

# **Submission Against SSD-21184278**

## **“Woodlawn Advanced Energy Recovery Centre”**

Date: 12 December 2022

## Table of Contents

Acknowledgement of Country.....	3
Executive Summary.....	4
EIS Issues.....	7
Greenhouse Gas Assessment (EIS Appendix Q).....	29
Traffic Impact Assessment (EIS Appendix T).....	39
(Historical) Odour Simulations and Audits.....	45
Air Quality Impact Assessment (EIS Appendix O).....	51
Biodiversity Impact (EIS Appendix Y).....	61
Human Health Risk Assessment (EIS Appendix P).....	65
Community Consultation / Enagement (EIS Appendix K).....	69
Impact on Local Community.....	88
Social License To Operate.....	96
Breeches of Environmental License, Planning Consent and Australian Law.....	101
EPA Failures.....	128
Federal Environment Policies, Stockholm Convention and Realistic Alternatives.....	141
Veolia’s International Approach and Corporate Behaviour.....	151
Veolia’s Approach In Australia.....	161
Power supply and output.....	167
Other Issues.....	169
Appendix A – Reasons For Rejection.....	177
Appendix B – Recommendations If Approved.....	195

## ACKNOWLEDGEMENT OF COUNTRY

This is not a “traditional” Acknowledgement of Country – I am not going to copy someone else’s words and modify them. I am not an indigenous Australian. My understanding of Country is biased by my cultural upbringing. However this does not stop me trying to better understand, trying to work with Country and the people around me. And it does not stop me from teaching my children about Country as best I can. We teach our children about respect and looking after the environment and all it’s animals. Sometimes we forget that we are animals too.

I have been a custodian of a small part of this land for a very short time period. I have walked the land at night under a billion lights. I have listened to the frogs talk about Country. Every day we see native wildlife passing. “That” Kangaroo with the white spot on it’s nose. “That” very dark wallaby, almost midnight. “Those” annoying kookaburras that are so loud they drown out our conversation. “That” bat that ended up in the car and we had to return it to its local environment. We fence off a native shrub that was mowed over for years because we were not paying attention to Country. It is now thriving and no longer needs a fence to protect it from our ignorance.

We are all custodians of this land.

## EXECUTIVE SUMMARY

We live approximately 18kms from Veolia’s proposed incinerator. This submission contains what was found with a few hours of effort each night over about 100 nights – time that we do not get paid for. However if we can find so many flaws, it raises the question as to what a detailed full-time audit undertaken by competent individuals would identify? How many more problems are lurking beneath Veolia’s glossy surface?

Veolia’s proposed incinerator will generate a meagre 0.115% of the National Electricity Market’s electricity needs in any one year. Just like fossil fuels, once the resources are burned, they are gone. An output of energy from this process is simply a side-effect of hiding the waste by burning – it is certainly not the biggest selling point. This proposal is “greenwashing” by Veolia at its best.

The contents of this submission can be grouped into two broad categories:

1. Issues with the Environmental Impact Statement and Appendices itself; and
2. Veolia’s behaviour and operations of existing facilities.

Unlike most development proposals, Veolia has been operating in the Tarago area for over 20 years. As such we can judge their likely future behaviour on their historical behaviour.

Sydney has had over twenty years to address it’s mounting waste management crisis. Some initiatives (such as the NSW Waste Levy) have had a positive impact. Yet waste sent to Veolia’s proposed waste incinerator does not need to pay the NSW Waste Levy. Veolia’s proposed incinerator is just “kicking the can down the road” – and does not address the underlying root cause of the issue.

### Major Highlights of this EIS

1. Veolia continually misrepresent the proposed incinerator – it only exports 25MW of energy (0.115% of the National Electricity Market’s requirements), not the claimed 30MW.
2. Veolia claim there are no feasible alternatives – not only do they omit projects such as the Bioelektra facility in South Nowra (SSD-9887), but they fail to compare the output to other renewable energy projects such as wind and solar.
3. Veolia propose to store the most toxic waste (APCr) in cement, known to decompose over time, in an encapsulation cell contained within ED1. ED1 is already known to have contaminated groundwater.
4. Veolia fails to identify multiple school buses, and the hazards associated with large numbers of children within the Tarago area catching the buses to school every day.
5. Veolia’s Greenhouse Gas assessment numbers are questionable. The number of engines in scenarios appears dubious based on previous documents. The actual calculations do not match those for the Staffordshire Reference plant. And the values do not align with those contained in the BAT Reference Document for Waste Incineration. It is also unclear how they calculated the values.
6. Air quality limits are based on old values and not up to date. This modelling is also based on historically inaccurate modelling techniques that have been demonstrated for years to be false. Their modelling for the proposed incinerator is likely to be incorrect.
7. Boro Road does not seem to exist – despite many houses on Boro Road being within 20kms of the facility. Apparently air emissions do travel to the east side of Braidwood Road.

8. Veolia completely underplays the importance of the Stockholm Convention. Given there are more suitable options, and the guidelines on the Convention say they must be explored first, the NSW Government must explore those options first.
9. The Biodiversity impact seems to have been written in complete isolation to the fact leachate has already been leaking from Veolia's evaporation dams – they just never told anyway.
10. Veolia fails to take into account the mental health of the local community, or the cumulative impact of this project has on the many other issues the local community has to deal with (such as the lead contamination of the railway corridor).
11. Veolia completely failed on the community consultation and engagement. They have lied to the community, failed to respond on our concerns, and utterly fail at keeping the community informed about the proposal.
12. Veolia has lost all social license to operate in the local community.

### **Veolia's Historical Behaviour and the "Good Neighbour" Principle**

1. More detailed analysis was conducted on Veolia's historical modelling of odour emissions from the existing facilities. There are significant claims over the years of minimal impacts on the local community.
2. Veolia has for many years failed to comply with conditions of consent and their environmental license – not just one or two instances – but many instances over many years. They have been allowed to get away with this.
3. Veolia fails to publish environmental reports and denies the public access to these reports / delays the process to access these reports through GIPA requests to appropriate agencies. Their document control processes and dates / times on documents are also dubious.
4. Over many years of international and Australian incidents, it is clear there is a pattern of behaviour exhibited by Veolia as a corporate entity. This includes a failure to maintain plant and equipment, quite often leading to catastrophic consequences for the environment.
5. Right now, Veolia appears to be installing more flares to burn the gas from the landfill – rather than use the gas to generate electricity.

### **Other Agencies And Their Failures**

1. The local community has been promised in the past by multiple agencies there would be no odour issues from the existing Bioreactor. The NSW Department of Planning made promises. The Planning Assessment Commission was satisfied there would be no impact. The EPA also fails to deal with the odour.
2. The EPA has continually allowed Veolia to get away with poor behaviour. They have failed to apply the scrutiny to Veolia that is required.
3. The EPA treats rural areas as a much lower priority in terms of complaints – despite our complaints per head of population are far more than those in other areas.
4. EPA audits of Veolia are dubious at best – taking evidence on just one day in five years as conclusive proof that Veolia are compliant on license conditions.
5. The EPA knew of groundwater pollution in 2016, but never bothered to inform the local community.

### **Other Issues Identified**

1. Veolia’s proposal is not consistent with Federal Government Policies and does not “keep materials in use”. The proposed incinerator will leave the environment in a worst state than Veolia found it.
2. The proposal places Australia in contravention of their obligations under the Stockholm Convention. We do have alternatives to incineration – they have simply not been pursued.

This submission has been truncated – due to time constraints, a large number of other issues could not be included. Nearing the end of our analysis of Veolia’s EIS and related issues, we also identified other similar issues with Veolia’s operations at the Clyde Waste Transfer Terminal.

Veolia’s proposal has been positioned at a time when GreaterSydney is getting close to facing a critical issue – too much waste and not enough landfill. This issue has been known about for over 20 years, and still nothing concrete has been done about it. We are at a critical time in our approach to looking after the environment.

**Do we make the easy choice to approve the proposed incinerator?  
Continue to kick Sydney’s waste issue down the road for ten more  
years? Do we continue to reward Veolia for it’s poor behaviour?**

**Or do we make the right choice to protect the environment, and  
transitioning to a real circular economy?**

**Veolia proposal promotes the failure of the circular economy.**

## EIS ISSUES

This chapter contains issues identified within Veolia's EIS itself. These are only what could be identified within the short exhibition period. Based on experience (demonstrated in the rest of this submission), there are likely to be far more issues within the EIS – however time is not available to perform a more in-depth analysis.

### General – Exhibition Period Very Limited

Veolia's EIS consists of 37 documents and over 3,400 pages. The NSW Department of Planning and Environment (DPE) has specified a six week exhibition period. This hardly allows time for the community to digest the content, let alone provide meaningful input into the process. Many community members work full time and are not paid to spend six weeks looking through the EIS. In order for a community member to just read the EIS, they would have to read over 80 pages a day for six weeks. This does not even take into account any time they would need to write up any submission.

The following email was sent to the Primary Point of Contact for the Project (Sally Munk) on 10 October 2022:

Sally,

I have just been informed the EIS for SSD-21184278 (Woodlawn Advanced Energy Recovery Centre) proposed by Veolia will go on exhibition as of 26 October for a period of six weeks (this is second hand information, as such I have not been able to confirm the details). I would like to request the Department extend the exhibition period on the following basis:

1. Given the SEARs and Government Authority Input into the SEARs, the EIS is likely to be substantial. Many people in the local community work full time, and six weeks would be extremely insufficient to review the content let alone write a suitable submission.
2. There is substantial interest (and opposition) to this project in the local community.
3. Veolia claimed they would publish the reports that go into the EIS prior to the EIS release (see step '3' on <https://www.veolia.com/anz/next-steps>) which clearly indicates the reports would be released and the public consulted prior to the EIS being submitted. This has never happened - we were given some glossy brochures, and that was it.
4. Between 2016 and 2018 SSD-6277 (Jupiter Wind Farm, Department of Planning Contact person Nicole Brewer) had a three month exhibition time with the Department showing they would consult effectively with the community. In this case the Department is demonstrating they will not consult with the community.
5. The NSW Energy From Waste Policy Statement clearly states the importance of community consultation. This is also made clear in Ministerial communications and the importance of considering community views in the

process. Six weeks is far too short a time period (unless the EIS is substandard and does not address all the SEARs).

6. Given a start of 26 October and a six week exhibition period, the final date would be 7 December. Given most Federal and State government departments have a well deserved stand-down period over Christmas, surely extending the exhibition period by 6 weeks would have a negligible impact on the Department.

I appreciate your consideration of this matter.

Thanks,

[Name Removed]

DPE never replied to the original email. Anecdotal evidence suggests multiple other community members also submitted complaints to the Department over the short exhibition period.

***Rejection 1:*** *Veolia’s proposed incinerator must be rejected. The NSW Department of Planning and Environment ignores community issues over the very short exhibition period of six weeks. There are 37 documents in the EIS and over 3,400 pages. It is not possible for those making submissions (including over agencies and organisations) to reasonably undertake a review of the content and make a fair submission. The NSW Department of Planning and Environment has already biased the project in favour of the proponent.*

Regardless of the short exhibition timeframe, there are many clear issues within the EIS (as per this submission). As such the Department should take into account the issues raised within the six week period are just those that could be identified under the timeframes. An extrapolation of these issues should be taken into account during the assessment process.

***Recommendation 1:*** *The NSW Department of Planning and Environment must take into account the issues raised within the short exhibition timeframe as a sample/subset of the issues in Veolia’s proposal. As such they should extrapolate from the issues submitted to make an informed decision on the quality of the submission.*

## **General – Acknowledgement of Country**

Some of the reports generated on Veolia’s behalf contain an “Acknowledgement of Country” (for example reports generated by EMM Consulting). However at no point do Veolia themselves actually acknowledge Country in their submission.

***Rejection 2:*** *Veolia’s proposed incinerator should be rejected. Despite their sub-contractors developing the EIS proposal acknowledgements to Country, Veolia itself has made no effort to recognise Country.*



## General – Consistent Misrepresentation of the Project

Veolia consistently refer to the waste feedstock for the incinerator as going to landfill. This is consistent wording throughout the EIS. It is a misrepresentation of the project. Figure 1, Figure 2 and Figure 3 contain examples from the main EIS document.

The project involves the diversion of up to 380,000 tpa of residual waste feedstock from landfill to the ARC. This is in keeping with the Government’s objective of diverting waste from landfill to a higher order use, in this case the recovery of energy.

**Figure 1** Page 102 of the main EIS document

By diverting waste that is currently disposed to landfill to a higher order use, namely energy recovery, this project provides a more beneficial waste management solution in keeping with the waste hierarchy.

**Figure 2** Page 104 of the main EIS document

Currently the Eco Precinct is operating below its approved capacity. The project will utilise existing approved waste streams destined for the Eco Precinct, diverting up to 380,000 tpa from landfill to the ARC for energy recovery. This will provide the benefits of both preserving landfill capacity and generating electricity from the energy recovery process. This is in keeping with the Government’s objective of diverting waste from landfill to a higher order use, in this case the recovery of energy. The project supports the concept of a circular economy.

**Figure 3** Page 306 of the main EIS document

The proposed project diverts waste feedstock from Veolia’s Bioreactor, which currently generates 9MW (and generation is increasing over time). According to EPIC Environmental’s report<sup>1</sup>, the gas generation from the Bioreactor will increase for at least 12 years after waste is no longer being added.

**Recommendation 2:** *Veolia must update references to diversion from landfill to diversion from the Bioreactor. This project is a tradeoff between a longer term energy generation solution in the Bioreactor, and an instant and slightly higher net generation capacity of 25 MW (exported energy). Once the waste is incinerated, there is no further energy generation.*

The EIS also consistent misrepresents the output of the incinerator. The SEARs and early documentation refer to an output of up to 40MW. Large portions of the EIS highlights generation of up to 30MW output from the incinerator (as per Figure 4, Figure 5 and Figure 6).

- a power plant with a nominal capacity of 30 MWh to generate up to 240,000 MW of electricity per annum;

**Figure 4** Extract from page 8 of the EIS main document.

Annual throughput    The ARC will have the capacity to process up to 380,000 tpa of residual waste feedstock and will have an electrical generation capacity of up to 30 MW.

**Figure 5** Extract from page 8 of the EIS main document.

---

1 Investigation and Assessment of H2 Gas Emissions at the Woodlawn Bioreactor, 2021

The project will generate up to 30 MW of electricity and has a capital investment value greater than \$30 million.

**Figure 6** Extract from page 116 of the EIS main document.

The actual output of the incinerator is claimed to be 28.4 MW<sup>2</sup>, and after the parasitic load of the incinerator is taken into account (3.1 MW), the export of energy to the grid will be 25.3 MW. This is 60% less generation than originally claimed this project would produce. In fact in the main EIS document itself, Veolia does not once mention the net output as calculated in Appendix D – the process overview.

**Recommendation 3:** *The EIS must be updated to correctly reflect the actual exported energy. Veolia’s EIS consistently refers to an output of up to 30 MW. However the actual export is 25 MW. Veolia consistently misrepresent the incinerator as generating more electricity than it will export to the grid.*

## General – Misrepresentation of Power Generation

Throughout the EIS, Veolia claim the project will generate 240,000MWh/yr. This appears to be based on a calculation of 8000hr of operation and 30MW of output. It is used to demonstrate the benefit(s) of the project. Yet at no stage do they explain how the 240,000 figure has been calculated. Appendix D is quite clear the exported energy from the project will be 25.3MW/hr. Using an 8000hr basis for the 240,000MWh/yr, but substituting the 25MW, the exported energy should have been 200,000MWh/yr.

However, to be fair to Veolia, the operational hours are more likely to be around 8,200hr based on Tolvik (2022) and Staffordshire operational data obtained from five years of annual reports. As such the more accurate calculation is 8,200 x 25MW (rounding down to provide an easy to digest number for general public consumption). This results in a more accurate representation of the exported energy as 205,000MWh/yr (15% lower than their claimed output).

**Recommendation 4:** *Veolia must update their EIS to remove an inaccurate over-estimation of the electricity output from the project. They appear to base their current calculation on the total output of the incinerator (30MW) rather than on the exported electricity (about 25MW). This creates an overly optimistic view of the benefit from the exported electricity. Veolia attempts to make the project look more beneficial than it actually is.*

## Main EIS – Section 3.5 – Feasible Alternatives

In section 3.5 of the main EIS document, Veolia considers the alternatives to the incinerator. This is done purely in a limited context of waste incineration. However they do not consider alternatives to the process they are undertaking – particularly alternatives that process waste earlier in the waste lifecycle.

The process they are undertaking is waste incineration / destruction. Under the “do-nothing” scenario, Veolia identify the feedstock would continue to be disposed to landfill. This is incorrect – the waste would continue to be disposed of to the Bioreactor and continue to lead to energy generation. Though Veolia highlight Sydney is running out of landfill capacity.

---

2 Appendix D of the EIS “Process Overview”

**Recommendation 5:** *Veolia mislead the public by claiming the “do-nothing” is a negative result – misrepresenting this option as waste going to landfill. Veolia must update their EIS to correctly represent the “do-nothing” option will lead to waste continuing to be sent to the Bioreactor and resulting in energy generation.*

As is highlighted elsewhere in this report, there are alternatives to the process of waste incineration. Other sections of this submission discuss the Bioelektra facility which has been approved and is being built in the NSW Shoalhaven (see Realistic Alternatives (Bioelektra)). This facility accepts a similar waste feedstock, and recycles the content. This solution is within the waste lifecycle itself, and is not within the final destruction process of the waste stream.

**Rejection 3:** *Veolia’s project completely fails to consider feasible alternatives. The proposed alternatives are the limited alternatives to a waste incinerator. They are not alternatives to the process of waste incineration. For example, Bioelektra a building a facility in NSW right now that is a viable alternative. The proposed incinerator must be rejected – it is not needed and better alternatives are available (see elsewhere in this submission).*

## **Appendix A - SEARs Compliance Table**

Veolia has undertaken a meticulous assessment of their compliance against the SEARs issued. However they have glanced over the input from other agencies and organisations. For example, Attachment 2 of the SEARs contain input from the NSW EPA – including a detailed list of requirements for an EIS. Veolia has made no effort to indicate if they comply with the EPA’s requirements.

**Recommendation 6:** *Veolia must update the EIS to include specific compliance to requirements set out by other agencies in Attachment 2 of the SEARs.*

## **Appendix B - Consolidated consents**

There are no comments on this section of the EIS.

## **Appendix C - Woodlawn ARC Architectural Design Report**

Current direction in NSW is for a greater use of electric vehicles. Veolia’s design does not take into account an increasing usage of electric vehicles, and the need to recharge those vehicles while at work. Given Veolia’s proposed facility is located remotely from most residential areas, it would make sense to have a large number of recharging points for vehicles.

**Recommendation 7:** *Veolia’s proposal must be updated to include a large number of recharging points for electric vehicles. An increasing use of electric vehicles will result in the need for more charging points in areas such as workplaces – particularly for people who may drive longer distances from places such as Goulburn.*

## Appendix D - Woodlawn ARC Process Overview – Calorific Content

Veolia’s proposed incinerator claims a net calorific value of 9MJ/kg. The Process Overview claims this is based on sampling and auditing of the waste streams that would be used in the incinerator.

The reference point for the Woodlawn ARC is a net calorific value (NCV) of 9MJ/kg as shown in **Figure 3-2**. This value is based on sampling and auditing of residual MSW and C&I waste sourced from Greater Sydney, which will supply the Woodlawn ARC’s feedstock.

*Figure 7 Extract from Appendix D – Woodlawn ARC Process Overview*

However a review of Appendix I (Waste Feedstock Analysis) identifies there is absolutely no establishment of an actual calorific value of the waste feedstock. This is despite a reference in the report to indicate Veolia had asked for the calorific value to be established.

Veolia engaged consultants to undertake two campaigns of auditing and characterisation of the potential feedstock for the Woodlawn ARC.

The waste characterisation project involved:

- Sampling and sorting of residual municipal solid waste (MSW) and commercial and industrial (C&I) waste from incoming loads to Veolia’s Banksmeadow Transfer Terminal;
- Establishment of calorific value (CV);
- Chemical analysis at a NATA accredited laboratory.

*Figure 8 Extract of Waste Audit Methodology contained in Appendix I*

On 6 December 2022, we asked Veolia for the results of the Calorific Value analysis (see Figure 9).

I am curious as to where the calorific values were derived from. Appendix I (i) does state that lab analysis was performed for calorific values (and chemical analysis). However the results of the analysis are not included anywhere in the EIS.

Could you provide the results of the lab analysis please?

*Figure 9 Extract of email sent to thearc@veolia.com on 6 December 2022.*

Veolia responded on 7 December 2022 (see Figure 10).

