



## **TRANSCRIPT OF MEETING**

**RE: MOSS VALE PLASTICS RECYCLING FACILITY (SSD-9409987)**

### **WATERNSW, NSW HEALTH, EPA AND DPHI MEETING**

**PANEL:** ANDREW MILLS (CHAIR)  
CLARE SYKES  
JANETT MILLIGAN

**OFFICE OF THE IPC:** KENDALL CLYDSDALE  
TAHLIA HUTCHINSON

**DEPARTMENT OF  
PLANNING, HOUSING  
AND INFRASTRUCTURE  
(DPHI):** CHRIS RITCHIE  
JOANNA BAKOPANOS  
SHEELAGH LAGUNA  
EMMA BARNET

**WATERNSW:** JURI JUNG  
CAMILLA EDMUNDS

**NSW HEALTH:** STEPHEN CONATY  
KISHEN LACHIREDDY

**NSW ENVIRONMENT  
PROTECTION  
AUTHORITY (EPA):** PETER BLOEM  
DARREN WALLETT

**LOCATION:** ZOOM VIDEOCONFERENCE

**DATE:** 11:00AM – 11:40PM  
TUESDAY, 3<sup>rd</sup> DECEMBER 2024

<THE MEETING COMMENCED

5 **MR ANDREW MILLS:** Terrific. Okay. Thank you. Well, good morning and welcome, everyone. Before we begin, first of all I'd like to acknowledge that I'm speaking to you from Gadigal land, and I'd like to acknowledge the traditional custodians and the owners of all the countries on which we're virtually meeting today and pay my respects to the Elders past and present.

10 So, welcome to the meeting today to discuss the Mona Vale – sorry, Moss Vale Plastics Recycling Facility with State Significant Development 9409987, the case currently before the Commission for determination. The applicant, Plasrefine Recycling proposes to construct and operate a plastics recycling and reprocessing facility in Moss Vale within the Wingecarribee local government area.

15 The proposed development would recycle up to 120,000 tonnes of mixed plastic waste, such as bottles and containers per annum. Recovered plastic would be converted into clean plastic pellets and plates, which would then be reprocessed into a range of plastic products.

20 My name is Andrew Mills. I am the Chair of the Independent Planning Commission and of this panel and I am joined by my fellow commissioners Clare Sykes and Janett Milligan. We're also joined by Kendall Clydsdale and Tahlia Hutchinson in the office of the Independent Planning Commission.

25 In the interests of openness and transparency and to ensure the full capture of the information, today's meeting is being recorded, and a complete transcription will be produced and made available on the Commission's website.

30 The meeting is one part of the Commissioners' consideration of this matter and will form one of several sources of information, upon which the Commission will base its determination. It's important for Commissioners to ask questions of attendees and to clarify issues whenever it's considered appropriate. And if you are asked a question and not in a position to answer, please feel free to take that question on notice, provide any additional information in writing and subsequently  
35 which we can then put on the website.

40 I request that all members here today introduce themselves before speaking for the first time, and for all members to ensure that they do not speak over the top of each other to ensure the accuracy of the transcript.

45 We will now begin. So, thank you. I'm actually going to pass one of my colleagues, and if you don't mind, we might just run the questions together, asking questions of Water NSW representatives, then of EPA representatives, and finally of NSW Health representations.

So, it's over to Janett, I think is ready to ask questions. Or is it Clare asking questions on water? Sorry ...

5 **MS CLARE SYKES:** Thanks very much, Andrew, and hello everybody. I'm Clare Larkin-Sykes. So, I just have a couple of questions relating to water, so I guess these questions are more directed to WaterNSW, just to boost our understanding on the information been provided in submissions as well as what we've heard at the public meeting.

10 I guess, our first question sort of relates to the position of microplastics and, I guess, the relationship that that may have with drinking water catchments. Does WaterNSW have any position at the present time on microplastics and drinking water catchments such as any guidelines or policy statements?

