Ms. Clare Sykes,
Commissioner
Independent Planning Commission
Suite 15.02
135 King Street,
SYDNEY NSW 2000

Dear Commissioner,

Re: Proposed Moss Vale Plastics Recycling Facility.

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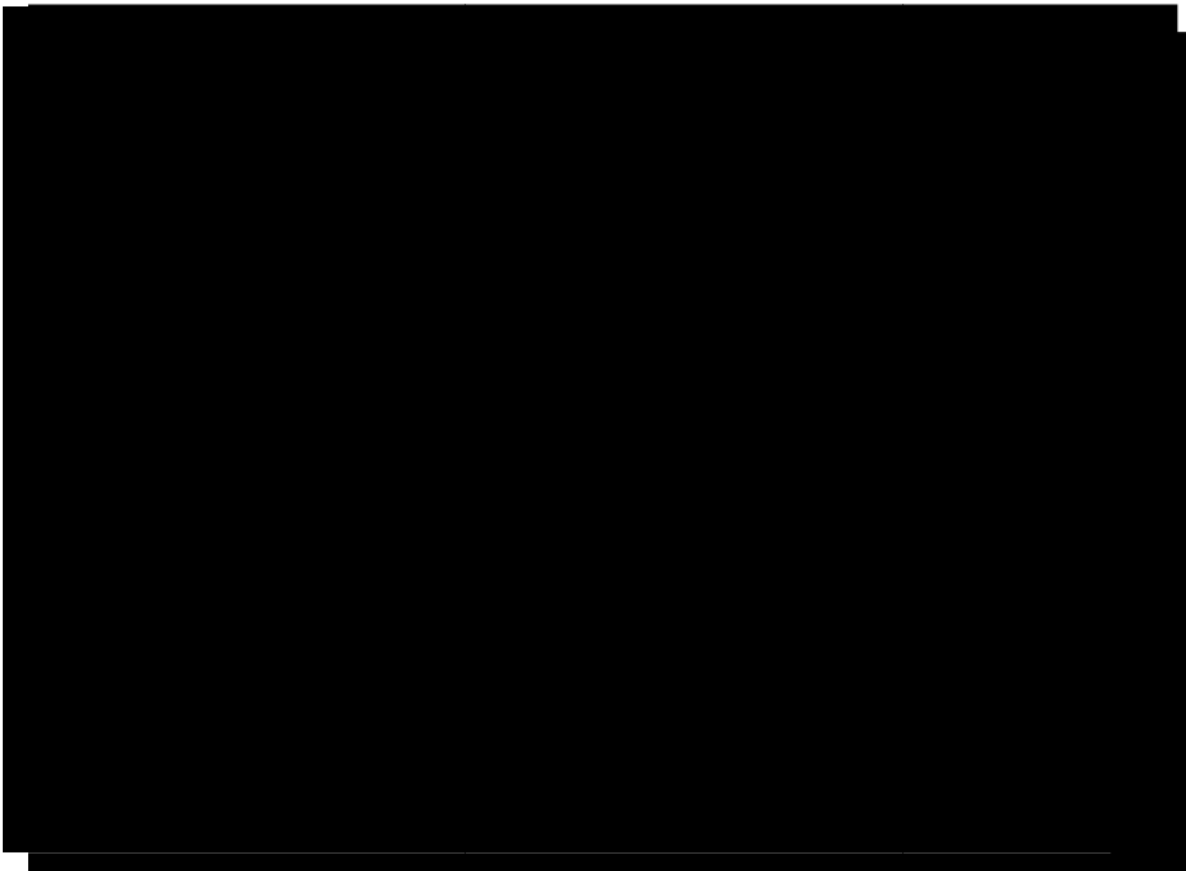
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By email: ipcn@ipcn.nsw.gov.au

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Commissioner
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Suite 15.02
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