In relation to your request for Veolia's full lab analysis, for commercial reasons it is not possible to share these results. With this said, information about Calorific Value is available in the public domain and what you will see here aligns with the findings included in the EIS. The waste we are proposing to process is municipal waste (non recyclables that are otherwise known in

NSW as the red lidded bin waste) and this tends to be in the range of 8-12MJ/kg, found through research globally.

**Figure 10** Extract of Veolia’s response to our request for calorific value results of analysis received on 7 December 2022

We responded by clarifying we were only after a copy of the results, not the full lab analysis – highlighting we would have expected at least a summary breakdown of the CV of each waste component (similar to the breakdown from the Staffordshire reference facility). We never received a response from Veolia (prior to submitting our objection).

**Rejection 4:** *Veolia’s proposed incinerator must be rejected. Rather than provide the results of calorific values of the proposed waste feedstock, Veolia want us to rely on information in the public domain. Veolia want the local community to trust they have done the analysis. This is hardly open and transparent communications, and Veolia refuses to engage with us on matters that concern us in relation to the EIS.*

**Recommendation 8:** *Veolia must provide results of laboratory analysis of waste feedstock to demonstrate the calorific values are as per what is claimed in the EIS. This information plays a critical role in the calculation of the efficiency of the incinerator. Without an accurate basis for the calorific values and the thermal and electrical output of the proposed incinerator, the efficiency of the incinerator is unlikely to meet the required 25%.*

## Appendix D – CV from Staffordshire are Derived, Not From Lab Analysis

Operational data (dated 2017) from the Staffordshire reference facility (Appendix GG) bases the calorific values on “DEFRA’s Biodegradability of Municipal Solid Waste report 2012” (see reference on Table 4 of Appendix GG). DEFRA is actually a reference to the UK Government’s Department for Environment, Food and Rural Affairs.

• Nominal Waste Capacity	t/h	40 (2 x 20)	43.8
• NCV at MCR	kJ/kg	9,200	9,000

**Figure 11** Table 6.1 from main EIS document – indicating Net Calorific Values (without any basis)

On 12 November 2022, we requested a copy of the DEFRA report from Veolia – as we were unable to find it on the Internet. Veolia Australia indicated they did not have a copy of the report and that Veolia UK was unable to find a copy of the report and had to request the document from DEFRA (This was after several emails back and forth with Veolia Australia). Veolia was finally able to provide a copy of the report on 8 December 2022 – almost four weeks after we asked for it!

Based on the content of the DEFRA report and Appendix GG, it becomes clear that Veolia’s calorific values for Staffordshire are derived based on waste types and volumes, and values from the DEFRA report. They are not actually actually based on any laboratory analysis.

**Recommendation 9:** *Veolia must provide laboratory based analysis of Staffordshire waste feedstock and calorific values to compare with values from the waste feedstock for the proposed incinerator. They must be able to backup the calorific values for Staffordshire with real data.*

## Appendix D – Efficiency Calculations

Appendix D contains the calculations for the efficiency of the incinerator as required under the NSW Energy From Waste Policy Statement.

Estimated net power output <sup>5</sup>	MWe	25.3
Estimated gross power output (design target)	MWe	28.4
Estimated parasitic load of the ARC	MWe	3.1

**Figure 12** Extract of Appendix D, Table 3-1

Later in the same report, they calculate the efficiency as 26%.

The indicative energy balance for the Woodlawn ARC is shown in **Figure 3-3**. The reference point shown in **Figure 3-2** was used as the basis of the energy balance. The reference point scenario has been provided to demonstrate that the Woodlawn ARC’s thermal efficiency exceeds the requisite 25% as stipulated in the NSW EfW Policy Statement<sup>8</sup>, as shown by the following calculation:

$$\frac{\text{Electrical Power Output (MWe)}}{\text{Thermal Power Input (MWth)}} \times 100\% = \text{Thermal efficiency (\%)}$$

$$\frac{28.4\text{MWe}}{109.4\text{MWth}} \times 100\% \approx 26\%$$

**Figure 13** Extract of Appendix D, page 7

According to the NSW Energy From Waste Policy Statement: “The **net** energy produced from thermally treating that waste, including the energy used in applying best practice techniques, must therefore be positive”. Veolia’s proposed incinerator is not clear on what portion of the electrical power output is actually used in applying best available techniques. When using Veolia’s net power output in the same calculation, the efficiency of the plant is ~23% - below the threshold set in the NSW Energy From Waste Policy Statement.

**Recommendation 10:** *Veolia must clarify what proportion of the gross energy produced (MWe) is used in applying best practice techniques. They must also clarify their calculations on the efficiency of the plant if the Electrical Power Output (MWe) varies from that used in the calculations in Appendix D.*

Veolia’s calculations are based on the “reference point” and they clearly state:

This energy balance is indicative, and values may vary slightly during detailed design.

If the MWe comes in at 27.35 (just 4% lower), the energy efficiency of the plant no longer exceeds the requisite 25% set in the Policy Statement. Veolia has no actual idea if the thermal efficiency of the proposed incinerator will exceed the required 25% or not. A 4% difference is likely within the margin of error for their calculations and laboratory analysis, and as such it is unclear if the facility will exceed 25% required (and “values may vary slightly during detailed design” does not inspire confidence).

**Rejection 5:** *Veolia’s proposed incinerator is questionable in terms of ability to exceed the threshold for efficiency set in the NSW Energy From Waste Policy Statement. Veolia must be able to prove conclusively they are capable of exceeding the 25% threshold. The proposed incinerator must be rejected*

## Appendix E – Ash Management Study

According to Section 2.4 of the Ash Management Study “EfW technology has the potential to contribute to renewable energy targets”. This is hardly the case. Once the waste has been incinerated, it has lost all of its original value and embodied energy. Waste incineration reduces the energy input to create the item (in the first place) to ash.

More importantly, Veolia’s submission points out “the by-product waste streams can form a reasonable percentage of the input waste and in some instances can contain concentrated levels of contamination”. However it should be noted that section 2.4 has absolutely no references to backup the claims being made.

Veolia proposes to dispose of the Incinerator Bottom Ash (IBA) at the existing Woodlawn landfill. The Ash Management Study contains a substantial amount of uncertainty over what is actually going to happen with the IBA – particularly in section 5 and 6. However a significant concern is the weathering of IBA and use as an alternative cover for the existing landfill. Woodlawn is in a high wind zone (hence the installation of Wind Farms in close proximity to the landfill). We live 18 kms away and more recently have noticed odour from the existing landfill during high winds. Exposed ash in very high wind conditions is likely to become distributed – this has not been considered in the proposal.

**Rejection 6:** *Veolia’s proposed incinerator must be rejected. Veolia propose to weather the Incinerator Bottom Ash (IBA) on an exposed concrete pad for months. Veolia also propose to use the IBA as an alternative cover for the existing landfill. The proposed facility is in an area subjected to very high winds (hence the wind farms in close proximity to the incinerator). Exposed ash is lightweight and likely to be picked up in strong winds and distributed over a wide area – exposing the local community and farming areas to toxic bi-products of the incineration process.*

In section 5, the level of uncertainty in the report increases. Phrases like “should reduce” are common, and it is unclear as to what Veolia are proposing to actually do with the toxic APCr.

impact of the final product would determine how the processed EfW APCr be utilised. The stabilisation of APCr does not reduce the physical amount of solid metal within the APCr (although a dilution factor occurs due to the addition of treatment material) or necessarily remove its toxicity (Ferreira *et al* 2003), but it should reduce the ability for the entrained metals to mobilise from the APCr in a liquid or gaseous form.

**Figure 14** Extract from Section 5 of Appendix E – note the “should reduce” wording

The preferred option for dealing with APCr appears to be stabilisation of the ash in a Portland cement mix. It should be noted that cement is well known to degrade over time<sup>3</sup>. Not only does it destabilise, but Veolia are proposing to dispose of 15,200tpa of ash in this manner. Over the planned operational life of 30 years, this is 456,000 tonnes of toxic waste encased in a Portland cement mix that degrades over time.

Additionally, the density of the final waste product for APCr is about two to four times that of the original volume. This means that 456,000 tonnes could be anywhere from 800,000 tonnes to 1,600,000 tonnes of toxic waste! This is not a small amount of toxic waste over the lifetime of the proposed incinerator. It also assumes there are no increases over time of the waste processing volumes (despite other areas of the EIS such as the GHG calculations assuming increasing waste feedstock levels).

**Rejection 7:** *Veolia’s proposed incinerator is a toxic time-bomb. They are proposing to dispose of 456,000 tonnes of toxic APCr by stabilisation within a Portland cement mix. Over time cement is well known to degrade – leaving behind a large scale environmental disaster. Veolia’s proposal must be rejected – it will leave behind toxic waste on an enormous scale.*

**Recommendation 11:** *Veolia’s proposed incinerator must contain far more certainty over the treatment and disposal of the toxic ash (IBA and APCr) generated by the facility. The wording in Appendix E on Ash Management is far too loose and open to interpretation. The local community require far more certainty in this proposal.*

It is clear from Appendix A to the Ash Management Study (tucked away quietly at the end of the study) that there are toxic contents in the IBA and APCr. However the reference data used is mostly from older information. For example most of the reference data is from 2016 (six years old), with only some data from more recent years (2019 and 2020) – still two or more years old.

**Recommendation 12:** *Veolia’s proposal must be updated to contain data collected over multiple years for multiple facilities. It is entirely possible 2016 data has been used as this presents the least toxic “picture” from reference facilities. Veolia must include data from relevant facilities for the last five years and use values based on the worst year as the basis for their assessments.*

## Appendix F - Woodlawn Encapsulation Cell Design

Section 2.5.2 of the Woodlawn Encapsulation Cell Design refers to “Existing Groundwater Contamination of ED1”. In fact Veolia reported to the NSW EPA there had been seepage from ED1

---

<sup>3</sup> [https://www.cement.org/docs/default-source/fc\\_concrete\\_technology/durability/is536-types-and-causes-of-concrete-deterioration.pdf?sfvrsn=4](https://www.cement.org/docs/default-source/fc_concrete_technology/durability/is536-types-and-causes-of-concrete-deterioration.pdf?sfvrsn=4)



and ED2 into surrounding groundwater. This is all dating back to 2016/2017 time period, however there has been ongoing issues.

More recently, the NSW EPA released a prevention notice<sup>4</sup> (3503885) indicating there had also been a failure of a liner, and that Veolia had pumped water from what is called the coffer dam to the outer part of ED1 – which is known to leak into surrounding ground water.

Under Veolia's proposed incinerator, they are intending on using an area of ED1 to store the more toxic APCr ash from the incinerator. While measures are taken to ensure the containment cell is suitable, as per the recent prevention notice, Veolia have already demonstrated they behave in a manner that will endanger the environment.

***Rejection 8:*** *The proposed incinerator must be rejected. Groundwater around ED1 has already been contaminated by Veolia. ED1 is known to leak to surrounding groundwater. The coffer dam in ED1 has also recently failed, leading to Veolia placing the environment at risk (NSW EPA prevention notice 3503885). Veolia are proposing to store the most toxic ash output (APCr) in an encapsulation cell within ED1. Given ED1 is known to leak, and given Veolia's demonstrated behaviour putting the environment at risk, the APCr from the proposed incinerator is likely to lead to environmental contamination.*

There has also been no further studies identified since 2017 that have assessed further groundwater contamination. In the last three years there has been a significant increase in rainfall in the area. This is well known to Veolia – who have had to deal with numerous issues related to the additional water. It is also known to the local community – we have wet boggy paddocks with dramatic changes in the water table / ground water levels.

***Recommendation 13:*** *Veolia must undertake further studies related to the ground water contamination near ED1. Recent rainfall has changed the groundwater levels and the level of contamination near ED1 must be re-assessed to provide more accurate input into the risks associated with the containment cell to be placed within ED1.*

## **Appendix G - Waste acceptance protocol**

There are no comments on this section of the EIS.

## **Appendix H - Woodlawn ARC Commissioning Outline Plan**

There are no comments on this section of the EIS.

## **Appendix I (i) - Waste Feedstock Assessment**

According to Appendix I, there are no alternatives for processing the waste planned to be incinerated by Veolia.

---

4 <https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=11436&id=3503885&option=notice&range=POEO%20licence&noticetype=>

The remaining mixed, putrescible waste in these streams has no technically and financially viable recovery pathway. The ARC is proposing to capture energy value from waste that would otherwise go to landfill, losing much of the inherent value in the materials.

**Figure 15** Extraction from Appendix I (i)

This is incorrect. The Shoalhaven region in NSW is currently building an approved resource recovery facility that has been approved – including a system by Bioelektra (SSD 9887). Please see Realistic Alternatives (Bioelektra).

**Rejection 9:** *Veolia’s proposed incinerator must be rejected. Veolia claim there are no technically and financially viable recovery pathways for the residual waste stream. However NSW State Significant Development 9887 (Bioelektra facility in the Shoalhaven) demonstrates their claim is incorrect. The SSD has been approved and the project is already under construction. Bioelektra is already operating facilities overseas.*

#### **Appendix I (ii) - Chlorine Content Analysis**

There are no comments on this section of the EIS.

#### **Appendix J - Statutory Compliance Table**

There are no comments on this section of the EIS.

#### **Appendix K - Project engagement**

Please refer to the chapter on Community Consultation / Engagement (EIS Appendix K) for more detail related to project engagement.

#### **Appendix L(i) - Woodlawn ARC BAT Assessment**

Due to time constraints on the EIS exhibition, we have been unable to review this section of the EIS.

#### **Appendix L(ii) - Woodlawn ARC Reference Facility**

Due to time constraints on the EIS exhibition, we have been unable to fully review this section of the EIS. However the comparison contains just one reference, and does not include any details on where all the numbers have come from. For example on page 8:

The Net Calorific Value (NCV) of the waste received at the Staffordshire ERF is between 7 and 12.5 MJ/kg, and it is designed to process waste with an average NCV of approximately 9.2 MJ/kg.

Yet there is nothing to back up this statement.

**Recommendation 14:** *Veolia must update Appendix L(ii) to include referencing for values and calculations used within the report. The report currently contains virtually no referencing and is based purely on what the*

*author claims. This report is not up to the standard expected by the local community.*

## Appendix M - Mitigation Measures Summary Table

There are no comments on this section of the EIS.

## Appendix N - Transmission line analysis

Veolia’s proposal does not explain why they need to use the 66kV line. Their request for SEARs indicates there are other alternatives (section 3.4) and that Veolia were in negotiations to use those transmission lines. This raises a question as to why Veolia’s neighbours have denied Veolia access to alternative connection points? Veolia also own and operate the existing Bioreactor – there is no explanation why they are unable to use those transmission lines.

### 3.4 Utilities and services

A dedicated substation will be constructed as part of the project as indicated on Figure 3.2 to export electricity to the grid. Export of power to the grid will occur via distribution and/or transmission lines. There are two existing distribution/transmission lines which transport electricity to the grid from existing operations at the Eco Precinct, both owned and operated by third parties. These service the existing substation shown in Figure 3.2, and separately, the Woodlawn Windfarm. Veolia will complete enquiries with owners of the existing lines and utility providers regarding the capacity of the distribution/transmission network to determine whether any upgrades are required, and if so, who will be responsible for those works. Given this, distribution/transmission line corridors and infrastructure are not included in this SSD application.

**Figure 16** Extract from Veolia’s request for SEARs

**Recommendation 15:** *Veolia’s EIS must be updated to indicate all existing transmission lines in close proximity to the Woodlawn location. Their EIS must indicate if they sought permission from the owner of those transmission lines and if permission was granted. Veolia must also indicate what upgrades would have been required for each transmission line (and substations), and why a particular option was dismissed.*

Veolia’s proposed incinerator is dependant on the ability to export the electricity to the grid. According to the Transmission Line Analysis, a separate Part 5 assessment will be required for the transmission line changes / upgrades. However if the changes to the transmission line are not approved, Veolia’s proposed incinerator would be unable to export electricity. This leads to a similar situation as the Clyde Waste Transfer Terminal approval – where the NSW State Government over-rode the Land and Environment Court’s decision that the Clyde Terminal should not be approved. As the EIS stands, the Department would be forced to approve any changes to the transmission line.

**Recommendation 16:** *Approval for SSD-41991 (Veolia’s incinerator) must not be granted until Veolia has all approvals to ensure connection to the grid is possible. There is no point approving the proposed incinerator if it can not export electricity to the grid. Approval for the transmission line would be forced through the NSW Department of Planning and Environment if the incinerator has already been approved.*

## **Appendix O – Air Quality Impact Assessment**

Please see the chapters Air Quality Impact Assessment (EIS Appendix O) and (Historical) Odour Simulations and Audits for more details on the Air Quality Impact Assessment.

## **Appendix P - Human health risk assessment**

Please see the chapter Human Health Risk Assessment (EIS Appendix P)

## **Appendix Q – Greenhouse Gas (GHG) Impact Assessment**

Please see the chapter Greenhouse Gas Assessment (EIS Appendix Q).

## **Appendix R - Life cycle analysis**

The Life cycle analysis (Table 3, Life Cycle Inventory) fails to take into account the following aspects of the waste incinerator:

- Input – Transport of waste from households and businesses to the transfer stations in Sydney;
- Output – There does not appear to be any reference to the capture of APCr within the preferred method, Portland cement. This would require transport of cement and water to capture the APCr;
- Avoided landfilling – This is incorrect. The proposed incinerator avoids sending the waste to the Bioreactor. If Woodlawn were purely a landfill, this would be correct. But in this proposal, Veolia are avoiding sending the waste to a Bioreactor. As such the waste would have resulted in electricity generation.

***Recommendation 17:*** *Veolia’s Life cycle analysis must be updated. It needs to take into account transport of the waste from households and business to the transfer stations. It also needs to include the costs of encasing the APCr within Portland cement (as Veolia’s preferred solution) and the costs associated with the Portland cement generation and transport. Finally they must also adjust the Life cycle analysis to ensure the “Avoiding landfilling” is corrected – Veolia’s proposal takes waste away from a Bioreactor, not from landfill.*

The analysis also seems to completely ignore the embodied energy being destroyed in the process. For example an item such as a cardboard box that has been thrown into the rubbish is like a piece of coal dug up from the ground. Energy has been used to create that item in the first place. This is called the embodied energy. Once Veolia has destroyed the item, that embodied energy has been lost forever.

***Recommendation 18:*** *Veolia’s Life Cycle Analysis must be updated to include the loss of embodied energy contained within the incinerated waste. There is a significant loss of embodied energy as a result of burning residual waste.*

It is also questionable as to if the Life cycle analysis was actually required. A waste incinerator such as this consumes waste just like a coal-fire power station consumes coal. Once the coal is destroyed, it can not be used again. Once the waste is destroyed, it too has gone.

**Recommendation 19:** *Veolia’s EIS for the proposed incinerator must be rewritten to ensure it is clear the incinerator is destroying waste – once the waste feedstock is gone as a fuel source, it has been lost forever. Veolia’s proposed incinerator is more related to a coal fired power station than it is to a wind farm or a solar farm. Veolia’s proposed incinerator is not a form of “renewable energy” and as such does not require a Life Cycle Analysis.*

## **Appendix S - Noise and vibration assessment**

There are no comments on this section of the EIS.

## **Appendix T – Traffic Impact Assessment**

Please see the chapter on

## **Appendix U - Groundwater impact assessment**

Due to time constraints on the EIS exhibition, we have been unable to review this section of the EIS.

## **Appendix V - Surface water impact assessment**

Due to time constraints on the EIS exhibition, we have been unable to review this section of the EIS.

## **Appendix W - Preliminary site investigation**

There are no comments on this section of the EIS.

## **Appendix X – Bushfire protection assessment**

There are no comments on this section of the EIS.

## **Appendix Y – Biodiversity**

Please refer to the chapter Biodiversity Impact (EIS Appendix Y).

## **Appendix Z – ACHAR**

There are no comments on this section of the EIS.

## **Appendix AA - Historical archaeological assessment**

According to Appendix AA, a site visit was conducted on 2 June 2021. This pre-dates the release of the SEARs on 2 July 2021. Either the date is incorrect, or the site visit was conducted without knowing the content of the SEARs.

**Recommendation 20:** *Veolia must confirm the date of the site visit for the Historical Archaeological Assessment was actually 2 June 2021. If this is correct, Veolia’s submission must include confirmation the site visit was conducted prior to knowing the SEARs (and explain why this was done).*

## Appendix BB - Landscape and visual impact assessment

There are no comments on this section of the EIS.

## Appendix CC - Social impact assessment – Lack of statistical significance

The report authors claim in section 2.1.3 (assumptions and limitations) that the 2021 Census data for Population and Housing was not available when the report was being prepared. According to the Australian Bureau of Statistics (ABS)<sup>5</sup>, the 2021 release date for population and housing data was in 28 June 2022. Appendix CC has a first draft of “4 July 2022” and a final draft of “22 August 2022”. Other 2021 census data relevant to this report had not been released at this time. Given the high professional qualifications and experience of the authors, it is expected they would accurately describe what data was not available.