15 **MS JURI JUNG:** I'm Juri from WaterNSW. Yes, in relation to the position of WaterNSW to the microplastics, WaterNSW did not make a specific mention of microplastics in our NorBE assessment. So, to go through the NorBE assessment in general, we layout our concern, we assess based on the stormwater and erosion, sediment control and wastewater. And then related to other concerns. So that's our general approach to NorBE assessment, as published in our website as well.

20 And in some times, NorBE assessment applies to development-specific concerns. But in our submission, we didn't go through that one. For a stormwater assessment, we have assumption that proposed management measures can treat the stormwater appropriately if there is no mixing with the wastewater stream, and then that has to be [unintelligible 00:05:27] as well, if everything goes well. And also for erosion and sediment control, there is no chance that plastic wastewater can enter into the erosion and sediment control. So, our conditions are pretty standard and our assessment is pretty standard as well as per our previous NorBE assessment too.

30 So, for the wastewater comment that WaterNSW focused on, so for example, so one part is don't mix wastewater for 140 people. But that's a pretty standard way the STP will receive and treat as per current approval, and then that is nothing standing out.

35 And for plastic recycling facilities, other wastewater is regarded as a Trade Waste Agreement. And where the Trade Waste Agreement goes to our department now for the water utilities for a concurrence as well considering the wastewater quality. And then, yes, and then those issues about the quality and everything will be reviewed during that concurrent process. And also other parties relying onto EPL, the law will apply as well for their water treatment plant and/or [unintelligible 40 00:06:52] EPL.

45 WaterNSW is not directly involved in those processes that I mentioned already. So, WaterNSW consider only this plastic-containing wastewater can reach in the drinking water catchment when there is a spill at the STP when everything goes – or the wet weather period as well. So, that's why our comments mainly mention about the wastewater – sorry, the STP's capacity in that regards. [Unintelligible 00:07:32] wastewater can end in the catchment. So, that was our position.

But no, it doesn't mean that NorBE doesn't apply to this microplastic. NorBE applies to all the pollutants. But if the consent authority specifically mentioned that, NorBE specifically also applies to those pollutants as well in our assessment in the future.

5

**MS SYKES:** So, thank you, Juri. If possible, I'm not sure if your microphone could be a little bit closer or ... It was just a little bit difficult to hear some of that. But from what we could hear, that the position was mainly to the wastewater facility and discharge and the Trade Waste – and sits under the Trade Waste category. Is that correct?

10

**MS JUNG:** Yes. Can you hear me better?

**MS SYKES:** No. No, sorry, that ...

15

**MS JUNG:** What about now?

**MS SYKES:** That's good. Thank you.

20

**MS JUNG:** Sometimes we have issues in this meeting room. Apologies.

**MS SYKES:** Yes. And so to follow from that, just to clarify, I guess, is WaterNSW able to provide any information on this developing area or evidence around microplastics and water catchments, including how it's potentially being considered in terms of this emerging topic?

25

**MS JUNG:** Clare, can you repeat the question?

**MS SYKES:** So, just in terms of clarification from your previous statements, is WaterNSW able to provide any information on the developing evidence or the broader topic of microplastics and water catchments, and how this is in general being considered by WaterNSW at the moment?

30

**MS JUNG:** We don't have any public documents that we release about the microplastics as a guideline under NorBE assessment. And it's very – yes, so it's not part of our current best practice document under NorBE guidelines. However, that doesn't mean that NorBE doesn't apply, because NorBE is applicable to pre and post of the development.

35

And yes, so NorBE, the role of NorBE or a NorBE assessment applies to all the pollutants that coming out of this development, within a drinking water catchment.

40

**MS SYKES:** So, in terms of that, so WaterNSW is satisfied that the proposal demonstrates NorBE on water quality in the catchment? And were there any particular features of the proposal that helped WaterNSW reach this conclusion, and perhaps you could loop back to your comments earlier which were a little difficult to hear?