**Recommendation 21:** *Veolia must ensure the Social impact assessment is updated to include the latest available data including the 2021 Census data relevant to each section. This will represent a more accurate picture of the social context for the EIS.*

According to the Social impact analysis (section 4.2) a Community survey was undertaken between 23 August 2021 and 6 September 2021. Anecdotal evidence suggests many people in the community never heard about the survey until after it was closed. TADPAI was not informed of the survey until an email was sent on Friday 3 September 2021 – which was not read until after the survey was closed. According to Facebook, one community member received an express post invite to do the survey on 6 September 2021.

### Social Impact Assessment Survey

And finally, you may also have seen or heard that we are currently undertaking a Social Impact Assessment (SIA) as part of our planning application. The SIA explores the social and economic effects of the ARC proposal and involves talking to stakeholders and the community about their perspectives and concerns. As part of this assessment, we have a survey underway. You can [find the survey here](#) and it will be open until 5pm Monday 6 September 2021.

**Figure 17** *Extract of email from “thearc@veolia.com” to “tadpaipresident@gmail.com” on 3 September 2021 (just 3 days before the survey closed).*

According to Appendix CC, the survey invitation was sent to Veolia’s newsletter distribution list (but they do not include how many people were on the list at the time). It was also emailed to 83 “service providers” (but they do not include who those service providers were). And it was emailed to six nearby neighbours. In total, they received a total of 18 responses (of which only 8 were from the local area). Appendix CC indicates a population of 1041 in the local area. 18 responses (about 2% of the local population) is hardly a representative sample of the local community.

**Rejection 10:** *The social impact analysis is partially based on a survey of 1041 people in the local area. Of the 18 survey responses, only 8 responded they were in the local area. This is not statistically significant enough to represent the views of the population. This is not rigorous. Veolia’s proposed*

---

5 <https://www.abs.gov.au/census/2021-census-data-release-plans/2021-census-product-release-guide>

*incinerator is based on a flawed social impact analysis with insufficient data points to accurately to represent the local community.*

Further, the lack of responses should have indicated to the report authors there is a significant distrust of Veolia in the local community. While trust is called out as an issue, the report authors have assumed the community has sufficient trust to open up in a survey and the other information gathering processes conducted by Veolia. Given the “83 service providers”, the results of this survey could have been significantly skewed towards local businesses in Goulburn that have or will receive business from Veolia in the event the project is approved.

***Rejection 11:*** *Veolia’s social impact analysis does not identify what types of “service providers” were contacted about the survey. They do not indicate how many people were emailed for the survey. Survey results are possibly skewed towards less important issues. Veolia’s proposed incinerator must be rejected as the social impact analysis does not demonstrate rigour.*

The social impact analysis appears to downplay Veolia’s role in local community confidence in the decision making process regarding SSDs. It also fails to identify part of this lack of confidence also stems from the confidence in NSW State Government authorities involved in licensing the current Woodlawn facilities. For example the EPA has failed for years to hold Veolia to account for failing to comply with license conditions. Other organisations have also failed to deal with Lead contamination in the town. Another example is that of the placement of the railway siding in the middle of town – where there was no input from the community. (Note: please see other chapters of this submission for more information on these aspects).

Veolia’s Social Impact Analysis brushes off the lack of confidence in decision making processes as only something other organisations and agencies have to deal with. However the lack of confidence in government agencies comes back to the behaviour Veolia exhibits and it’s disregard for their licenses, conditions and the local community.

The Social Impact Analysis also fails to identify the amendment to legislation that only permits waste incinerators in four areas. There was no consultation on this legislation and there is no clear basis for why the areas were selected.

***Rejection 12:*** *Veolia’s incinerator must be rejected. The social impact analysis plays down the complete and under lack of confidence the community has in Veolia and the NSW Government decision making processes that affect the local community. There is also a complete lack of confidence in the ability of NSW Government and agencies in their ability to enforce compliance of conditions and licenses.*

## **Appendix CC - Social impact assessment – Tarago full of NIMBYs**

According to the Social impact assessment, Tarago and the local community is full of a bunch of NIMBYs. This is defined in Appendix CC “where community members, whilst they acknowledge and accept the development, reject it due to location and potential impacts they may experience” (see Figure 18).

a	Potential impacts
	<p>Many of the stakeholders consulted, particularly nearby neighbours, expressed concerns about the project in terms of the potential impacts outweighing the positives. There was a strong notion of ‘not in my backyard’ (NIMBY), particularly amongst nearby neighbours who were interviewed. This is an expression commonly used to reflect community attitudes and opposition to development projects where community members, whilst they acknowledge and accept the development, reject it due to the location and potential impacts they may experience (Dictionary of Energy 2015). During the SIA field study, many of those consulted felt it was unfair for</p>

**Figure 18** Extract of Appendix CC – calling the local community NIMBYs

For a report written by social scientists, they appear to have completely misread the local community.

**Recommendation 22:** *Veolia must update their EIS (Appendix CC) to backup claims made in relation to stakeholders being NIMBYs with statistically significant empirical evidence. If they are unable to do so, they must remove references to NIMBYs and apologise for the inference.*

There are other alternatives to this project, as has been included in other parts of this submission. Many people in the local community acknowledge that waste is an issue, and that Sydney has a particularly large issue with generating too much waste. However the general consensus is not that we do not want it in our backyard – we do not want a waste incinerator in any backyard. Not Sydney, not Tarago, not anywhere.

For example, there is support and cooperation between groups located in multiple locations in NSW who feel these waste incinerators should not be built anywhere. Figure 19 contains an example of a cross post on Facebook between two groups related to waste incineration. One group in Sydney, and one group in Tarago. Veolia portrays people who are anti-incinerator as NIMBYs – however the correct way to refer to it is “Not In Any Backyard”.

**Rejection 13:** *The proposed incinerator must be rejected. Veolia imply the local community “acknowledges and accepts the development” and that we just do not want it in our backyard. Veolia demonstrate they are completely out of touch with the local community, antagonising the local community by referring to those against the project as NIMBYs.*





*Figure 19 Facebook cross post between Sydney and Tarago groups related to waste incinerators*

## Appendix DD - Economic assessment – General Issues

The economic assessment for the project paints a very rosy picture, and does not draw attention to any potential economic downsides of the project. In fact the IO analysis undertaken clearly states it should provide “some indication of relative positive and **negative impacts**” (see Figure 20).

The consequence of the assumptions of IO analysis, is that IO modelling results provide an upper bound economic activity impact estimate. Notwithstanding, it provides some indication of relative positive and negative impacts.

*Figure 20 Extract of Section 3.2 from Appendix DD*

There is even a section of the report that highlights “minimising impacts” (see Figure 21).

### 4 Mitigation and Management Measures

It is evident from Section 4 that construction and operation of the project will have net positive impacts on the level of economic activity in the regional economy.

Veolia proposes to continue to work in partnership with the Goulburn Mulwaree Council and the local community to help maximise the projected economic regional benefits whilst minimising any impacts. In this respect, a range of general economic impact mitigation and management measures are proposed and would include:

*Figure 21 Extract of Appendix DD, section 4*

However at no point in the report do they actually include any of the negative economic impacts. According to Section 4, Veolia will be mitigating these non-existent negative impacts.

One negative economic impact will be related to damage to the already poor condition of the local road network. There are numerous speed zones limited to 60kph due to damage. Vehicles are being damaged. Travel time to/from the workplace is increased – reducing productivity. Yet the economic assessment does not consider this as a negative impact. This is likely to be an ongoing issue for many years to come due to extensive industrial development in the area.

**Recommendation 23:** *The economic assessment must be updated to include negative impacts of the project. There are no negative impacts included in the assessment – presenting the project as purely positive. This dismisses the impact on the local community. For example, the economic assessment fails to consider road conditions in relation to damage to vehicles and reduced productivity.*

According to the SEARs, the economic assessment needed to consider the local and broader community (see Figure 22).

<b>Table 1.1      Relevant matters raised in SEARs</b>	
<b>Requirement</b>	<b>Section addressed</b>
an analysis of any potential economic impacts of the development, including a discussion of any potential economic benefits to the local and broader community.	Section 3 of this report

**Figure 22** Extract from Appendix DD showing the SEARs that need to be met

A review of the entire report shows dollar benefits for the region, but nothing for the local community. Table 3.1 and Table 3.2 are clearly related to the Regional Economy. Veolia makes no effort to demonstrate the actual dollar value impact on the local community as required under the SEARs.

**Rejection 14:** *The proposed incinerator must be rejected. The economic impact assessment (Appendix DD) does not demonstrate any actual economic benefit for the local community. Veolia fail to demonstrate the project has a “dollar figure” economic benefit to the local community. The proposed EIS does not meet the SEARs in relation to economic impacts.*

The proposed project is designed to redirect waste from the Bioreactor to the incinerator. However the EIS does not appear to contain any reference to the loss of jobs from the existing Bioreactor. While the Bioreactor will continue to operate, there will clearly be a lower level of activity. The economic assessment does not appear to take into account the loss of jobs or amalgamation of positions from the Bioreactor to the incinerator.

**Recommendation 24:** *Veolia’s economic assessment must be updated to demonstrate the number of jobs that will be lost or moved from the Bioreactor to the incinerator. As such while the proposed incinerator claims 40 additional jobs will be created, however it is not clear what the net loss or gain of jobs will be, and what the economic impact will be.*

## **Appendix DD - Economic assessment – Reduction in Waste Levy**

According to the economic assessment, the proposed incinerator will result in a “reduction in landfill levy costs that accrue outside the region” (see Figure 23). This is correct. In an email

from the NSW EPA related to this matter (see Figure 100), the waste levy does not have to be paid for waste being sent to an incinerator being used to generate electricity.

amount of waste in the ARC. Overall, there will be an increase in regional economic activity. This arises because relative to the management of waste via landfill, the project results in a reduction in landfill levy costs that accrue outside the region, but an increase in actual processing and treatment costs that occur within the region.

**Figure 23** Extract from Appendix DD – note the “reduction in landfill levy”

In other words, Veolia will not be required to pay the waste levy for waste incinerated in this proposal. This means they can pass on the savings in the contracts for waste collection in Sydney – making it cheaper for councils to incinerate waste rather than send it to the Bioreactor. These savings can then be passed onto people in Sydney. So while Tarago suffers with no demonstrated economic benefit, Sydney sees a broad economic benefit.

However what the economic assessment does not point out, is what the indirect impact of this will be. There is less incentive to recycle – this will impact the environment. Portions of that levy are also used for other NSW Government spending, such as on environmental programs.

**Recommendation 25:** *Veolia must specifically address in their EIS the expected change in the NSW waste levy payments that will be made to the NSW Government (they must include the dollar values). The economic assessment must address the likely impact this will have on the NSW Government and the programs this money is used to fund.*

## Appendix EE - Preliminary hazard assessment

Given the Traffic Impact Assessment failed to identify multiple buses used for school children, the preliminary hazard assessment needs to consider these in the context of heavy vehicles on the roads around the relevant times.

**Recommendation 26:** *Veolia must update the Preliminary hazard assessment of the EIS. It was written without any knowledge of the school buses used by children in the local community.*

The Preliminary hazard assessment fails to take into account the transport of Class-8 material to the Woodlawn site. Veolia choose to use aqueous ammonia (25%) as it is safer to transport and store than other forms. However the hazard assessment fails to consider road accidents involving this material. Class-8 is a corrosive material, and accidents along the Braidwood road are common. This material is also being transported through the middle of Tarago, including past the Tarago Public School and the Tarago Preschool. The hazard assessment completely fails to take into account an accident involving a class-8 material.

**Recommendation 27:** *Veolia must update their EIS to take into account the risks associated with transport of all materials to/from Woodlawn (including, but not limited to the aqueous ammonia). They must include the transport route to be used, and any restrictions on what time this material will be transported in order to reduce the risks to the local community and the environment. Veolia must also include a response plan and take into*

*account the timeframes for emergency services to reach Tarago to deal with a large scale spill of transported materials.*

**Rejection 15:** *Veolia's proposed incinerator must be rejected. They fail to even remotely consider the danger to the local community in the event of a spill of the dangerous chemicals being transported to the proposed incinerator (including aqueous ammonia, a class-8 or corrosive material). Veolia dismiss the safety of road users and the local community.*

## **Appendix FF - Fire safety study**

There are no comments on this section of the EIS.

## **Appendix GG - Operational data Staffordshire ERF**

The operation data provided from the Staffordshire incinerator is for the year 2017. This data is five years old. Given the Staffordshire incinerator was officially opened in 2014, Veolia would have eight years of operation data. Rather than provide relevant and recent data, they have selected one out of eight years of operation. With eight years of data Veolia could have provided far more detailed information including averages, minimum and maximum values etc.

**Recommendation 28:** *Veolia must update the EIS to include analysis of operational data for Staffordshire over an eight year period (2014 to present). While Appendix L does perform analysis of the process and technologies used, there is no analysis of inputs and outputs over a period of years. Veolia use a single year (2017) as a reference, rather than demonstrate the range and characteristics of inputs and outputs.*

## GREENHOUSE GAS ASSESSMENT (EIS APPENDIX Q)

### Paris Agreement

Under section 3.1.4, Veolia highlight the Paris Agreement to limit emissions in order to limit global temperature rise this century to between 1.5-2 degrees C above pre-industrial levels. What Veolia fail to identify is we are on track to reach 1.5 degrees C by the early 2030’s. According to the United Nations<sup>6 7</sup> it is “now or never” to reduce GHG and limit emissions. Veolia’s proposal is to generate more emissions and generate toxic outputs from incineration of waste for minimal electricity generation (see Power supply and output). This also includes the generation of Persistent Organic Pollutants.

The analysis of Appendix Q demonstrates that Veolia’s proposed incinerator should not be permitted – they make no comparison to other electricity generation such as solar, wind or hydro. They also demonstrate the existing Bioreactor must also be shut down now. Veolia demonstrate the Bioreactor generates significant GHG emissions.

**Rejection 16:** *Veolia’s proposed incinerator must be rejected. Global emissions are going to exceed the Paris Agreement to ultimately limit temperature rises to 1.5-2.0 degrees C. Every single emission is going to count. Veolia’s GHG Impact Assessment demonstrates the proposed incinerator will just be another nail in the coffin for the environment. Veolia make no comparison to other technologies that are less polluting.*

**Recommendation 29:** *Veolia’s existing Bioreactor must also be shut down as soon as reasonable. Veolia’s analysis in Appendix Q demonstrates the Bioreactor generates excessive GHG emissions – even compared to the proposed waste incinerator. Given the need to reduce GHG emissions now (according to the United Nations), the Bioreactor is no longer a suitable method of processing waste.*

### Boundaries

In section 4.2 of Appendix Q, Veolia limit the boundaries of the assessment to waste received at the Banksmeadow and Clyde terminals in Sydney. Their assessment does not take into account the transport of the waste from rubbish bins across the Sydney basin to the terminals. While this is difficult to calculate, it is certainly well within the bounds of estimation by experts.

**Recommendation 30:** *The incinerator proposal by Veolia must be updated to include the emissions of waste transfer from the “kerbside” wheelie bins to the transfer terminals in Sydney. Veolia have excluded this from their assessment of GHG emissions.*

The other aspect of GHG emissions they fail to take into account is the embodied energy contained within the waste itself. This is the energy it took to create the object in the first place, before it became “waste”. The incinerator will destroy the embodied energy contained within the

---

6 <https://news.un.org/en/story/2022/04/1115452>

7 <https://news.un.org/en/story/2022/05/1117842>

object. Recycling earlier in the waste stream would retain this embodied energy. As such by destroying the embodied energy, they are “releasing” the GHG emissions used in the generation into the environment. If the waste is recycled more effectively, the energy is retained within the product life cycle.

***Recommendation 31:*** *Veolia’s proposal must be updated to reflect the loss of embodied energy from the waste in comparison to other alternatives (such as the Bioelektra facility and it’s ability to retain more of the embodied energy contained within the waste stream).*

## **Construction Phase**

Veolia dismiss out of hand the need to calculate the GHG emissions during the construction phase. Given the level of materials to be trucked into the site, the vehicle movements of workers and the movement of construction vehicles, calculation of the GHG emissions would demonstrate the level of impact. Veolia claim the operational emissions will conservatively account for the potential emissions. How do we know this if they have not performed the calculations? As per earlier – every single emissions will count in efforts to reduce GHG. Veolia do not appear serious about counting GHG and limiting emissions.

***Recommendation 32:*** *The EIS for the proposed incinerator must be updated to reflect the GHG emissions during the construction phase. They currently dismiss these emissions. We (this planet) have reached a point where every emission counts and can make a difference. This requires a change in corporate mindset. Veolia’s dismissal of GHG emissions during construction demonstrates their corporate mindset is not adapting to climate change, and they are not prepared to adapt.*

## **Operational Scenarios**

Veolia claims the current operations are for 2020. According to table 4.1 the inbound waste from Sydney to the Eco Precinct was 813,755 tonnes. A review of Veolia’s annual reports and returns for 2019, 2020 and 2021 does not indicate this volume of waste being received from Sydney in any of those locations. For example the Woodlawn AEMR dated 4 November 2020 indicates the incoming waste as 630,575 (Table 3.1.10.2) for the period September 2019 through August 2020. The Woodlawn AEMR dated 4 November 2021 indicates the waste received from Sydney as 568,502 tonnes (Table 1.8).

There is a large discrepancy of over 200,000 tonnes of waste. Either Veolia is bringing in over 200,000 tonnes of non-putriscible waste (which is technically permitted under the license), or the calculations used in the GHG Impact Assessment are based on inaccurate tonnages.

***Recommendation 33:*** *The Greenhouse Gas Impact Assessment (Appendix Q) of the EIS must be updated to correctly reflect the volume of waste transferred from Sydney to Woodlawn. Annual reports from Veolia indicate the volumes are around 600,000 tonnes, however Appendix Q indicates the volume (provided by Veolia) to be over 800,000 tonnes. Veolia must clearly articulate the waste volumes being received, origins and types.*

**Rejection 17:** *The proposed incinerator must be rejected. Appendix Q shows a clear discrepancy in the reporting of waste transported from Sydney to Woodlawn. Either the numbers are incorrect and the EIS an not be trusted, or Veolia are failing to report (and deceiving the local community) volumes of non-putrescible waste being disposed of at Woodlawn.*

### Scenario 1 – Number of engines

Documentation for the Woodlawn Bioreactor Expansion (MP 10\_0012) details the energy generation from the Bioreactor would peak at 24MW<sup>8</sup> in about 2036. Scenario 1 of the GHG Impact Assessment has been based on 1.18 Mtpa, and uses 15 engines in the calculation with an output of 12.9MW (52,845 MWh/yr divided by (365\*24\*7 engines) = 0.86MW per engine). Based on this there would be approximately 28 gas extraction engines and a tonnage of 1.13 Mpa if Veolia were basing their modelling of GHG Impact on the original MP 10\_0012 documentation.

This raises some obvious questions: Which project documentation should be believed? The MP 10\_0012 documentation? Or the current proposal? How can we believe the current proposal which bases the GHG emissions on a different output than was originally claimed in the earlier project?

**Recommendation 34:** *The EIS must be updated to model GHG impacts based on Veolia's original documentation for MP 10\_0012. The original documentation references the Bioreactor peaking at 24MW output, however the proposed EIS models an output in Scenario 1 of 15 engines at 0.86MW output, or 12.9MW. Veolia model the output of Scenario 1 at half the original modelling for MP 10\_0012.*

**Rejection 18:** *The proposed incinerator must be rejected. Veolia have either misled the community and the Department in the original MP 10\_0012 submission, or they are misleading the community and the Department in the current EIS submission. MP 10\_0012 and the LEMP for Woodlawn clearly show the Bioreactor would peak at 24MW output. However the proposed incinerator claims it will have a maximum output of 12.9MW.*

### Substituted Electricity

According to section 5.3 (Substituted electricity), emissions calculations are based on 240,000MWh/yr. This appears to be based on the calculation of 8000 hours of operations at 30MW of generation capacity. They are claiming the parasitic power of the facility as a greenhouse gas offset in terms of energy generation. The actual exported energy is more likely to be 8200hrs x 25.3MW = 207,460MWh. This is a difference of 25,707 tCO<sub>2</sub>-e and represents 13.5% of the claimed electricity offsets contained in Table 6.4.

**Recommendation 35:** *Veolia must update their EIS to correctly reflect the actual exported electricity. In Appendix Q section 5.3 for instance, Veolia claim the electrical production of 240,000MWh/yr. However the actual exported electricity is more likely to be 207,460MWh/yr. This represents a*

---

8 [https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=MP10\\_0012%2120190704T041936.126%20GMT](https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=MP10_0012%2120190704T041936.126%20GMT)

*difference of 25,707 tCO<sub>2</sub>-e. Table 6.4 of Appendix Q mis-represents the offset of tCO<sub>2</sub> by 13.5% - this is a significant difference in GHG emissions and affects many calculations in both Appendix Q and the entire EIS. Veolia do not present accurate information in their EIS.*

## GHG generated by the project

Appendix Q provides a number for the GHG generated by the project: 0.64 kg CO<sub>2</sub>-e/kWh. The method used to calculate this number does not appear anywhere in the document, and despite my efforts, I was unable to figure out how this number was calculated. To make calculations consistent with the rest of Appendix Q, we will convert this to tonnes and MWh: 0.64 t CO<sub>2</sub>-e/MWh.

		Baseline	Scenario 1	Scenario 2
(A) GHG Emissions (t CO <sub>2</sub> -e/yr) <sup>9</sup>		117,228	238,072	323,849
Electricity Generation (MWh/yr)	Bioreactor <sup>10</sup>	52,845	113,328	75,492
	Incinerator <sup>11</sup>	0	0	207,460 <sup>12</sup>
	(B) Total	52,845	113,328	282,952
(A) ÷ (B) (t CO <sub>2</sub> -e/MWh)		2.22	2.10	1.14

**Table 1** *Our calculations of GHG emissions based on Veolia’s information*

It is unclear how Veolia came up with a value of 0.64 t CO<sub>2</sub>-e/MWh. The numbers we receive are vastly different to those generated by Veolia – raising questions over the validity of Appendix Q.

**Recommendation 36:** *Veolia must update all EIS documents to include how every calculation has been performed. Veolia fail to provide their calculations in Appendix Q for the GHG generated by the project.*

What Veolia also fail to take into account in the GHG calculations is the ongoing generation of the Bioreactor for years (even decades) after waste is no longer being added. As per elsewhere in this submission, reporting indicates the gas generation will increase for at least 12 years after waste is no longer being added. There is no long term projection of the emissions or generation of the existing Bioreactor. Compared to the incinerator – once the waste is burned, it is gone. No more emissions. Just toxic waste left behind. The electricity generation calculations are based on a fixed year, not the long term generation of the Bioreactory.

**Recommendation 37:** *Veolia must update their EIS to include the longer term impact of the Bioreactor on the environment. They currently only consider a year on year basis, and not on the ongoing gas that will be generated for years after the Bioreactor is closed.*

<sup>9</sup> Totals from table 6.1, 6.2 and 6.3

<sup>10</sup> From bottom of table 4.1

<sup>11</sup> Also from bottom of table 4.1

<sup>12</sup> Based on export of 25.3MW and 8,200hrs of operations per year (as discussed elsewhere in this submission)



However Veolia also correctly point out (as per our calculations in Table 1) that the existing Bioreactor is far worse for the environment than their proposal.

Veolia has previously espoused how environmentally friendly their Bioreactor is. In this latest project, Veolia are throwing their own Bioreactor “under the bus” in order to demonstrate the latest proposal is better for the environment. Veolia can not have it both ways – they can not claim a project is really good for the environment when being proposed, and 20 years later be claiming the project is not so good for the environment. The real question is what is better for the environment – the Bioreactor or an incinerator that generates more GHG emissions and outputs toxic emissions.

### **CO<sub>2</sub> Emissions based on BAT Reference Document for Waste Incineration**

According to the BAT Reference Document for Waste Incineration<sup>13</sup> (referenced in Veolia’s EIS, Appendix L(ii)), for every tonne of MSW, approximately 0.7-1.7 t CO<sub>2</sub> is generated.

#### **Carbon dioxide**

For every tonne of municipal waste combusted, approximately 0.7–1.7 tonnes of CO<sub>2</sub> are generated.

Because municipal waste is a heterogeneous mixture of biomass and fossil material, the portion of CO<sub>2</sub> from MSWIs of fossil origin (e.g. plastic) which is considered relevant to climate change is generally in the range of 33 % to 50 %.

*Figure 24 Extract from BAT reference guide, 2019*

Based on this we can calculate the CO<sub>2</sub> emissions for Veolia’s proposed incinerator to be somewhere between 266,000 and 646,000 tonnes CO<sub>2</sub> / year (based on a throughput of 380,000 tpa of waste). Veolia’s claim of 146,891 tonnes CO<sub>2</sub> / year (table 6.3 of Appendix Q) for the ARC again seems far fetched (at least half of what it should be).

**Rejection 19:** *Veolia’s proposed incinerator must be rejected. Calculations used in the Greenhouse Gas assessment used from the BAT Reference Document suggest the CO<sub>2</sub> emissions should be between 266,000 and 646,000 tonnes CO<sub>2</sub> / year. This is vastly different from Veolia’s claimed 146,891 tonnes CO<sub>2</sub> / year.*

### **6.3 Summary and Significance**

Veolia are quick to point out the difference between scenario 2 (the proposed incinerator) and scenario 1 (an expansion of the existing Bioreactor). However they fail to highlight scenario 1 and 2 are based on worst case and a maximum input. Veolia have clearly stated they are not going to increase the waste brought into Woodlawn. So a 50% reduction is not actually based on reality. As is pointed out elsewhere in this report, Veolia could stop adding waste to the landfill right now, and the gas generated would continue to rise for 12 years after the closure. There would also continue to be gas generated for many years after the peak in generation.

**Recommendation 38:** *Veolia must update the GHG impact assessment to correctly reflect realistic scenarios based on no increase in waste being brought into Woodlawn under any scenario. The GHG impact assessment*

---

13 [https://eippcb.jrc.ec.europa.eu/sites/default/files/2020-01/JRC118637\\_WI\\_Bref\\_2019\\_published\\_0.pdf](https://eippcb.jrc.ec.europa.eu/sites/default/files/2020-01/JRC118637_WI_Bref_2019_published_0.pdf)

*must take into account not just a year-on-year calculation, but operation over the lifetime of the facilities. This must include taking into account the electrical generation from the Bioreactor for at least 30 years after the landfill has been capped.*

Section 6.3 also highlights the emissions of the proposed incinerator in relation to the GHG emissions of Australia and of GHG emissions in NSW. In Section 7 they go on to claim the GHG emissions are insignificant (see Figure 25).

The net emissions for Scenario 2 of 74,611 t CO<sub>2</sub>-e/year represented 0.01% of national GHG emissions, and 0.05% of GHG emissions in NSW. When viewed on the scale of total emissions from all sources in NSW and Australia, the emissions from the Eco Precinct are not considered significant. Relative to Scenario 1 emissions, the project represents an opportunity to save up to 74,000 t CO<sub>2</sub>-e per year. This is equivalent to the annual emissions from about 32,400 cars in Australia.<sup>5</sup>

**Figure 25** Extract of Section 7 of Appendix Q – note the emissions are “not considered significant”.

It should be noted that all emissions are significant – particularly given the risks associated with climate change – and that any emissions will push us over the 1.5 degree limit from the Paris agreement.

**Rejection 20:** *Veolia’s proposed incinerator must be rejected. They dismiss out of hand GHG emissions as “not considered significant”. This is poor wording and represents an inappropriate attitude towards emissions.*

What Veolia also fail to point out is the energy generation from the proposed incinerator is also insignificant in an Australian and NSW context. Other parts of this submission (Power supply and output) demonstrates in detail the proposed 25.3 MW of exported electricity is an insignificant portion of the electricity demand in NSW. As per our analysis, 25.3 MW represents 0.246% of the power required by NSW on a random cold winter’s night (10,183 MW). The annual export represents just 0.313% of the power consumed by NSW.

**Rejection 21:** *Veolia’s proposal must be rejected. Their proposal claims to have an insignificant GHG emissions, however they fail to highlight the electrical power exported to the grid is also insignificant. Veolia’s proposed incinerator represents an enormous cost for minimal gain – all the while generating toxic waste and generating additional GHG.*

## UK Government Data on Staffordshire

The reference facility used by Veolia is based in Staffordshire UK (license number HP3431HK). According to UK Government data sources<sup>14</sup>, in 2021 the reference facility emitted (among other emissions) 365,740 t CO<sub>2</sub>. This figure varies significantly from the values being put forward by Veolia in the GHG Impact Assessment.

The Staffordshire reference facility is operational, and this raises the question over accuracy of the GHG Impact Assessment contained in this EIS. The waste in Staffordshire is not transported by train to get to the waste incinerator. Staffordshire reference facility also does not have a Bioreactor with fugitive emissions to consider. It should be expected the emissions from Veolia’s

---

14 <https://www.data.gov.uk/dataset/cfd94301-a2f2-48a2-9915-e477ca6d8b7e/pollution-inventory>

proposed incinerator at Woodlawn would exceed those of Staffordshire by approximately the fugitive emissions from the Bioreactor.

Based on our calculations, the CO<sub>2</sub> emissions should be around about the Staffordshire emissions, plus the Bioreactor emissions, and the transport emissions. This gives a rough estimate of about 525,000 t CO<sub>2</sub> / year (see Table 2).

	Staffordshire (reported emissions)	Proposed Incinerator (Scenario 2 calculations)	Our calculations
Bioreactor Fugitive Emissions	0	146,274.6	146,274.6
Transport by Train	0	8,011.8	8,011.8
Bioreactor Combustion	0	5,537.3	5,537.3
Yet - Total Emissions are...	365,740	323,849.5	~525,000

**Table 2** Something does not add up... (in t CO<sub>2</sub> / yr)

**Recommendation 39:** *Veolia must explain in detail the data generated by the UK Government in relation to the Staffordshire facility. This must include a detailed analysis as to why the CO<sub>2</sub> (and other Greenhouse Gasses) would be less in Australia (about half) than compared to their reference facility.*

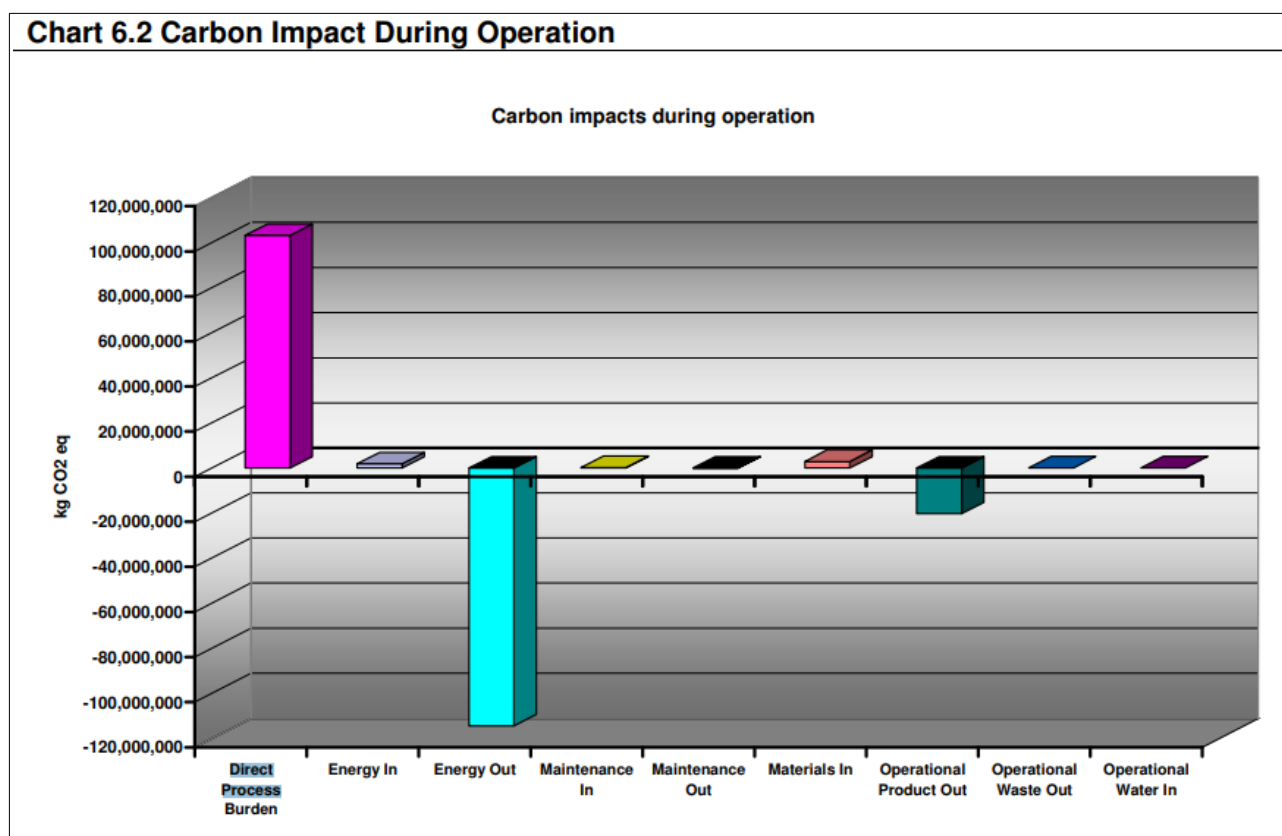
**Recommendation 40:** *The EIS must be updated to include all Greenhouse Gases. Appendix Q of Veolia’s EIS only contains reference to CO<sub>2</sub> as a Greenhouse Gas. While regulatory frameworks may only require CO<sub>2</sub> emissions analysis, other gasses are just as important. While not true in this case, a facility could put forward a CO<sub>2</sub> emissions analysis, and then completely ignore CFC emissions.*

## Veolia’s CO<sub>2</sub> Modelling For Staffordshire Also Wrong

According to Veolia’s submission on the Staffordshire incinerator (Appendix 6.1, Air Quality Technical Report, UK Application reference number SS.10/16/636 W)<sup>15</sup>, chart 6.2 shows the predicted CO<sub>2</sub> emissions from their incinerator would be about 100,000 tpa CO<sub>2</sub> (see Figure 26).

---

15 <https://planning.agileapplications.co.uk/staffordshire/application-details/27078>



**Figure 26** Extract of Appendix 6.1 from Veolia’s planning application for Staffordshire, UK

As per the above section (UK Government Data on Staffordshire), the reported emissions for 2021 were actually 365,740 t CO<sub>2</sub> – over three times the amount claimed in their submission. It appears the modelling used by Veolia is not just flawed in their submission here in Australia, but Veolia’s submission to planning authorities in other countries is also incorrect.

**Rejection 22:** *Veolia’s proposed incinerator must be rejected. A quick check of CO<sub>2</sub> modelling from their reference facility clearly shows inaccuracies between original planning submissions and actual outputs. Veolia’s proposals and modelling are inaccurate and understate the actual impact of CO<sub>2</sub> emissions.*

**Recommendation 41:** *Veolia must provide an independent analysis (to be agreed through the NSW Department of Planning and Environment) of the Staffordshire actual emissions compared to claims made in the Staffordshire planning documents. The independent analysis must prove conclusively that Veolia’s Staffordshire incinerator is within reasonable variability of the original modelling. If this test fails, Veolia’s proposed incinerator must be rejected.*

### Which Method Was Used to Calculate GHG Emissions?

According to Veolia’s Appendix Q, Section 5.1 (Calculation methodology – Overview), the calculations used were derived from multiple potential sources.

## 5.1 Overview

Scope 1, Scope 2 and Scope 3 emissions were included in the GHG assessment. Emissions were calculated using a variety of approaches, but the calculation mainly involved reference to the following documents:

- the *National Greenhouse Gas Accounting Factors* (NGAFs) (DISER 2021a);
- the *National Greenhouse and Energy Reporting (Measurement) Determination 2008*, as amended in July 2021 (DISER 2021b);
- the NGER submission for the Woodlawn Eco Precinct for 2019-2020; and
- the characteristics of the project.

**Figure 27** Extract of Veolia’s EIS, Appendix Q

According to Part 5.5 of the National Greenhouse and Energy Reporting (Measurement) Determination 2008<sup>16</sup>, there are multiple methods that can be used for calculation of GHG emissions. Figure 28 contains one of the methods that can be used.

### 5.53 Method 1—emissions of carbon dioxide released from waste incineration

(1) Method 1 is:

$$E_i = Q_i \times CC_i \times FCC_i \times OF_i \times 3.664$$

where:

$E_i$  is the emissions of carbon dioxide released from the incineration of waste type (i) by the plant during the year measured in CO<sub>2</sub>-e tonnes.

$Q_i$  is the quantity of waste type (i) incinerated by the plant during the year measured in tonnes of wet weight value in accordance with:

- Division 2.2.5 for solid fuels; and
- Division 2.3.6 for gaseous fuels; and
- Division 2.4.6 for liquid fuels.

$CC_i$  is the carbon content of waste type (i).

$FCC_i$  is the proportion of carbon in waste type (i) that is of fossil origin.

$OF_i$  is the oxidation factor for waste type (i).

- (2) If waste materials other than clinical wastes have been incinerated by the plant, appropriate values for the carbon content of the waste material incinerated must be derived from Schedule 3.

**Figure 28** One of the methods used for GHG calculations from the NGER (Measurement) Determination, 2008

<sup>16</sup> [https://www.legislation.gov.au/Details/F2017C00508/Html/Text#\\_Toc486862265](https://www.legislation.gov.au/Details/F2017C00508/Html/Text#_Toc486862265)

Veolia’s waste feedstock analysis (EIS Appendix I (I)) does not contain any carbon content references. And despite our best efforts we were unable to find any analysis to indicate if this was the method used, and what values were used in their calculations.

**Recommendation 42:** *Veolia’s values for CO<sub>2</sub> emissions vary significantly from UK Government reporting values for the reference facility in Staffordshire. Values also vary significantly from the BAT reference document for waste incineration. Appendix Q of the EIS is unclear on what calculation was actually used to derive the CO<sub>2</sub> emissions from the proposed incinerator. Given Veolia claim the National Greenhouse and Energy Reporting (Measurement) Determination 2008 was used in the calculations, Veolia must update Appendix Q to include the method used in the calculation, and the values used in that calculation. The EIS must also be updated to indicate how the values in the calculation were derived. For example, did Veolia use “Non-biomass municipal materials” from Part 1 of Schedule 3, with a Carbon content factor of tC/t fuel value of 0.250? Veolia must also include justification for why specific values were used, or how those values were calculated.*

## Combining These Factors

The factors in this chapter and their impact on the calculations by Veolia include:

- Scenario 1 in theory would output more electricity with the same waste input (26 engines based on Veolia’s original predicted 24MW vs. the claimed 15 engines of Scenario 1 when the waste volumes are increased);
- Differences between Veolia’s claimed CO<sub>2</sub> calculations compared the reported UK Government data for the Staffordshire reference facility – show that Scenario 2 would output more CO<sub>2</sub> than claimed;
- Bioreactor output needs to take into account the many years of output after the landfill site is closed (rather than a year on year analysis as performed by Veolia); and
- The waste input for Scenario 1 would be lower.

Performing some very quick calculations, Scenario 1 (maintaining the Bioreactor as it is, including maintaining the waste input and using Veolia’s original predictions of 24MW output) and Scenario 2 (the ARC corrected for CO<sub>2</sub> emissions based on Staffordshire data) and taking into account the additional years of output by the Bioreactor... it turns out Scenario 1 is better than the proposed incinerator.

Veolia could argue their original predictions for the output of the Bioreactor were incorrect, and provide more accurate modelling now based on years of data. However this raises the point – why should we believe their current predictions if they claim the old predictions were incorrect?

Based on a worst case calculation, Veolia’s CO<sub>2</sub> emissions could be up to ~800,000 t CO<sub>2</sub> per year.

**Rejection 23:** *Veolia’s proposed incinerator must be rejected. The GHG emissions have been biased towards the proposed incinerator by using lower values of CO<sub>2</sub> emissions (compared to Staffordshire) and lower output of the Bioreactor (compared to Veolia’s own output predictions).*



## TRAFFIC IMPACT ASSESSMENT (EIS APPENDIX T)

### Recency of Data

Veolia’s Traffic impact assessment (despite being dated July 2022) only contains data up to the end of 2020. For example the crash analysis information contains data from 2015 to 2020. There is no consideration of 2021 data throughout most of the report.

***Recommendation 43:*** *The Traffic Impact Assessment for Veolia’s proposed incinerator must be updated to include accident data from at least 2021.*

In the last two years, the condition of the roads in and around Tarago have significantly deteriorated due to heavy traffic and rainfall. Veolia propose a dilapidation survey to repair any “new” damage. However it will be very hard to tell what is new and old damage due to the significant existing damage.

(It should be noted that as of late November 2022, extensive patching has finally been undertaken on some parts of the Braidwood Road and the Bungendore Road. However given prior experience, the large truck volumes on the road will quickly lead to the patching failing and the roads reverting to an absolutely appalling state. Such repairs usually only last a week before they start to deteriorate – these roads were simply not designed to handle the high volume of heavy vehicles).