45

**MS JUNG:** Sure, sure. Maybe I may have to re-address that part.

**MS SYKES:** Yes.

5 **MS JUNG:** So, WaterNSW didn't mention microplastics directly on the wastewater assessment, because the two types of wastewater that can possibly generate from this facility is domestic wastewater 440 people, which is pretty standard for STP and EPL performance.

10 And also for the plastic recycling facility's specific wastewater, outside domestic wastewater, that may contain microplastic, rely on their water treatment plants and the Trade Waste Agreement. Where the Department has to concur on the Trade Waste Agreement, and also the EPL on the EPA's licence as well.

15 So, WaterNSW is not directly involved in those processes. So we assume all this process is tight and we only assume the situation where this untreated uncontrolled wastewater can spill in the land like drinking water catchment, which is the wet weather or when the STP is over capacity. So that's where we commented our stance about NorBE, so that's the only – we only assume that's the only scenario  
20 that the microplastics can land into the catchment, in our assessment.

**MS SYKES:** Yes. Thanks.

25 **MS JANETT MILLIGAN:** Can I just clarify that, Clare? So, thanks for repeating that, that was much easier for us. So, what you're saying was in your assessments, you've assumed that there isn't inundation or water coming into the water treatment system from some sort of failure or unusual inundation. And making that assumption, you've come to a decision that there is a – NorBE is met?

30 **MS JUNG:** Correct. And a risk that is done as per the current assessment or concurrent process as well. And we requested to be consulted in all stormwater/wastewater and erosion and sediment controls, to make sure this is tightened enough in the next stage of the planning as well.

35 **MS MILLIGAN:** Thank you.

**MS SYKES:** Thanks very much for that. I think that was – I think we clarified those points now on water. Thank you.

40 **MS JUNG:** Apologies on microphone earlier.

**MR MILLS:** We might then turn to the EPA questions, Peter, if we can. The air quality assessments for the proposal demonstrate particulate matter thresholds that they will be met. And just in that consideration, does that include microplastics?  
45

**MR PETER BLOEM:** Yes, can everybody hear me okay?

**MR MILLS:** Perfectly, thank you.

5 **MR BLOEM:** All right, great. Hi, everyone. Yes, look, we, as part of our assessment of the development, we looked carefully at the issue of emissions, including odour, particles and VOCs. So, in the context of microplastics, we consider those as particles. So, a lot of effort went into looking at the air quality assessment that underpinned the EIS in regard to PM10 and PM2.5 particles. And the EIS&S supporting air quality assessments were able to demonstrate that they complied with those recognised air quality goals.

10 Now, built into any intended licence conditions, if the development's improved, and we also had input into the Consent Conditions, we've built in safeguards in there with the Department of Planning to look at verification of those emissions. There's an air quality management plan to see how that issue may need to be adapted or evolved over time, and there's provision in there to implement best practice, retrofit or implement other controls if issues emerge.

We've got the provision under our licence to regulate the development in any way we see required to reduce any harm.

20 **MR MILLS:** Perfect. Okay, thank you, that's great. Just as a follow-up, the Commissioner heard a lot of concern from the community about the environmental impacts of the risk of fire, a potential fire. Has the EPA any experience with similar events and resulting impacts around this type of facility?

25 **MR BLOEM:** If it's okay, Andrew, I would like to take that question on notice. My involvement, or the representatives here today, have been involved in this particular development, and I'm happy to take that question on notice. You're asking a question about the sector more broadly or other sites that could have had a fire risk – is that right?

30 **MR MILLS:** Well, effectively yes. So, if there had been a similar ... I guess what we're trying to work out is if an event occurred, if there was a fire at this facility, there have been fires, we understand, at other facilities.

35 **MR BLOEM:** Right.

**MR MILLS:** Over the course of the evidence that we heard in the public meetings, there were examples given for one in Canberra, for example, or in the ACT.

40 **MR BLOEM:** Yes.

**MR MILLS:** And that had some impacts and so on, and I wondered whether or not that was something that the EPA looked at as well in assessing the overall proposal.