***Figure 29*** *The realistic condition of the roads surround Tarago*

***Recommendation 44:*** *Veolia’s proposed incinerator will lead to an even larger impact on already significantly damaged roads. The Traffic impact assessment shows road pavements in good condition. However this is not the case. Veolia’s proposal must not be allowed to commence construction until the main roads around Tarago have been repaired to a more*

*serviceable level. A dilapidation survey should not occur until most existing damage has been repaired.*

### Collection from ACT???

Figure 3.6 of the traffic impact assessment contains a reference to waste collection from “ACT, Queanbeyan and Palarang”. However according to an email from the ACT Government (received on 15 November 2022), the ACT does not send municipal waste to Woodlawn.

**Recommendation 45:** *Veolia must update the EIS to clearly indicate what waste (type and volume) it is receiving from each regional location, and how much along each haulage route. For example Figure 3.6 of Appendix T clearly states they receive was from “ACT, Queanbeyan and Palarang”, however the ACT Government has stated they do not send municipal waste to Woodlawn. What type and volume of waste is being collected from the ACT? And will that waste be sent to the proposed incinerator or will it go to the existing Bioreactor?*

### Public transport / school buses

According to the Traffic impact assessment, there is only one bus service in the vicinity of Veolia’s proposed incinerator.

#### 3.8 Public and active transport

There are no public bus services running in the vicinity of the site. School bus service S557 operates between Tarago to Braidwood schools via Braidwood Road and Kings Highway.

**Figure 30** *Extract from the traffic impact assessment*

In fact, Veolia undertook a so-called “detailed analysis” (as per Figure 31) – which included a survey of intersections from 6am to 9am and 3pm to 6pm. The survey was conducted during a period of significant disruption to normal life (due to COVID).

Key intersections relevant to the project include Collector Road and the existing site access, Bungendore Road/Collector Road, and Braidwood Road/Wallace Street. The intersections were surveyed between 6 am and 9 am, as well as between 3pm and 6 pm on Thursday 12 August 2021. The result of the survey indicate that the network peak hours are 6:15 am to 7:15 am and 4:15 pm to 5:15 pm.

**Figure 31** *Extract from the traffic impact assessment – method that was used*

Veolia’s survey is completely inaccurate. Veolia have operated in the Tarago area for 20 years, and they appear to be completely disconnected from the community. Table 3 contains a list of other bus services that we know of (there may be more). These bus services (except S557) would have passed through the Braidwood Road/Wallace Street intersection during the survey period, and Veolia should be well aware of these bus services from years of operations in the area.

**Rejection 24:** *Veolia’s proposed incinerator must be rejected. The integrity of the survey conducted for the Traffic Impact Assessment is questionable. A survey conducted does not appear to have identified school buses in use.*



*This raises the question as to how many other things were not identified during the survey period.*

**Recommendation 46:** *Veolia’s “detailed analysis” of traffic at three locations consisted of apparently six hours of a day on a single day. This is not statistically significant and can show significant bias. The local community knows Tarago can become extremely busy before and after long weekends during warmer periods of the year with tourist traffic. Veolia’s traffic analysis must be updated to take multiple sample periods over a more representative period. This should include before at least two long weekends during warmer months of the year. Time periods during the middle of the day should also be used due to significant volumes of truck movements during the day through the town itself.*

Name	Description	Frequency
S557 – Braidwood school bus	Uses MR79/Braidwood road and collects children for Braidwood central school.	School days, twice a day
Tarago Public School 1	Collects Tarago Public School and Tarago Pre-school children from MR79/Braidwood road and east of the school via Lumley Road.	School days, twice a day
Tarago Public School 2	Collects Tarago Public School and (possibly) Tarago Pre-school children from the main town.	School days, twice a day
Goulburn High School	Collects High School students from the center of Tarago and uses MR79 to take students to Goulburn.	School days, twice a day

**Table 3** *Bus services we know operate in Tarago*

This also means there is significant numbers of school aged children in and around the town, often passing through the main intersection in Tarago. This includes using roads that are frequented by traffic accessing the Woodlawn facility, including high school students travelling along MR79 from Tarago to Goulburn.

**Rejection 25:** *Veolia demonstrate they are completely disconnected from the local community. They do not even demonstrate knowledge of the local school bus services. Veolia fails to take into account the increased risks to school aged children as a result of increased traffic volumes during construction and operation of the proposed incinerator. Veolia’s proposed incinerator must be rejected.*

## **Climbing lane**

The Traffic Impact Assessment from Veolia only considers the impact of their project on the local community. While their project is the predominant road user between Crisps Creek and the turn-off to Woodlawn, there are also many other users and other proposed projects. At a time Veolia is proposing an increase in traffic due to the construction of their proposed incinerator, there will also likely be other projects (such as a new solar farm) using the same road.

Trucks leaving Crisps Creek are unable to gather speed and momentum going up the hill. As such they start at the bottom of the hill with a full load and already moving slowly. I regularly take this road between Tarago and Bungendore, and almost every time I get stuck behind a slow moving truck, often spewing out diesel exhaust as it climbs slowly up the hill. This hill needs a second lane up the hill – for 20 years the people of Tarago have had to deal with increasing levels of slow trucks going up the hill. It is time Veolia be proactive.

**Recommendation 47:** *Veolia must update the proposed incinerator traffic impact assessment. The proposal accurately states the impost of extra vehicles slowing down traffic between Crisps Creek and Woodlawn during construction. However Veolia fail to highlight this “temporary” imposition on the local community will be for 31 months under their current construction time-frames. Given current delays in the building and construction industry and resourcing constraints, the imposition on the local community is more likely to be for three years. This is hardly temporary.*

**Recommendation 48:** *Veolia’s proposal must be rejected – they take a least cost approach and are unlikely to pay for a climbing lane up the hill between Crisps Creek and Woodlawn. Veolia continue to create an imposition onto the people travelling along the road. The hill must be upgraded to two lanes uphill to allow vehicles to pass safely. There is also a cumulative impact due to numerous other proposed projects in the region which has not been taken into account in Veolia’s proposed incinerator.*

### **Inconsistent project timelines**

According to the Traffic Impact Assessment, the construction timeframes are (section 4.5):

- 2021-2023: Environmental assessment and approval.
- 2024-2026: Project construction (approximately three years).
- 2027: Commencement of project operation.

According to the main EIS document, the construction timeframes are (section 4.7.1):

- 2021-2023: Environmental assessment and determination.
- 2023-2025: Project construction (approximately three years).
- 2026: Commencement of project operation.

Veolia does not check for consistency in their own submission. Which document is accurate? This is just one inconsistency we picked up... how many more are there?

**Recommendation 49:** *Veolia must cross check all their documentation to ensure timeframes are accurate, and information matches between the main EIS document and the individual assessments.*

**Rejection 26:** *The proposed incinerator must be rejected. Veolia’s documentation shows inconsistencies between different documents, raising questions over the accuracy of their submission.*

### **Drivers stopping for coffee in town**

The traffic impact assessment fails to take into account drivers passing through the Tarago township. On the way from Goulburn to Woodlawn, if passing through Tarago, drivers must either stop on the east side of the road, or turn left onto Lumley Road. Vehicles may potentially pass through the main intersection two times – particularly for vehicles stopping at the cafe on Lumley Road.

**Recommendation 50:** *Veolia must update the Traffic impact assessment to take into account employees and contractors that will stop within the town of Tarago itself. This includes truck drivers making deliveries, staff collecting coffee in the morning, and potentially staff having lunch in town.*

### **Draft Construction Traffic Management Plan**

The Draft Construction Traffic Management Plan does not make any mention of the appalling condition of Braidwood Road or Bungendore Road. While they state the posted limit is 100kph, they do not include any reference to the large sections of these roads that have been downgraded to 60kph and the need to drive to conditions.

**Recommendation 51:** *The Draft Construction Traffic Management Plan must be updated to reflect the fact that local roads deteriorate quickly due to large volumes of heavy vehicles. The Plan must be updated to reflect this and that drivers must always take into consideration vehicles are often swerving to other sides of the road to avoid poor road conditions.*

There is also no mention of the time period when school buses and children are within the Tarago township area.

**Recommendation 52:** *The Draft Construction Traffic Management Plan must be updated to indicate that construction traffic must not be passing through the town of Tarago between the hours of 7:30am and 9:30am and again in the afternoon between 3:00pm and 5:00pm.*

Veolia are also seeking permission to take some Oversize/Overmass vehicles along Collector Road – a road not designed for larger volumes of heavier traffic (not that the Braidwood Road or Bungendore Road are currently designed for this either). This will destroy yet more local roads. Yet again, destroying more local infrastructure with years before it may be repaired – if ever (particularly given the recent flood damage around NSW). While they state they will undertake a dilapidation survey, and “promise” to make repairs, we already have many years of damaged roads ahead, and Veolia's promises (such as fixing up issues with odour emissions) are not worth much.

**Rejection 27:** *Veolia's proposed incinerator must be rejected. Veolia's Construction Traffic Management Plan will result in damage to yet another road in the local area. While Veolia claim it will be fixed, the simple fact is Veolia fails to live up to promises (such as fixing the odour issues).*

## Drivers code of conduct

As has already been highlighted, the Traffic impact assessment fails to take into account the school buses and students present in the town in the morning and evening.

**Recommendation 53:** *Veolia's Drivers code of conduct must be updated to reflect there are school children and buses in and around the Tarago area between 7:30am and 9:30am and again between 3:00pm and 5:00pm. The code of conduct must also be updated to indicate construction vehicles and materials are not to be brought through the town at these times.*

Due to the current appalling condition of the roads, vehicles are swerving all over the road to avoid damaged sections of the road and avoid damaging vehicles. Veolia's guidance to contractors and employees must include guidance they are not to endanger other road users and to swerve around damaged road sections.

**Recommendation 54:** *All Veolia drivers and vehicles must be clearly labelled with a sticker to indicate they work for Veolia. The sticker must contain a hotline number so residents can report drivers who do not adhere to the Driver's Code of Conduct. Veolia must report on all incidents within 7 days on a publicly available website.*

**Recommendation 55:** *Veolia must update the Driver's Code of Conduct to indicate that drivers are not to swerve to avoid damaged road sections. Veolia must document they will pay for the damage to vehicles of contractors and employees who's vehicles are damaged as a result of the poor road conditions.*

Veolia appear to be distancing themselves from driver behaviour. While they claim they will develop a code of conduct, complaints will be directed to the contractor's direct line during business hours. This is despite Veolia pushing for 24 hour construction work. The number will be provided on a sign at the site entrance... so Veolia expect us to drive all the way over to Veolia's site to get the phone number. Hardly useful. Veolia must be held accountable for the actions of it's contractors rather than shirk their responsibilities.

**Recommendation 56:** *Veolia must ensure a 24/7 complaints hotline phone number is published widely and not just at the front of the site. Veolia must handle all complaints and keep a register of complaints. All complaints must be published on Veolia's website within seven days of the complaint being made. The details of the complaint must contain the contractor name, the date and time of the incident, details of the incident, and any video footage provided.*

**Recommendation 57:** *Veolia's must update it's submission to demonstrate it takes responsibility for contractor behaviour. Veolia must ensure dangerous or illegal driver activity is reported to police.*

## (HISTORICAL) ODOUR SIMULATIONS AND AUDITS

This chapter was originally a smaller section within another part of this submission. However the more analysis of odour simulations and audits that was undertaken, the more it became apparent there are significant issues. This is relevant as it demonstrates that even after more than twenty years, Veolia’s submissions to the Department of Planning and Environment, and follow-up audits for the EPA are incorrect and flawed. This raises questions over any submissions made in relation to the proposed incinerator – what flaws and assumptions have they made which are incorrect? How can we trust Veolia when there are multiple demonstrated examples of their failures in relation to existing facilities and operations?

This chapter focuses on only a few of the emissions – such as PM<sub>2.5</sub>. We simply did not have time to review all the emissions. However given the issues identified, the entire AQIA is likely to have similar issues.

### Population Density in Odour Simulations

Modelling of air pollutants in NSW is based on the NSW EPA’s “Approved Methods for Modelling and Assessments of Air Pollutants in NSW” (2016)<sup>17</sup>. This document is also based on the “Technical Framework Assessment and management of odour from stationary sources in NSW”<sup>18</sup>. Sections 7.4 and 7.5 refer to “population density” in relation to thresholds and values used in modelling. The formulas and tables from this section are contained in the modelling used by Veolia in relation to existing facilities.

This raises a question as to how the population density is actually calculated. The tables contained in the EPA guidelines specifically state “population”, but do not include any method on how to calculate the affected population numbers. On 30 September 2022, an informal request was made to the EPA (see Figure 32) to clarify the term “population density” used for modelling and simulation, and how it is calculated.

Could I please get a clarification in relation to Section 7.4 and 7.5 of the "Approved Method for the Modelling and Assessment of Air Pollutants in New South Wales"? Specifically in relation to the definition of "population density". For example, 7.4.1 states:

"Table 7.4a lists the impact assessment criteria for individual odorous air pollutants. Equation 7.1 must be used to select the appropriate impact assessment criterion for hydrogen sulfide as a function of population density"

However there is no actual definition I have been able to find for "population density". Is it for example the number of people within 1km of a site? 10km of a site?

**Figure 32** Query sent to the EPA on 30 September 2022

---

17 <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/air/approved-methods-for-modelling-and-assessment-of-air-pollutants-in-nsw-160666.pdf>

18 <https://www.environment.nsw.gov.au/resources/air/20060440framework.pdf>

For assessments of hydrogen sulfide or complex mixtures of odour, equations 7.1 and 7.2 in the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (2022) can be used to determine site specific impact assessment criteria. The EPA considers an odour assessment criterion of 2 OU (complex mixtures of odour) or 1.38 ug/m<sup>3</sup> (hydrogen sulfide) is appropriate for all facilities located in ‘Urban Centres’ as defined by the Australian Bureau of Statistics. To determine the appropriate criterion outside ‘Urban Centres’ the following method can be used:

1. Undertake dispersion modelling for the new or modified activity to predict odour concentrations.
2. Generate the 2 OU or the 1.38 ug/m<sup>3</sup> impact contour surrounding the premises.
3. Estimate the total population within this contour. Receptors located less than 1 grid cell distance outside of this contour are to be included in the total population for calculating the criterion.
4. Calculate the odour performance criterion using the estimated population and either equation 7.1 or 7.2

If you require any further clarification or would like to discuss this matter further, please respond via email and we will arrange for an officer to contact you.

**Figure 33** Response from the EPA received on 20 October 2022

The response from the EPA was received on 20 October 2022. Modelling conducted in the 2021 Independent Odour Audit<sup>19</sup> for the Woodlawn makes an assessment of the same population surrounding the existing facility (see Figure 34) as per the earlier 2011 modelling<sup>20</sup>.

The original odour impact assessment contained in the EA 2010 had adopted the IAC of 6 ou “given the low number of sensitive receptor locations in the vicinity of the Woodlawn site”. TOU has maintained consistency with this approach as conditions have not significantly changed.

**Figure 34** Extract of 2021 Independent Odour Audit on population density

At no stage has Veolia or the odour modelling conducted on it’s behalf have ever questioned the calculation of population density – or undertaken the calculation as per the guidance received from the EPA. Census data obtained from the Australian Bureau of Statistics<sup>21</sup> for the population of Tarago is contained in Table 4. It should be noted the physical area for Tarago in the 2006 Census is based on a significantly larger physical boundary. As such data from 2006 and earlier is not representative of the same physical space.

19 <https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2021/08/2021%20Woodlawn%20Eco-Precinct%20Independent%20Odour%20Audit%20%28IOA%29%20%282%29.pdf>

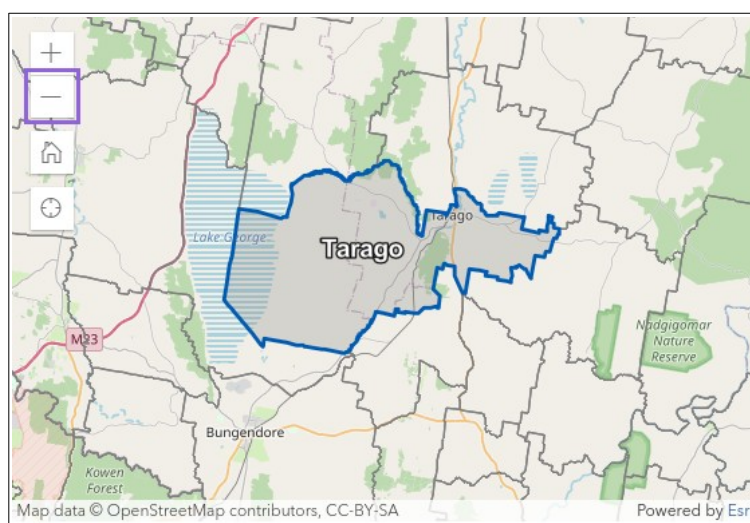
20 [https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=MP10\\_0012%2120190704T041917.974%20GMT](https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=MP10_0012%2120190704T041917.974%20GMT)

21 <https://www.abs.gov.au/census/find-census-data/search-by-area> using “Tarago NSW” and selecting “Quick Stats” for each year of the census.

Year	2001	2006	2011	2016	2021
Population	No data	531*	351	426	510

**Table 4** Population data for Tarago NSW based on ABS Census data (abs.gov.au)

Between 2011 and 2021, the population of Tarago NSW increase from 351 to 510 (45.3%). This is for the area shown in Figure 35. As can be seen, this area covers Woodlawn, Tarago village and surrounding areas.



**Figure 35** Tarago area as defined by the 2021 Census data (abs.gov.au)

Despite the increase in population for Tarago of at least 45%, Veolia have continued to use the same population calculation, despite not having any justification for how the population was calculated in the first place.

**Rejection 28:** *Veolia’s odour modelling is based on flawed calculations of population density. Veolia has made no effort to explain the population density, and later modelling demonstrates they have not taken into account population increases in the Tarago area. Veolia’s modelling of odour is flawed, and demonstrates Veolia’s modelling in the proposed incinerator is also likely flawed. The proposed incinerator must be rejected unless Veolia can demonstrate accurate modelling.*

### Veolia’s Original Approvals (1999 and 2010) vs. Today (2022)

As a part of Veolia’s submission for MP10\_0012, an Odour and Dust Impact Assessment was conducted<sup>22</sup>. Figure 36 contains the executive summary from the report.

22 [https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=MP10\\_0012%2120190704T041917.974%20GMT](https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=MP10_0012%2120190704T041917.974%20GMT)



<p>Veolia Environmental Services (Australia) Pty Ltd  Woodlawn Bioreactor  Odour and Dust Impact Assessment  Woodlawn Expansion Project</p>	<p>Report Number 30-2464-R2  22 February 2011  Revision 7  Page 4</p>
<p><b>EXECUTIVE SUMMARY</b></p> <p>An odour criterion of 6 odour units (OU) has been adopted for this Project, based on accepted NSW DECCW methodologies. This means that 6 OU should not be exceeded on more than 3.6 days per year. Since the theoretical odour detection limit (that is where no odour impact is experienced) is 1 OU, this criterion is not intended to achieve ‘no odour’.</p> <p>The results of the odour modelling predicted that the 99<sup>th</sup> percentile 1-second average ground-level odour concentrations at the surrounding sensitive receptor locations ranged from 0.5 OU to 3.4 OU and therefore the predicted odour concentrations were below the Project specific odour performance goal of 6 OU.</p> <p>The results of the additional maximum odour concentrations predicted that not only would 6OU performance goal be met by the 99<sup>th</sup> percentile assessment, but the maximum odour concentrations for all non Project related receptors would not exceed this goal.</p>	

**Figure 36** Executive summary of odour modelling from 2011

While Veolia’s submission clearly states “the criterion is not intended to achieve ‘no odour’”, the report also clearly states “the predicted odour concentrations were below the Project specific odour performance goal of 6OU”.

The report also contains 18 references to worst case scenario modelling, including those contained in Figure 37 and Figure 38.

<p><b>Odour</b></p> <p>Additional odour monitoring was undertaken in January 2011 in wet weather conditions, which based on operational and community experience is likely to represent <b>worst</b> case conditions. This new odour emission rate data was used to remodel the potential impacts of the current operations as well as the proposed tonnage increase under worst case conditions.</p>
---

**Figure 37** From page 3

<p>A <b>worst</b> case scenario has been modelled, with all liquid storage areas modelled at capacity and with an active waste tipping area of 2 ha with emission rates associated with wet fresh waste, shown in <b>Appendix E</b> to be more odorous than dry fresh waste. In reality, leachate (treated and untreated), groundwater and stormwater storage areas are unlikely to be at levels approaching capacity as leachate is used on the waste to encourage degradation of fresh waste. Excessive storage should not be required and an active waste tipping face of the modelled size should not be required in reality.</p> <p>Based upon the results of this modelling assessment, it is not considered that the proposed Project will lead to an exceedance of the odour performance goal.</p>
--

**Figure 38** From page 52 under section 7, Conclusions.

**Rejection 29:** *Veolia’s incinerator must be rejected – modelling conducted for Veolia based on “worst case” scenarios in 2011 indicated minor impact on five local sensitive receptors near Woodlawn. In 2021-2022 there are weeks of significant odour emissions at multiple receptors well outside the receptors used for modelling purposes.*



**Rejection 30:** *Veolia’s submissions to planning processes are inaccurate and underplay the impact on the local community. Veolia’s simulations for existing projects are fictitious. Any simulations and modelling undertaken by Veolia for the proposed incinerator are (based on history) likely to be inaccurate. The proposed incinerator must be rejected.*

The original approval for DA31-02-99 also concluded the Department was satisfied there would be no significant air quality impacts (see Figure 39).

**Conclusion**

The Department is satisfied that, with the imposition of the recommended conditions of consent, the proposal will not pose significant air quality impacts.

**Figure 39** Section 9.5 on page 25 for the approvals for DA31-02-99<sup>23</sup>

The Department of Planning and Environment accepted the original approvals for Veolia and did not expect there would be a significant impact on air quality. Despite the imposition of monitoring requirements, a “substantial buffer zone” and limits imposed on air quality, the Department’s conclusion was inaccurate.

**Recommendation 58:** *The NSW Department of Planning and Environment’s previous judgements have been demonstrated to be incorrect (more than ten years after the approvals have been granted). The Department of Planning must take into account the failures of modelling and simulation to accurately show the impact on the local community more than ten years after approvals have been granted.*

The 2021 “Independent Odour Audit”<sup>24</sup> contained updated modelling of odour emissions (conducted by “The Odour Unit”). An extract of the summary is contained in Figure 40.

**9.6 MODELLING STUDY FINDINGS**

[removed]

The odour emissions scenario used for the modelling was that observed during the Audit. This scenario represents TOU’s best estimate of total odour emissions from normal operational conditions for the Woodlawn Bioreactor during 2020. **This scenario does not consider abnormal conditions or upset events.**

[removed]

Notwithstanding the above observations, the modelling has found that the ground level concentration at the nearest sensitive receptor (i.e. the Torokina property dwelling) is predicted to be well below the NSW EPA odour IAC of 6.0 ou (99%, P/M60). **Therefore, it can be concluded that adverse odour**

---

23 <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=DA31-02-99%2120200527T000802.292%20GMT>

24 <https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2021/08/2021%20Woodlawn%20Eco-Precinct%20Independent%20Odour%20Audit%20%28IOA%29%20%282%29.pdf>

**impacts are unlikely to be caused by the sampled odour sources evaluated in the Audit.**

**Figure 40** Extract of section 9.6 from the 2021 Independent Odour Audit.

The modelling conducted in 2021 makes no mention of worst case scenarios, and in fact explicitly excludes the worst case scenario: “This scenario does not consider abnormal conditions or upset events”. Furthermore, the updated modelling concludes “that adverse odour impacts are unlikely to be caused by the sampled odour sources” (for the nearest receptor). This is completely contradictory to years of evidence (prior to the 2021 modelling) of odour complaints from Tarago and areas surrounding Woodlawn – in many cases during years of dry / normal conditions.

**Recommendation 59:** *Modelling and simulations used by Veolia are based on “normal operating conditions”. The modelling does not take into account climate change. For example the modelling makes no reference to less rainfall, but higher intensity rainfall events. Modelling also needs to take into account above average temperatures. Modelling historically provided by Veolia demonstrates modelling contained in their incinerator submission should be closely scrutinised to ensure it takes into account variations in conditions based on climate change.*

The 2021 modelling does state (section 9.6.1): “However, it does not consider the unquantifiable impact as associated with fugitive gas emission pathways and operational impacts on the Void operations from high rainfall events over the Audit period”. The modelling states that Veolia should use complaints as a guide to their compliance in relation to odour emissions.

**Rejection 31:** *The proposed incinerator must be rejected. Veolia demonstrate with their current operations they are unable to model worst case scenarios for airborne emissions. Multiple modelling and simulations have been undertaken and the latest 2021 modelling indicates there is an “unquantifiable impact ... from high rainfall events”.*

It is clear from earlier submissions that Veolia’s simulations and modelling are inaccurate. Twenty years after the earliest modelling has been conducted, the simulations have been demonstrated to be false time and again. If we extrapolate this to the current submission by Veolia, this raises serious questions – are Veolia’s current simulations and modelling for the proposed incinerator just a token analysis? How accurate are their current simulations and modelling? Some of the simulations and modelling previously undertaken were professional and based on a “worst case”. Yet they are demonstrably incorrect.

Veolia has made no effort to admit they were incorrect – they have not taken ownership of their past failures. Veolia has lost its social license to operate in the Tarago region.

**Rejection 32:** *The incinerator proposal must be rejected. Veolia demonstrate through previous submissions that modelling and simulations are invalid. The local community has lost trust after years of odour issues when we were promised there would be little to no impact. Veolia have no social license to operate in the Tarago region. All modelling and simulations for the proposed incinerator must be assumed to be highly optimistic and are likely to understate the impact on the community and environment.*

## AIR QUALITY IMPACT ASSESSMENT (EIS APPENDIX O)

According to the NSW EPA, new energy from waste incinerators must “meet and exceed world best practice air quality standards”<sup>25</sup> as apparently set out in the NSW Energy from Waste Policy Statement<sup>26</sup>. The Waste Policy Statement however does not actually state this. The policy refers to “Table 1”, with many standards not even remotely close to guidelines from the World Health Organisation. This chapter considers the air quality and emissions of the proposed incinerator, particularly in relation to the “world best practice” – rather than the watered down NSW Energy from Waste Policy Statement.

### World Health Organisation – Outdoor Air Quality Standards – September 2021

In September 2021, the World Health Organisation released updated outdoor air quality guidelines<sup>27</sup>. Table 5 contains a list of the new standards (excluding Ozone).

Measure	Annual mean	24 hour mean
Fine Particulate Matter – PM <sub>2.5</sub>	15 µg/m <sup>3</sup>	5 µg/m <sup>3</sup>
Coarse Particulate Matter – PM <sub>10</sub>	45 µg/m <sup>3</sup>	15 µg/m <sup>3</sup>
Nitrogen Dioxide – NO <sub>2</sub>	25 µg/m <sup>3</sup>	10 µg/m <sup>3</sup>
Sulphur Dioxide – SO <sub>2</sub>	-	40 µg/m <sup>3</sup>

**Table 5** Air Quality limits specified in WHO Guidelines (excluding Ozone)

### Approved Methods for Modelling (2022) and NEPM not up-to-date with WHO Guidelines

Veolia’s AQIA uses the 2022 Approved Methods for Modelling from the NSW EPA<sup>28</sup>. While this document is current (i.e. 2022), some content is based on the National Environment Protection (Ambient Air Quality) Measure<sup>29</sup>. The NEPM is specified by the National Environment Protection Council and is legislated under Australian federal law<sup>30</sup>.

As can be expected, the law is quite often behind best practice. The NEPM was updated in May 2021 and no longer takes into account the changes in guidelines from the WHO (see earlier in this chapter). Many of the guidelines from WHO have become more stringent, and as such the standards the proposed incinerator must meet are much higher than those contained in the AQIA.

**Recommendation 60:** *Veolia must update the AQIA to demonstrate the proposed incinerator can comply with more stringent guidelines contained in the latest WHO guidelines for outdoor air quality (as set in September 2021).*

25 <https://www.epa.nsw.gov.au/news/news/2022/new-energy-from-waste-regulation-now-in-place>

26 <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/waste/21p2938-energy-from-waste-policy-statement.pdf>

27 [https://www.who.int/news-room/fact-sheets/detail/ambient-\(outdoor\)-air-quality-and-health](https://www.who.int/news-room/fact-sheets/detail/ambient-(outdoor)-air-quality-and-health)

28 <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/air/22p3963-approved-methods-for-modelling-and-assessment-of-air-pollutants.pdf?la=en&hash=79991C3AD2F7A1FAEC34EBAA857E7D0CCDD1B24>

29 <http://www.nepc.gov.au/nepms/ambient-air-quality>

30 <https://www.legislation.gov.au/Series/F2007B01142>

It should also be noted that Veolia have used the standards set in Table 1 of Schedule 2 for air quality from the NEPM (2021). However according to the NEPM, these standards change for PM<sub>2.5</sub> as of 2025 – becoming more restrictive.

	PM <sub>2.5</sub>	PM <sub>2.5</sub>	PM <sub>10</sub>	PM <sub>10</sub>
Averaging period	24hr	1 year	24hr	1 year
Veolia's values	25	8	50	25
NEPM values (current)	25	8	50	25
NEPM values (from 2025)	20	7	50	25
WHO guidelines (Sept 2021)	15	5	45	15

**Table 6** Veolia's AQIA uses the most lenient values (in this example just for PM<sub>2.5</sub> and PM<sub>10</sub>)  
(all units in µg/m<sup>3</sup>)

As can be seen in Table 6, Veolia use values based in the currently legislated NEPM values. These values are already out-of-date given the NEPM clearly states new values from 2025. Veolia's proposed incinerator will not be operational until after 2025, and as such the AQIA is based on incorrect values (not just for PM<sub>2.5</sub>, but for a variety of values – PM<sub>2.5</sub> is just being used as an example).

**Rejection 33:** *Veolia's proposed incinerator must be rejected. The AQIA is based on values that will no longer be relevant for when the incinerator is operational (post 2025). Currently legislated values for PM<sub>2.5</sub> (among other limits) set in the current NEPM are set to change in 2025. Veolia's AQIA is already out-of-date.*

**Recommendation 61:** *Veolia's AQIA is based on NEPM values that is currently out-of-date. The NEPM was changed in May 2021, however in September 2021 the WHO set higher outdoor air quality standards. It is not uncommon for legislation to be behind the latest scientific literature. As such the AQIA must comply with the higher standards as set out by the WHO in September 2021. Veolia must update the AQIA to align with the latest WHO standards.*

### NSW EfW Policy Statement Also not up-to-date with WHO Guidelines

As previously highlighted, the NEPM is not up-to-date with the latest WHO Guidelines. The Policy Statement also lumps PM<sub>2.5</sub> and PM<sub>10</sub> limits together.

**Recommendation 62:** *The AQIA from Veolia is based on the NSW Policy Statement which has not been updated to reflect the latest guidelines from WHO in relation to outdoor air quality. The EPA must update the Policy Statement to reflect WHO changes for air quality prior to any AQIA being updated.*

## Background Levels Already (Significantly) Exceed Limits

Veolia point out that the background air quality levels in Canberra correlate strongly with the values from Goulburn (section 6.3 and the AQIA). Given the incinerator will not be operational until 2025, Veolia should be using the PM<sub>2.5</sub> limits from the NEPM that are more restrictive at 20 µg/m<sup>3</sup> for 24hr and 7 µg/m<sup>3</sup> for one year averaging periods.

Using these values, the background regional air quality already exceeds the standards on multiple years. If we apply the latest WHO guidelines from September 2021 of 15 µg/m<sup>3</sup> for 24hr and 5 µg/m<sup>3</sup> for one year, the background levels significantly exceed the standards on almost every year for the data Veolia includes in Table 6.1 of the AQIA. These values have been applied to Figure 6.3 from the AQIA (see Figure 41) to demonstrate the difference with Veolia’s claims.

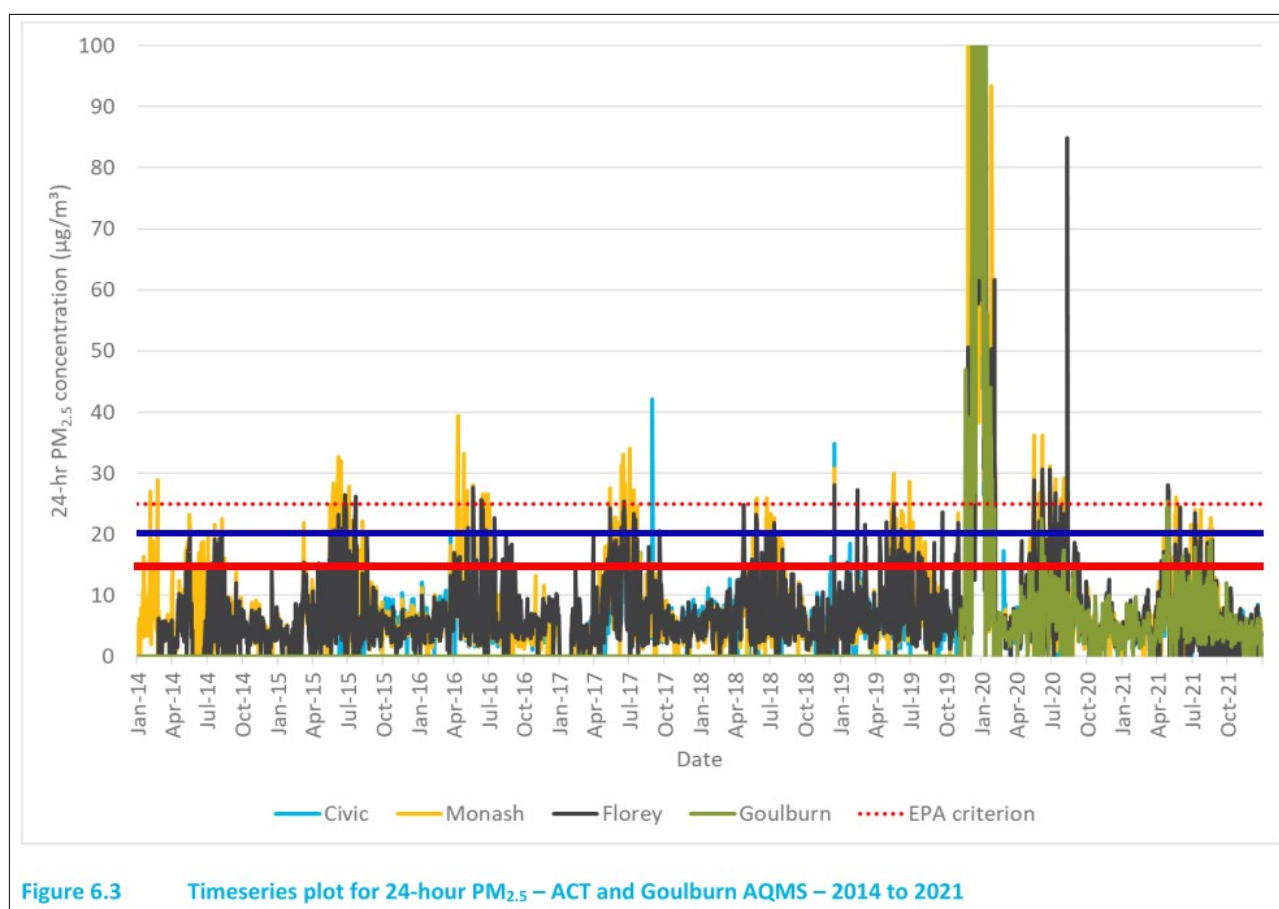


Figure 6.3 Timeseries plot for 24-hour PM<sub>2.5</sub> – ACT and Goulburn AQMS – 2014 to 2021

**Figure 41** Figure 6.3 from the AQIA – the solid blue line is based on the NEPM from 2025, and the solid red line is based on the September 2021 WHO guidelines

As can be seen from the graph – the background levels already exceed the NEPM legislated requirements from 2025 onwards for 24hr PM<sub>2.5</sub> levels (the solid blue line). The background levels are exceeded even more when you take into account the September 2021 WHO guidelines. The reality is **any extra emissions to the air are a bad thing** (regardless of if they are offset or not).

**Rejection 34:** By using out-of-date limits in EPA documentation, Veolia can show the background levels are not too high. However Veolia should be using the legislated NEPM values for 2025 onwards at the very least (and

*should be using the WHO guidelines given these are the latest world-wide recognised limits). Veolia use the incorrect values when comparing the background air emissions. Veolia’s AQIA is deceptive and the proposed incinerator must be rejected.*

### **Use of old data from 2017**

Veolia use 2017 as a “typical” year for data from Staffordshire. However we know from operations of Veolia’s existing facility, there is far greater variability in normal operations than “typical” conditions. For example, in the last two years, excessive rainfall events have provided challenges for Veolia in managing odour – these are not the “most typical” situation.

As such, judging the air quality based on “typical” data does not demonstrate the level of variance in the data over a period of years. Given the Staffordshire plant has been in operation since 2014, there are eight years of operational data available. The use of 2017 data raises the question as to why the last five years of operational data is not “typical”. How does the Staffordshire facility deviate from “typical” in the last five years? In this case, the deviations are also indicators of “worst case scenarios” – which are brushed over in the AQIA.

**Recommendation 63:** *Veolia must update the EIS to include analysis of the last five years of operational data from the Staffordshire “reference facility”. This must include any failures, problems, issues or instances of limits being exceeded – including (but not limited to) air quality, content analysis of ash etc. This includes demonstrating why other years of data are non-typical.*

**Recommendation 64:** *Over time, limits on air emissions generally become more constrictive. Given Veolia’s incinerator is likely to be in operation for over 20 years, limits are likely to become more constrained during the operations. Veolia’s proposal should demonstrate how they will comply with increasingly restrictive limits.*

**Recommendation 65:** *Conditions placed on Veolia for the operation of the incinerator must include what actions Veolia must undertake in order to remain compliant with limits for the entire lifetime of the incinerator. Should Veolia be unable to comply with more restrictive limits, the facility must be shut down.*

### **Assessment Locations – Boro Road Does Not Exist**

Figure 3.2 of the Air Quality Impact Assessment shows the location of residences and other sensitive receptors near the proposed facility. Appendix A of the AQIA also contains a list of the assessment locations and distances from the emissions stack. It should be noted that residences from Barnett Drive can be seen on the bottom right of Figure 3.2. The table in Appendix A also has a maximum distance from the stack of 19.3km.

Our measurements indicate we are within 19.3km from the stack, located along Boro Road. Inspection of Figure 3.2 shows that not one residence within the first 9km of Boro Road has been

included in the assessment. A quick estimate of about 20 residences has been excluded from this assessment.

**Recommendation 66:** *Veolia must update the AQIA to include all residences within 20km of the emissions stack. Veolia has deliberately excluded about 20 residences from Boro Road.*

Another limitation of the assessment locations is it is not based on wind direction. For example, we live downwind. We know this because we have had to report odour emissions from Veolia’s existing facility for years.

**Recommendation 67:** *Veolia must update the AQIA to take into account residences that have reported odour emissions in the last three years. This information should be reflective of the potential impact of pollution from the incinerator.*

### Assessment Locations – One Church – Really?

It appears Veolia did not even visit Tarago during the AQIA. According to Table 3.1, there is one church, located 10.3km from the emissions stack (most likely at Lake Bathurst). It is not hard to spot a church in the middle of Tarago – about 7.1km. There is also a church at Currawang. Based on Kindergarten mathematics, that makes three churches.

**Rejection 35:** *Veolia’s proposed incinerator must be rejected. The AQIA makes basic and obvious mistakes including missing residences on Boro Road, and only counting one church when there are at least three. Veolia is underplaying the Assessment Locations / Sensitive Receivers in the EIS.*

### Misrepresentation of Land Use

According to the AQIA, the locality surrounding the proposed incineration is used for grazing and/or cultivation (see Figure 42). This is a misrepresentation of the land use. Given the furthest residence Veolia considers is about 20km from the stack, there are a large number of rural residential properties in close proximity.

The locality surrounding the Eco Precinct has been cleared for grazing and/or cultivation. Land immediately surrounding the operational areas of the Eco Precinct is owned by Veolia, providing a buffer between operations and surrounding private properties. This includes the land which forms part of the Eco Precinct, and Pylara Farm as shown in Figure 1.2.

**Figure 42** Extract from section 3.1 (Local setting, land use and topography) of Appendix O

Veolia fails to point out the following in relation to land use:

- A large portion of the property owners have orchids;
- Many properties have extensive vegetable gardens;
- Many of the properties have chickens for eggs; and
- Some of the properties have stock and pets such as horses, sheep, alpacas etc.

**Recommendation 68:** *Veolia misrepresents the land use surrounding the incinerator as large rural farming properties. However there are hundreds*

*of rural residential properties within 20km of the emissions stack which are highly connected with the land. This includes the use of orchids, growing vegetables, and keeping animals such as chickens, horses, sheep and alpacas. Veolia must update to AQIA to correctly reflect the characteristics of the local setting.*

### **AQIA Does Not Even Recognise the Stockholm Convention**

Despite the AQIA talking about Persistent Organic Pollutants (POPs), the AQIA makes no reference to the Stockholm Convention. This is a significant omission.