45 **MR BLOEM:** Yes, I'd be happy to take that question on notice. Initially though my thoughts would be our interest would be on the management of fire water and

also the safeguards in terms of the storage of waste. But I'd like to come back to the group, if that's okay.

5 **MR MILLS:** Absolutely, thank you, Peter.

**MR BLOEM:** Yes.

10 **MS MILLIGAN:** Andrew, can I just ask a follow-up question? There, you just talked about fire water.

**MR BLOEM:** Yes.

15 **MS MILLIGAN:** Does that loop back to Juri's comment that that might be one instance ... So their assumption is that we don't have microplastics coming into the system, into the stormwater, but fire water might be a risk in that regard. Is that what I'm understanding?

20 **MR BLOEM:** Well, fire water can contain lots of different pollutants because it's the water that's used to extinguish a fire. So, we'd want to look at how that might be managed. So, it could include a range of pollutants in it. And we're in a drinking water catchment, so we're especially conscious of that.

25 **MR CHRIS RITCHIE:** Can I maybe add to that, for the benefit of the Commissioner, and so it's Chris Ritchie from Planning. So, this is a matter that we touched on when we presented at the community meeting where the Fire Safety Study that we've conditioned does make reference to the need to manage what we call fire water.

30 So, in the event that there is a fire and fire water is used to extinguish, that there is guidance around basically managing and controlling that transversely off site. So, that's a requirement of that Fire Safety Study which we talked about previously.

35 **MS MILLIGAN:** Shall I push on? I had some questions for Health colleagues, if that's all right? Okay. So, I guess the slight – you know, it's a similar theme. I'm interested to know whether NSW Health has a position on microplastics generally. You know, do you have any guidelines? Do you have policy? Where are you at with this topic, please?

40 **MR STEPHEN CONATY:** If I begin and then I might refer to Kishen. Basically, no, so we're not a regulator and we don't have any guidelines around microplastics. We're aware of some publications that, particularly some WHO publications, which are essentially evidence from news about the state of knowledge. Some of them are a few years out of date now. And in our sort of little review of what's done around different jurisdictions around Australia, we note that  
45 Western Australia has got a fact sheet about microplastics and ... But I think that's the only one that we've come across.

So, I guess our position around microplastics is it's still developing. Essentially, I

think where our overview at least is that the health consequences are not very well elucidated. So, it seems like that we're exposed to a lot of microplastics and our exposure to microplastics is increasing, but the health consequences so far are either inapparent to us or have been insufficiently studied.

5

So, we don't have any very strong basis for making any recommendations around microplastics or how we should limit exposure to microplastics, except for very general statements about it's probably worthwhile to limit the degree of plastic pollution and so to limit exposure. But we don't have any real parameters around to suggest what those limits should be.

10

So, we're in a difficult position as far as trying to make any recommendations about particular developments or to provide general advice to the general public. So, it's probably – I know my colleague Kishen has reviewed some of the evidence more carefully than I have, and with your permission, maybe I can ask Kishen to contribute.

15

**MS MILLIGAN:** No, look, that would be great, and thank you for answering the question. And look, we do understand that you don't have a regulatory role. I guess the question really is a public health one. So, we're very interested to hear whatever you can tell us, Kishen.

20

**MR KISHEN LACHIREDDY:** Sure. It's Kishen Lachireddy, I'm the Manager of the Surveillance and Risk Unit within the Health Protection New South Wales.

25

Just to address the health-based guidelines, values and stuff, now there is – first of all I want to make it very clear that microplastics are ubiquitous and they're an emerging contaminant. It's a complex area, because of the particle size, you're talking about the additives that they use, the different disservice, particularly the charges as well as the number of chemical contaminants that are added to different plastics as well. And that adds to the complexity of trying to come back with threshold levels that are likely to impact human health.

30

So, the World Health Organization, the European Food Safety Authority, as well as the Food Standards Australia and New Zealand have done a lot of work in this area. At the World Health Organization recently, well, I think to a few years back, about two years back, they published a guidance around the – they did a review of the literature currently available, and they looked at what the impacts are.