***Recommendation 69:*** *Veolia must update the AQIA to discuss the emissions in the context of the Stockholm Convention.*

### **Dispersion modelling (Section 8) and Results (Section 9)**

Section 8 of the AQIA contains dispersion modelling using the CALPUFF modelling system. As per the earlier chapter of our submission (see (Historical) Odour Simulations and Audits), Veolia has used CALPUFF modelling several times to previously model odour emissions over multiple years. While Veolia has historically claimed there will be minimal impact on the closest receptors, evidence demonstrates this to be completely false. The modelling undertaken by Veolia has been proven to be a work of fiction.

***Rejection 36:*** *Veolia’s proposed incinerator must be rejected. The modelling undertaken by Veolia for existing operations over the last 20+ years has been demonstrated (with factual data of odour emissions) to be completely inaccurate. Veolia have been shown to understate the impact on the local community for air based emissions.*

#### **10.2.1 – Ambient air quality monitoring**

Under Veolia’s existing EPL11436 for the Bioreactor, they have been required to install a permanent monitoring station for H<sub>2</sub>S within Tarago itself. The proposed incinerator suggests they will install a mobile monitoring station at various locations. This is simply not good enough.

***Recommendation 70:*** *Veolia must install a permanent ambient air quality monitoring station in Tarago itself. Data must be available in near real time on a website, with summary data for each hour, day and year made available within 24 hours.*

#### **7.2.5 – Other than normal operating conditions**

Veolia claim the likelihood of of OTNOC can be controlled and minimised through equipment redundancy and good operation and management (see Figure 43).



Consequently, Veolia consider that there were fourteen unavoidable downtime events at the Staffordshire ERF in 2017 and that these events could occur at the project. However, Veolia consider that the likelihood of occurrence can be controlled and minimised at the project through the consideration of equipment redundancy and good operation and maintenance practices. Veolia will prepare a detailed Business Management System document for the project, containing management practices and procedures relating to the system shutdown events.

**Figure 43** Extract of 7.2.5 (i) from Appendix Q – AQIA

However when you consider examples contained in our chapters on Veolia’s International Approach and Corporate Behaviour and Veolia’s Approach In Australia, it becomes apparent that operator error and vehicle and equipment maintenance are regular issues for Veolia. A “Business Management System” document is just a document. The corporate behaviour demonstrated by Veolia over many years is of a company that claims one thing, and then ignores things like equipment maintenance – often leading to environmental consequences.

**Rejection 37:** *Veolia have demonstrated over many years as a company that they fail to undertake equipment maintenance. They propose good equipment maintenance in the AQIA is a reason the proposed incinerator will be less likely to suffer from OTNOC. The proposed incinerator must be rejected – Veolia demonstrate their business practices worldwide suffer from good equipment maintenance – often to the detriment of the environment.*

### **Modelling of Worst Case – Supply Chain Issues for Aqueous Ammonia**

The SEARs require Veolia to model worst case emissions from the proposed incinerator. One issue identified (see Ammonia Input Requirements and Supply Constraints) is the potential for supply chain constraints on the Aqueous Ammonia used in the SNCR process to reduce emissions. Given this is a very real possibility, Veolia does not model how the incinerator would perform if there is an insufficient supply of aqueous ammonia (or what actions they would take).

**Recommendation 71:** *Veolia must update their AQIA to indicate how the incinerator would perform and what the air quality impact would be in the case of reduced (or no) aqueous ammonia available for the SNCR process. They do not even indicate what would happen in this situation.*

### **Tarago Community Already at Higher Risk of Lung Related Conditions**

The 2021 Australian Census included questions related to long-term health conditions<sup>31</sup>. This included categories for Asthma and Lung Conditions (including COPD or emphysema). Table 7 and Table 8 contain a summary of the statistics for various suburbs around the proposed incinerator.

---

31 <https://www.abs.gov.au/census/find-census-data/quickstats/2021>

Suburb	#	%	Compared to (%)	
			NSW (7.8%)	Australia (8.1%)
Tarago	46	9.0	+1.2	+0.9
Lower Boro	33	15.2	+7.4	+7.1
Lake Bathurst	18	8.3	+0.5	+0.2
Currawang	11	6.6	-1.2	-1.5
Lake George	11	9.3	+1.5	+1.3
Bungendore	427	9.0	+1.2	+0.9

**Table 7** ABS 2021 Census data, Asthma, Tarago and surrounding suburbs

Suburb	#	%	Compared to (%)	
			NSW (1.7%)	Australia (1.7%)
Tarago	11	2.2	+0.5	+0.5
Lower Boro	9	4.1	+2.4	+2.4
Lake Bathurst	7	3.2	+1.5	+1.5
Currawang	3	1.8	+0.1	+0.1
Lake George	0	0.0	-1.7	-1.7
Bungendore	62	1.3	-0.4	-0.4

**Table 8** ABS 2021 Census data, Lung condition (including COPD or emphysema), Tarago and surrounding suburbs

These statistics show that Tarago and most surround suburbs are already above NSW and Australian averages for health conditions related to air quality. This is for a rural area – generally associated with cleaner air than more built-up areas such as larger towns and cities. An increase in emissions from an incinerator will result in a long term higher health risk for the local community.

**Rejection 38:** Australian Bureau of Statistics (ABS) data from the 2021 Census indicates Tarago and surrounding suburbs already present with a higher level of health conditions often connected with air quality. The long term emissions from an incinerator will impact on the local community – placing them at an even higher risk of lung conditions. The proposed incinerator must be rejected.

## Compliance With Future Stricter Air Quality Limits

Since the creation of the first air quality standards, the limits have generally become stricter over a period of many years<sup>32</sup>. For example the limits for PM<sub>2.5</sub> (and some other limits) were updated by the WHO in 2005 and more recently in 2021 – twice in 16 years. The likelihood is air quality standards will be updated during the lifetime of the proposed incinerator.

<sup>32</sup> [https://www.euro.who.int/\\_\\_data/assets/pdf\\_file/0019/331660/Evolution-air-quality.pdf](https://www.euro.who.int/__data/assets/pdf_file/0019/331660/Evolution-air-quality.pdf)

**Recommendation 72:** *Veolia’s proposed incinerator must comply with existing world best practice air quality standards. In the event world best practice air quality standards become stricter, Veolia must (within three months of the increased standards) provide a report to the EPA on how they will meet the stricter standards. Within twelve (12) months of the change in standards, Veolia’s incinerator must be compliant with the stricter standards. In the event Veolia are unable to comply with the stricter standards, the incinerator must be shut down until such time Veolia are able to demonstrate they are compliant.*

### Cumulative Emissions Based on Staffordshire Annual Reports

Table 9 contains data extrapolated from the Staffordshire Annual Report for 2017 (Appendix GG of the EIS). While Veolia are quick to point out the proposed incinerator will be compliant (with old limits – see earlier in this chapter), they fail to point out the volume of toxic emissions over a 25 year period (the lifespan of the incinerator). These are all highly toxic pollutants.

Parameter	Units	Annual Total	25 years
Hydrogen Fluoride	kg	44.6	1115
Mercury	kg	2.2	55
Arsenic	kg	1	25
Cadmium	kg	1.2	30
Chromium	kg	4.9	122.5
Copper	kg	6.7	167.5
Nickel	kg	7.6	190
Manganese	kg	6	150
Antimony	kg	2.8	70
Lead	kg	4.8	120
Thallium	kg	1.1	27.5
Dioxins and Furans	g	0.03	0.79
PAHs	kg	5.6	140
PCBs	kg	0	0.02
Cobalt	kg	1	25
Vanadium	kg	1.3	32.5

**Table 9** *Extrapolated tabled from section 4.3 of Appendix GG – Operational data Staffordshire ERF*

**Rejection 39:** *Veolia’s proposed incinerator must be rejected. While the annual emissions may not exceed the relevant standards (this is debatable), Veolia’s incinerator will dump almost 2.5 tonnes of highly toxic pollutants on the surrounding land over the operational life of the incinerator. This includes 55kg of Mercury, 25kg of Arsenic, 120kg of Lead and 1115kg of Hydrogen Fluoride.*

### **Proposed Incinerator Emits Toxic Pollutants the Bioreactor Does Not**

According to Table 4.1 of the AQIA, the proposed incinerator will emit the following additional pollutants (that are not emitted by the Bioreactor):

- HF – Hydrogen Fluoride;
- HCl – Hydrogen Chloride;
- NH<sub>3</sub>
- Dioxins and furans;
- PAHs.

So Veolia are proposing to offset the minuscule power output of the incinerator with toxic airborne emissions. While the proposed incinerator may appear better in the context of greenhouse gasses, the incinerator is certainly not better in the context of airborne emissions.

***Rejection 40:*** *Veolia's incinerator disperses toxic airborne pollutants over a wide area of farmland, rural residential properties and ecologically sensitive areas such as Lake George. Compared to the Bioreactor, which does not emit these pollutants. The proposed incinerator must be rejected.*

## BIODIVERSITY IMPACT (EIS APPENDIX Y)

This chapter was originally expected to be very long. However, after reading the Biodiversity assessment, it became apparent EIS Appendix Y needs a complete revision. During the EIS exhibition, it came to light that Veolia has already polluted groundwater at Woodlawn, and this was hidden from the public for seven years (see EPA Prevention notice 3503885). Large portions of the Biodiversity assessment highlights the importance of groundwater, and how the likelihood of impact is minimal. Veolia’s assessment is a work of fiction and based on a lie to the community.

As such, in this submission, I focus on a small subset of the less obvious issues within Veolia’s submission.

### Impact Area

The biodiversity impact assessment (Appendix Y) appears to have been performed in isolation to the Air Quality Impact Analysis (Appendix O), and seems to imply the project lives in it’s own little bubble. For example, from the Executive Summary:

**ES5          Groundwater-dependent ecosystems**

The subject land does not contain any aquatic or terrestrial groundwater dependant ecosystems (GDE) (BoM, 2021) (EMM 2021).

Seriously? Veolia are telling us the project will not have any impact on groundwater... and they have hidden the fact they have polluted groundwater at the existing site (EPA Prevention Notice 3503885).

**Rejection 41:** *Veolia’s propose incinerator must be rejected. They rely on lies about the impact of ground water not being affected. Veolia have already polluted groundwater at the site and have hidden this from the local community. Veolia’s Biodiversity report for the project completely ignores the groundwater impact.*

The Biodiversity impact does not seem to take into account any airborne toxic emissions from the proposed incinerator. The following water bodies are known to be in the location:

- Lake Bathurst and The Morass; and
- Lake George.

Veolia conveniently exclude Lake Bathurst and The Morass, which meet criteria 1, 3 and 6 (and potentially 4) of the Directory of Important Wetlands in Australia (DIWA)<sup>33</sup>. Coordinated management of these wetlands is important – and Veolia’s EIS contains nothing about the impact of things such as Persistent Organic Pollutants (POPs) on the flora and fauna in these areas.

**Recommendation 73:** *Veolia must update their EIS to include the impact on The Morass and Lake Bathurst – recognised wetlands. Veolia muse also include the impact of toxic airborne particles to wildlife in these wetlands.*

---

33 <https://www.goulburn.nsw.gov.au/files/sharedassets/public/other-files/lake-bathurst-and-the-morass-wetland-management-plan.pdf>

## Groundwater

It is abundantly clear reading Veolia's Biodiversity assessment was written in complete ignorance of the fact that Veolia have already polluted the groundwater at Woodlawn, and undertake actions that endanger the environment. Having reviewed the Biodiversity assessment in the context of groundwater, it barely warrants review of any other aspect of the assessment (or wasting my time). The whole assessment is flawed and based on the assumption that Veolia have never done the wrong thing.

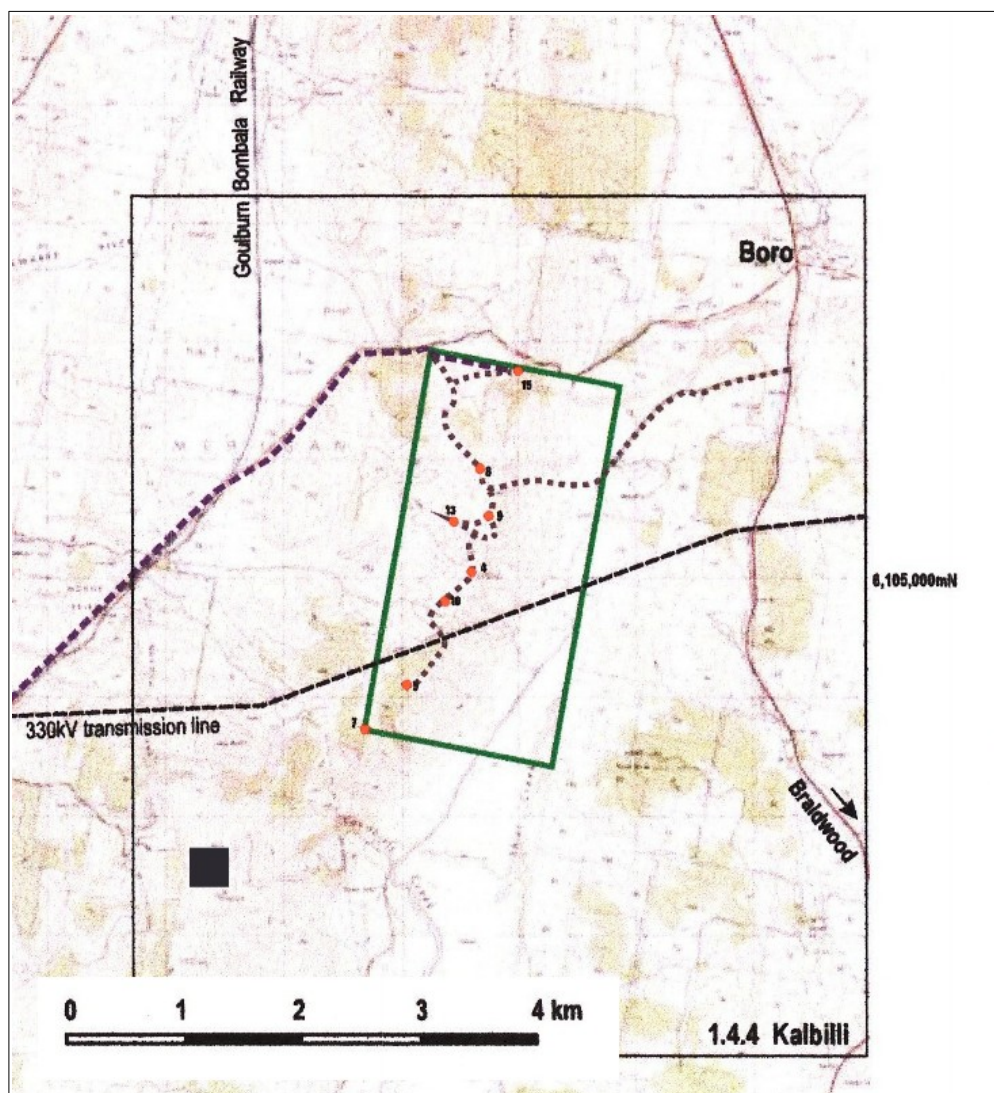
***Recommendation 74:*** *Veolia's biodiversity assessment (Appendix Y) must be completely revised. It must take into account that Veolia have already polluted the existing groundwater. It must also revise the risk assessment based on the more recent actions Veolia have undertaken that endanger the environment. Veolia's biodiversity assessment must take into account the actions and history contained in NSW EPA Prevention Notice 3503885.*

## Large Bent-Wing Bat – Roosting Cave

The biodiversity assessment (Appendix Y) completely fails to identify a roosting cave for the (NSW) vulnerable species *Miniopterus orianae oceanensis* (the Large Bent-Wing Bat, previously known as the Eastern Bent-Wing Bat). Approximately 14.3km to the south of the proposed incinerator is the Mount Fairy Cave, used for roosting. Figure 44 contains an image from Appendix G2 from the Capital Wind Farm (MP05\_0179) Bat survey<sup>34</sup>. This figure shows the location of the roosting cave.

---

<sup>34</sup> [https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=MP05\\_0179%2120190719T022153.066%20GMT](https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=MP05_0179%2120190719T022153.066%20GMT)



**Figure 44** Kalbilli Group of turbines (Square on bottom left represents cave)<sup>35</sup>

**Rejection 42:** Veolia’s proposed incinerator must be rejected. Emissions of persistent organic pollutants such as dioxins and furans are likely to affect the Large Bent-Wing Bat population. The species is listed as “Vulnerable” in NSW, and a cave used by this species is about 14.3kms to the south of the incinerator. Bats are sensitive to environmental changes, and are under threat from climate change. While this incinerator is no direct threat to the species – pollutants will over time have an impact on the population.

## Zones and the Goulburn Mulwaree LEP

When the Jupiter Wind Farm proposal (SSD-6277) was rejected, the NSW Department of Planning and Environment was specific about the zoning and developments that are incompatible within the zone<sup>36</sup>. Figure 45 contains a quote from the Department’s assessment. Many of the turbines for the proposed Jupiter Wind Farm were well within 10kms of the Woodlawn mine – an

<sup>35</sup> Appendix G2, Capital Wind Farm, Bat Survey, June 2005

industrial site surrounded by E3 Zones and sensitive environmental areas such as Lake George, Lake Bathurst and The Morass.

Overall, the Department [of Planning and Environment] considers that even though there is variation in the environmental values across the E3 zone, this is not sufficient justification for allowing developments that are incompatible with the objectives of the zone, even if they are located in the less sensitive parts of the zone. To do so would fundamentally undermine the integrity of the zone as a whole and would be inconsistent with the intent of the land use planning outcomes that the Council is seeking to achieve in this area.

**Figure 45** NSW Department of Planning and Environment rejection of SSD-6277

**Rejection 43:** *Veolia's incinerator must be rejected. The Department of Planning and Environment has already highlighted (SSD-6277) industrial developments of this sort (while approved within the zone they are located) are incompatible with the environmental values across the E3 zone itself. The incinerator would undermine the integrity of the E3 zone as a whole.*

## Frog and Bat Species

Due to the short EIS exhibition timeframes, we ran out of time to complete our analysis of the Biodiversity impact. However some quick notes on things we noticed:

- The Capital Wind Farm biodiversity impact identified more bats within wooded areas for the Kalbilli wind turbines. Multiple other SSDs in this region have identified a lot more bats in the area.
- The proposed incinerator does not impact just the physical area next to the incinerator. There are also air emissions. Bats and Frogs are known to be highly sensitive to toxins in the environment.

**Rejection 44:** *Veolia's proposed incinerator must be rejected. The Biodiversity analysis has not taken into account data from previous studies contained in earlier SSDs, including the Capital Wind Farm.*

**Rejection 45:** *The proposed incinerator must be rejected. There are large numbers of Frog species in the area and bat species – both of which are known to be highly sensitive to environmental toxins. Veolia's proposed incinerator will have an impact on far more species in the surrounding area – not just on the area immediately next to the incinerator.*



## HUMAN HEALTH RISK ASSESSMENT (EIS APPENDIX P)

Due to the limited time for the EIS exhibition, we were unable to fully address the HHRA in detail. As such, some parts of this chapter are far shorter. However the same fundamental problems contained in the AQIA have been identified in the HHRA.

### “Worst-Case” Assumptions

The HHRA contains 23 references to “worst-case” modelling and assumptions. They also use the CALPUFF air dispersion model. As has been highlighted in our chapter on (Historical) Odour Simulations and Audits, Veolia has over the last 20+ years undertake worst case modelling using the same modelling (CALPUFF) techniques. The result of this modelling is the claim that there is minimal impact on the nearest receptors. Odour reports demonstrate Veolia’s modelling is completely flawed, and the models they use are completely inaccurate.

**Recommendation 75:** *Veolia’s must undertake detailed analysis of previous modelling (from the last 30 years) for Woodlawn, and compare it to actual reported odour emissions. Detailed analysis must identify why the models do not work, and consequently update the models contained in the EIS. Veolia must extend the “worst-case” scenarios to things they would not normally consider, such as failure of sensors and personnel monitoring the systems (as has been demonstrated in many international cases where Veolia’s actions (or lack of) have resulted in failed sensors, or failed processes).*

### Veolia’s Aquaculture – Poisoning Canberra Not Taken Into Account

Aquaculture and horticulture - capturing waste heat from energy production and using it for sustainable fish farming and hydroponic horticulture. 3600 kg of fish are produced annually and sold to the Canberra restaurant market

**Figure 46** Extract from Veolia’s main Woodlawn page<sup>37</sup>.

Veolia point out the other benefits of the Woodlawn facility. As contained in Figure 46, Woodlawn also produces fish for the Canberra market. At no point has the EIS considered the impact on the fish to be sent to Canberra – and ingested by humans.