35

And one of the evidence gaps, in terms of assessing the adverse impacts of microplastics are, what they have identified is there is – we're all exposed to microplastics through food, water, as well as the air, as well some of the fibres that you see. And there's a certain – there is a biological possibility of certain small microplastics can pass from the gut into the tissues. But the amount that is absorbed is very, very minimal.

40

45

And because of the complexity, the data gaps at the moment are we haven't characterised well the exposure of the humans in general to the microplastics,



because the nature and the complexity around it. But also there is a lot of the design studies have been – doesn't come back with a dose response. We have to consider the design study before we can come back with a dose response.

5 A lot of the studies have those flaws. And also, in order to set a threshold, we need to understand the toxicity of the microplastics as well. That's very much lacking because of the diversity and the physical nature of the microplastics that we see. So, all in all, there is a lot of evidence gaps. But having said that, the European Agency as well as Food Standards Australia, they say it's for the current levels of exposure through food and water, the humans, we're unlikely to have a harmful effect on humans. That's the stance that the World Health Organization as well as the other agencies have taken.

15 So, I hope I have answered some of the questions that you had.

**MS MILLIGAN:** Yes, thank you. Look, that was helpful. Just one last question. I understand entirely your comment that there's not enough there for you to set a dose response. But I just then wanted to go back to maybe Water and EPA, because you've had to do that in a way, you've set a regulatory guideline that has had to set a limit. Is that right?

**MR BLOEM:** Can I have a bit more information, Janett? In what regard is that?

25 **MS MILLIGAN:** So, there's a measurement – there's a measurement, for example, of water, there's a measurement of the water and there's a guideline needs to be below X.

30 **MR BLOEM:** Okay. In terms of specific guidelines for microplastics, Janett, I'm not aware of any, personally. But what we have done with this development, is we did raise the issue of microplastics in the wastewater discharge in our submission on the EIS, from memory, and we highlighted that issue. A lot of it was going to be underpinned by the detailed design and the performance guarantees of the equipment that was going to be installed as part of this development.

35 But they talked about it a dissolved air flotation system, which we understand has some high efficiencies in regard to the removal of microplastics. We also – there was a lot of work that was done on the water balance to look at minimising the amount of water that went to trade waste. So, we're certainly conscious of the water going to trade waste, we're not dismissive of it, oh that's a council issue, it's a trade waste – it's very important to us.

40 We don't want microplastics in our discharges and I take on board all the comments from Kishen about the complexities and limitations about trying to achieve that outcome. But it's very much front and centre for us.

45 So we've look at the development and tried to minimise the amount of microplastics. There's a condition in the consent, we have a mechanism through the licence to look at microplastics over time through a Water Management Plan

and other mechanisms, to get some real data about what those impacts are. And again, the consent and the licence allows for a mechanism to adaptively manage and continuously improve that issue over time.

5 But we obviously want to have confidence going forward about how big or small that issue is. We think that those safeguards can address that issue, but the onus is on the proponent to demonstrate that to us and the community.

10 More broadly, Janett, there are lots of things going on within government and the EPA in regard to plastics generally. The Plastics Plan recently went out for comment and it looks at addressing plastics at the front end more of the process. So, as Kishen highlighted, some of the compositions of plastics, the recovery of plastics and recycling, also looking at controls on washing machines and other things to look at removing microfibrils and plastics generally in our waterways.

15 There are studies that have been done to look at municipal treatment plants and the contributions from those sources. So it's a very new and emerging area, but it's being tackled on a range of fronts. But I think I've explained what we've tried to focus on here in this particular development.

20 **MS MILLIGAN:** Thank you very much, Peter. Okay. So, maybe Stephen and Kishen, back to you, just a couple of last ones. We noticed at the beginning of the process, you advised us that you didn't really – you weren't planning to comment or make a submission on the application. And I'm wondering, Stephen, maybe that's your view, that you're not a regulator. But I'm just wondering at this point, given the conversation we've had, are you interested – would you be able to provide a written comment on the application?

30 **MR CONATY:** I guess that we would be able to. I guess the question is what it would say, and I don't think it would be – I don't think it would necessarily help the decision making of the panel. And I'm not sure whether it would provide any sort of reassurance to the community, I'm not sure.

35 **MS MILLIGAN:** So what you're saying is that probably no more clarity than the discussion we've had today, and that's why you didn't make a written comment?

40 **MR CONATY:** Yes, that's right. Originally New South Wales Health wasn't included on the SEARs and so we didn't have an opportunity to, I guess, comment on the EIS originally. But then we were made aware that it was, I think through Wingecaribee Council initially that it was a topic that was generating a lot of – or a development that was generating a lot of interest in the community.

45 And so we had, I think we had a further opportunity but then we, but when we ... Particularly when we were looking into the issue of microplastics and whether we had anything meaningful to say, I think we concluded at that stage that we really didn't, and so we decided not to put in a submission.

**MS MILLIGAN:** Okay. I understand. Thank you very much. And look, just one

last question, and I probably know the answer to this, but I just wanted to ask you. We had a submission from Garvan in relation to ABR, the facility next door to this site, and they described their facility as one-of-a-kind in New South Wales. And they set it is crucial to the achievement of the state's health and medical research priorities in supporting research infrastructure as per the New South Wales Office for Health and Medical Research.

So, I just wanted to give you the opportunity to say that – would you agree with that, that that is a unique facility and it's part of the medical research scene that comes out of the office?

**MR CONATY:** Oh look, I'd have to probably take that on notice, Janett. I do recall this coming up before and so I think that – and I can't remember exactly in what context that – whether it was Garvan made themselves had made a submission of we were asked by Health about Garvan and their role. So I would have to check with the Office of Health and Medical Research about Garvan's role, and also whether their role at all would be compromised by the development, which I guess is the relevant issue.

**MS MILLIGAN:** All right. Thank you very much for that. Andrew, I think I'm fine with my questions.

**MR MILLS:** Thank you. Clare, did you have anything additional?

**MS SYKES:** No, nothing additional from me. Thank you very much.

**MR MILLS:** Is there anything else we need to ask?

**MR KENDALL CLYDSDALE:** Nothing from the Office's position, but perhaps the Department may wish to make any comments.

**MR MILLS:** Yes. Chris and team, is there anything you would want to add to any of this?

**MS SHEELAGH LAGUNA:** We don't really have anything in particular to add. Sorry, I'm Sheelagh Laguna from the Department of Planning. Happy to answer any questions you may have additionally.

**MR MILLS:** No, it was just if you had anything to add to any of the comments or conversation.

**MR RITCHIE:** Just in terms of Health comment around maybe they were asked that question before about the significance of the AVR facility. That was probably coming from us as part of our assessment process. We were engaging with Health who understands the role of the facility and the significance of the facility as part of our consideration and assessment of the project. So that's probably where Health might have recognised this line of questioning before. That did come from us.

**MS MILLIGAN:** So Chris, I was just going to say, so you think that those questions have been answered, that we'll find ...

5 **MR RITCHIE:** Not – in terms of, that's not quite what I was saying. More that in terms of the recollection of being asked similar themes of questions, it was things that we were asking as part of the process of doing our assessment and making a recommendation to yourselves.

10 **MR CONATY:** That sounds correct.

**MR RITCHIE:** Yes.

**MR CONATY:** That sounds right.

15 **MR RITCHIE:** The only other thing to add is that we're in the process of finalising some written responses back, so just letting you know that that should be on its way to you probably today or tomorrow.

20 **MR MILLS:** Thank you. Well, in that event, thank you all very much for your time, we really do appreciate it. The information you've given today has been very helpful for our consideration of this development. And I think I can give you back that 20 minutes or so of your day. Thank you very much.

25 [Multiple people say thank you]

**>THE MEETING CONCLUDED**