**Recommendation 76:** *Veolia’s proposed incinerator EIS must be updated to include risks to humans related to the ingestion of fish from the Aquaculture facility located at Woodlawn.*

**Recommendation 77:** *Veolia’s EIS must be updated to include testing they will undertake on a regular basis of fish from the existing aquaculture farm on site. Testing results of the fish must also be published online within seven days of samples being collected.*

---

37 <https://www.veolia.com/anz/WoodlawnEcoPrecinct>

## Completely Excludes Boro Road

As with other aspects of the EIS, the HHRA completely excludes residences on Boro Road (see Figure 2.1 of the HHRA), despite many properties along Boro Road being closer to the proposed incinerator than those along Barnett Drive (which has been included in the assessment). Ironically Boro Road is closer to downwind of Woodlawn (being south west), and the geography often leads to odour being detected on Boro Road.

**Recommendation 78:** *Veolia must update the HHRA to include residences along Boro Road.*

## Using Outdated ABS Data

According to the document information for the HHRA, it was almost in final draft in July 2022. The 2021 Census data included additional health information released on 28 June 2022<sup>38</sup>. This information could have been included in the HHRA which was not finalised until October 2022 – four months after the 2021 Census data was released.

**Recommendation 79:** *The HHRA for Veolia’s proposed incinerator must be updated to include more localised health data from the 2021 Census data. This includes data for smaller areas that are relevant to the EIS.*

## Use 2005 WHO TEF for dioxin and dioxin like compounds

The HHRA uses the 2005 WHO TEF for dioxin and dioxin like compounds. However these values are considered old and are currently undergoing a review<sup>39 40</sup>. According to the WHO, there will be considerable changes to most of the values.

**Recommendation 80:** *Approval for the proposed incinerator must be delayed until after the WHO has completed revising the TEF values early next year. Veolia must then update their submission to demonstrate compliance with these values prior to re-submitting the EIS.*

**Recommendation 81:** *Veolia must clearly state they will ensure the facility remains compliant with any reductions in limits set by the EPA or other official bodies such as the WHO. They must upgrade the facility within 12 months of changes in limits. In the event Veolia are unable to comply, the proposed incinerator must be shut down.*

## Does not consider leaking from ED1 into groundwater

The HHRA does not consider leaks from ED1 and ED2 into the local groundwater. This has been confirmed as occurring, and is completely ignored in the HHRA.

---

38 <https://www.abs.gov.au/census/2021-census-data-release-plans/2021-census-product-release-guide>

39 <https://www.who.int/news-room/articles-detail/call-for-experts-who-initiative-to-update-the-2005-who-tef-for-dioxin-and-dioxin-like-compounds>

40 <https://www.who.int/news/item/15-11-2022-who-expert-consultation-on-updating-the-2005-toxic-equivalency-factors-for-dioxin-like-compounds-including-some-polychlorinated-biphenyls>

**Recommendation 82:** *The HHRA must be updated to include an assessment of risks related to leaks from ED1 and ED2 into local groundwater. Veolia must consider worst case scenarios include leaks from the containment cell for the APCr.*

## Section 1.6 – Definition of Health

Veolia are very clear about the definition of “health” from section 1.6 of the HHRA (see Figure 47).

### **1.6 Definitions**

For the conduct of the HHRA the following definitions are relevant and should be considered when reading this report.

#### **Health:**

The World Health Organisation defines health as “a (dynamic) state of complete physical, mental and social wellbeing and not merely the absence of disease or infirmity”.

Hence the assessment of health should include both the traditional/medical definition that focuses on illness and disease as well as the more broad social definition that includes the general health and wellbeing of a population.

**Figure 47** Start of section 1.6 from the HHRA (EIS Appendix P)

However the entire HHRA completely fails to assess the impact on mental health. The EIS fails to take into account the history of Veolia in the area, the constant exposure to odour emissions, and fears related to land contaminated with lead. Veolia are already having a negative impact on mental health in the community including:

- Constant exposure to odours that are never addressed;
- Lying to the community and hiding their failures;
- Constant damage to the roads;
- Constantly threatening to release the EIS over many months;
- Learned helplessness in relation to odour emissions;
- and the list goes on...

**Rejection 46:** *Veolia’s proposed incinerator must be rejected. The HHRA highlights the importance of considering more than just disease or infirmity. However at no point in the EIS does Veolia address the mental health of the local community.*

## Simple Facts

The simple fact is this: According to the AQIA, there are chemicals that will be emitted that people would not have otherwise been exposed to. The HHRA and AQIA both contain loads of information that simply confirm this. The local community will be exposed to higher levels of toxic chemicals. This would not occur if the proposed incinerator were not being built.

We bought a property here because of the fresh air and rural setting. We did not buy next to a toxic incinerator. We bought a property where there was fresh air until Veolia lost control of their processes.

***Recommendation 83:*** *Veolia must agree to pay out anyone within 30kms of the proposed incinerator who wishes to move (up to three years after the commencement of operations). The payout must include a fair and reasonable price (process agreed to by the Department of Planning and Environment). The payout must include an additional 30% for disruption to our lives. Veolia must pay for all removal and relocation costs.*

### **Table C6 – Rainwater Collection**

Veolia needs to update the values used for assessment in Table C6. For instance they base the roofspace for an average 4 bedroom home in Australia as 200m<sup>2</sup>, based on a report which is no longer available on the Internet (that we could find). However this roof space will be based on predominantly urban dwellings. Rural dwellings often have large verandahs in addition to the main house. Most rural properties also have ancillary structures such as machinery sheds.

In Australia, a country where drought is the norm, every drop counts. As such water catchment off every roof structure is critical. As an example, we have over 500m<sup>2</sup> of catchment on our property. We use most of that catchment for potable water supplies to our house. In drier periods, we may receive 300mm of rainfall, and thus every drop counts. During wetter periods we might receive over 1000mm.

The loss of 30% of rainfall is also very unrealistic. Veolia base this on a report by Lizárraga-Mendiola et al. 2015. The report title when you search for it is: “Estimating the Rainwater Potential per Household in an Urban Area: Case Study in Central Mexico”. The Tarago region is not exactly an urban area, and Tarago is certainly not Central Mexico.

Given the HHRA is based on worst case scenarios, it should consider catchment areas of at least 500m<sup>2</sup>, loss of 10%, and rainfall of 1200mm (Given the last 24 months of rainfall, this is entirely possible). By these calculations, this would result in 540kL of catchment – over five times the values being used by Veolia.

***Recommendation 84:*** *Veolia must update the values in Table c6 of the HHRA to be more reflective of Australian rural properties, rather than be based on urban houses in places such as Central Mexico. They must reference the information with accessible reports to demonstrate the values are based on legitimate sources of information. Failing legitimate sources, Veolia must undertake a survey of all residential properties (where permission is granted) to obtain relevant evidential data to base their assessment on.*

## COMMUNITY CONSULTATION / ENAGEMENT (EIS APPENDIX K)

This chapter covers extensively the “community consultation” aspect of Veolia’s proposed waste incinerator. It also covers Appendix K – the project “engagement”. The cover letter for the SEARs is very clear about community consultation (see Figure 48).

The Department wishes to emphasise the importance of **effective and genuine** community consultation. A comprehensive **open and transparent** community consultation engagement process must be undertaken during the preparation of the EIS. This process must ensure that the community is provided with a good understanding of what is proposed (including a description of any potential impacts) and they are **actively engaged in issues of concern to them**.

*Figure 48 Extract from cover letter for the SEARs for SSD-41991*

It is also very clear from the NSW Energy from Waste Policy Statement that Public consultation and the good neighbour principle are very important (see Figure 49). In a publicly released statement, (then) Minister for Energy and Environment Matt Kean stated “This is about getting the balance right between supporting investment in NSW, driving a circular economy and reducing carbon emissions, **while also respecting the concerns of local communities**”.

### Public consultation and the good neighbour principle

Regardless of whether a facility plans to go ahead with a proposal under Section 3 or 4 of this policy statement, it will be essential that proponents provide effective information and public consultation about energy from waste proposals. As proposals progress from the concept to detailed development assessment stage, proponents should engage in a genuine dialogue with the community and ensure that planning consent and other approval authorities are provided with accurate and reliable information.

The operators of an energy from waste facility will need to be ‘good neighbours’ – particularly if near a residential setting but also where there are workers in other facilities. This would apply to waste deliveries and operating hours, but most importantly with respect to readily available information about emissions and resource recovery outcomes.

*Figure 49 Extract from the NSW Energy from Waste Policy Statement*

### Veolia Announces EIS Exhibition – But Only If You Have Internet Access

Sometime on or before 10 October 2022, Veolia announced the EIS exhibition on their website<sup>41</sup>. There was no email through their mailing list. Nothing. We actually found out from other sources that Veolia had updated the website.

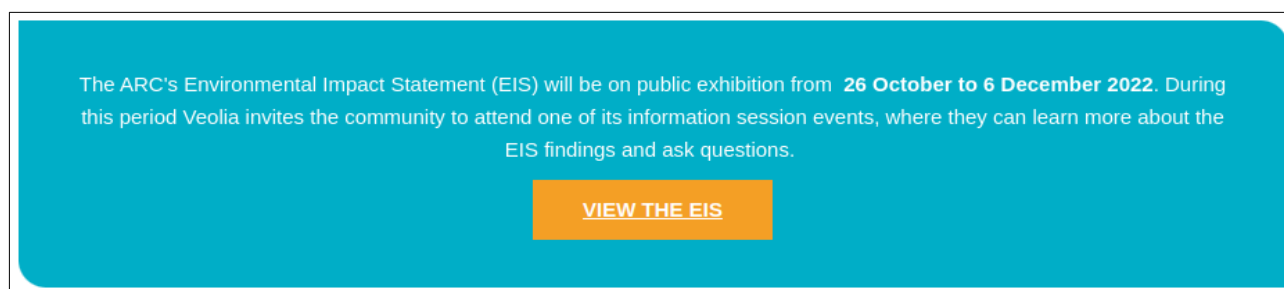
**Rejection 47:** *The proposed incinerator must be rejected. Veolia demonstrates they are not open and transparent in their communications – they announced the EIS exhibition, but failed to use other communication mediums such as letterbox drops to the surrounding community.*

---

41 <https://www.veolia.com/anz/ARC-EIS-events>

## Veolia Doesn’t Bother Telling the Community about Planning Portal Outage

On 1 December 2022, the NSW Planning Portal (used for submissions on SSDs) suffered issues preventing people from submitting their support, opposition or comments on Veolia’s proposed EIS. We heard about this through the Communities Against the Tarago Incinerator Facebook page. Veolia never sent an email to it’s distribution list. Veolia did not update their website for this proposed incinerator to indicate their were issues. Following the issues, the Department of Planning and Environment extended the exhibition period by one week to 13 December 2022. It took until 8 December 2022 (one week) before Veolia updated their website. They did not even bother to send an email newsletter / update out. In fact they did not even tell people how they could make a submission using email!



**Figure 50** Veolia’s TheArc website – on the morning of 8 December 2022<sup>42</sup>

**Rejection 48:** *The proposed incinerator must be rejected. Veolia does not even bother to keep the community informed during the exhibition period. How can the local community expect Veolia to keep them informed about toxic emissions in near real time?*

## Publication of Environmental Studies Prior to the EIS Exhibition?

Veolia’s website contained a list of items under “What Happens Next?”<sup>43</sup>. This list has remained unchanged from at least 11 June 2021 (except for which stage they are up to) until the release of the EIS. Upon release of the EIS, Veolia replaced the entire webpage.

---

<sup>42</sup> <https://www.veolia.com/anz/TheArc>

<sup>43</sup> <https://www.veolia.com/anz/next-steps>

<p><b>1. Early consultation</b></p> <p>Early consultation has been undertaken as part of preliminary planning. The formal planning process begins when Veolia lodges a Scoping Report with the NSW Department of Planning Industry and Environment (DPIE). This lodgement has now taken place. The Department will now set out the requirements to be addressed in the Environmental Impact Statement (EIS) for the Advanced Energy Recovery Centre.</p> <p><b>2. Environmental studies - we are at this stage</b></p> <p>The Government will ask Veolia to carry out studies to assess the project’s environmental, social, and economic impacts. We will keep local residents updated as these studies progress. The environmental studies will form the basis of the EIS. We expect this to happen in the next six months.</p> <p><b>3. Ongoing public consultation</b></p> <p>The results of the impact assessments will be published once they are completed. Veolia will host community information sessions to present the results and seek feedback from the public.</p> <p><b>4. Submit the Environmental Impact Statement and development application</b></p> <p>The completed EIS will then be submitted to DPIE. DPIE will publicly exhibit the EIS for at least four weeks. The community will be able to submit feedback to DPIE during this exhibition period.</p> <p><b>5. Respond to feedback</b></p> <p>The Government will publish all of the consultation feedback, and submissions received, and Veolia will respond in a formal Response to Submissions Report.</p> <p><b>6. Application assessed</b></p> <p>The Government will assess the application’s merits and decide whether the development can go ahead.</p>
---

**Figure 51** Screenshot from Veolia’s TheArc website – “What happens next?”<sup>44</sup>

As per item (3) on this list, Veolia clearly stated: “The results of the impact assessments will be published **once they are completed**. Veolia will host community information sessions to **present the results and seek feedback** from the public”. It is also clear from item (4) on the list that the EIS will be submitted **after** Veolia have published the results of the studies: “**The completed EIS will then be submitted to the DPIE**”. Table 10 contains a list of the impact assessments and their release dates. The table also lists if each report was released to the community prior to the EIS being released.

---

44 Note: Veolia changed this webpage when the EIS was released.

Report Name	First Revision	Final Release	Released Prior to EIS?
Appendix A – SEARs Compliance Table (12pp)	N/A	N/A	N/A
Appendix B – Consolidated consents (124pp)	N/A	N/A	N/A
Appendix C – Woodlawn ARC design report (70pp)	15 Nov 2021	06 Jul 2022	No
Appendix D – Woodlawn ARC Process Overview (12pp)	4 Mar 2022	1 Jul 2022	No
Appendix E – Ash management study (52pp)	27 Jul 2021	4 Oct 2022	No
Appendix F – Encapsulation cell design report (233pp)	15 Nov 2021	22 Jun 2022	No
Appendix G – Waste Acceptance Protocol (33pp)	21 Sep 2021	28 Sep 2022	No
Appendix H – Woodlawn ARC Commissioning (6pp)	18 Jan 2022	10 Aug 2022	No
Appendix I(i) – Waste feedstock analysis (53pp) <sup>45</sup>	[unknown]	23 Sep 2022	No
Appendix I(ii) – Chlorine content analysis (7pp)	N/A	7 Oct 2022	No
Appendix J – Statutory compliance table (21pp)	N/A	N/A	N/A
Appendix K – Project engagement (88pp)	[unknown]	[unknown]	No
Appendix L(i) – BAT assessment report (75pp)	[unknown]	6 Jul 2022	No
Appendix L(ii) – Reference facility assessment report (90pp)	22 Oct 2021	6 Oct 2022	No
Appendix M – Mitigation measures summary table (21pp)	[unknown]	[unknown]	No
Appendix N – Transmission line analysis (22pp)	11 Jul 2022	10 Oct 2022	No
Appendix O – Air quality impact assessment (222pp)	23 Nov 2021	10 Oct 2022	No
Appendix P – Human health risk assessment (189pp)	7 Oct 2021	6 Oct 2022	No
Appendix Q – Greenhouse Gas impact assessment (40pp)	[unknown]	8 Jul 2022	No
Appendix R – Lifecycle analysis (29pp)	[missing details]	18 Jul 2022	No
Appendix S – Noise and vibration assessment (74pp)	[missing details]	5 Oct 2022	No
Appendix T – Traffic impact assessment (143pp)	[missing details]	8 Jul 2022	No
Appendix U – Groundwater impact assessment (158pp)	[missing details]	25 Aug 2022	No
Appendix V – Surface water impact assessment (169pp)	7 Oct 2021	12 Jul 2022	No
Appendix W – Preliminary site investigation (160pp)	[unknown]	6 Jul 2022	No
Appendix X – Bushfire protection assessment (39pp)	[unknown]	14 Jul 2022	No
Appendix Y – Biodiversity development assessment (168pp)	[unknown]	23 Aug 2022	No
Appendix Z – Aboriginal cultural heritage assessment (206pp)	[unknown]	11 Jul 2022	No
Appendix AA – Historical archaeological assessment (39pp)	[unknown]	8 Jun 2022	No
Appendix BB – Landscape and visual impact assessment (65pp)	[unknown]	30 Jun 2022	No
Appendix CC – Social impact assessment (174pp)	4 Jul 2022	22 Aug 2022	No
Appendix DD – Economic assessment (27pp)	[unknown]	Jul 2022	No
Appendix EE – Preliminary hazard assessment (99pp)	17 Sep 2021	05 Jul 2022	No
Appendix FF – Fire safety study (69pp)	24 Aug 2021	10 Jun 2022	No
Appendix GG – Operational data - Staffordshire ERF (44pp)	2017	2017	No

**Table 10** List of impact assessments and release dates relative to the EIS release

<sup>45</sup> Appendix I(i) is missing revision information despite the final release being revision D.



Veolia has not published any environmental reports prior to releasing the EIS. This is despite many early releases of the reports being available in late 2021. The community information sessions have simply been full of “glossy brochures” and there have certainly been no “results” from the studies they have been undertaking. For example, Veolia released the “ARC Health Fact Sheet for Web.pdf” on their website<sup>46</sup>.



**Figure 52** Two of the four pages from Veolia’s ARC Health Fact Sheet

The fact sheet contains how they will assess the risk. It certainly does not contain any results of environmental studies (see Figure 52). Veolia lied to the community.

**Rejection 49:** *Veolia have lied about the consultation process, claiming they would release environmental reports prior to the release of the EIS. They have not presented any of the environmental studies prior to the release of the EIS. This is not effective or genuine consultation. It is also not open or transparent. Veolia did not allow the community to interact with them about the impact assessments prior to the release of the EIS. The project must be rejected due to the failure to consult with the community.*

## Community Information Sessions (May 2022) – Only on Saturday morning

The community information sessions held in May 2022 were only held on Saturday morning. Many people in Tarago travel to Goulburn or Bungendore to go shopping, usually on a Saturday morning. Mainly because most shops are closed on a Saturday afternoon and on a Sunday.

<sup>46</sup> <https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2022/06/ARC%20Health%20Fact%20Sheet%20for%20web.pdf>

**Rejection 50:** *Veolia’s consultation with the local community limited local people to Saturday mornings. This excludes large portions of the population who go shopping on Saturday mornings – simply due to the fact most shops in Goulburn and Bungendore are closed on Saturday afternoons and on Sundays. Veolia failed to undertake genuine consultation and as such the proposed incinerator must be rejected.*

### **Veolia Cares More about Commercial Sensitivities Than Informing the Community**

Over a period of many months in early 2022, the local community sought information through a GIPA request to the NSW EPA (in relation to Veolia’s breaches of it’s license). Despite the EPA twice deciding the release of information was not “commercially sensitive”, Veolia persisted with trying to delay the release of the information.

"We do not block Freedom of Information requests, however, as is standard practice, Veolia has used its right to query the release of commercially sensitive information".<sup>47</sup>

**Figure 53** *Extract from Canberra Times article, 19 June 2022*

Veolia consider commercial sensitivities (which do not exist according to the EPA) above the local population knowing what Veolia have been warned about. Veolia fail to take ownership of their failures – rather than inform the community about what they have done and how they are fixing it, they make every effort to hide the information from the community. This does not engender a level of open and transparent communications and demonstrates Veolia are not actively engaging the community on issues of concern.

**Rejection 51:** *Veolia attempted to prevent and delay access to information about their existing operations – they demonstrate through their behaviour they are not actively engaging the community or being open on issues of concern. They actively demonstrate they are preventing the community from accessing issues of concern. The proposed incinerator must be rejected as Veolia actively prevent access to information about their failures of current operations.*

### **“Third Party” Delays Release of Another GIPA Request related to Veolia**

Table 11 contains a timeline of events following submission of a GIPA request (Freedom of Information) to the NSW EPA (Reference EPA842). The GIPA request was for the following information:

- Under license EPL 11436, variation 1617130, condition U3 required a plan to be produced by Veolia for "Monitoring station for meteorology and hydrogen sulfide" (by 31 August 2022). Could I please get a copy of the report?
- Under license EPL 11436, variation 1607978, conditions U2.1 and U2.2 were added to the license requiring the production of a "Hydrogen Sulfide Investigation and Impact Assessment". Under NSW EPA GIPA 802, we have previously requested (and

---

<sup>47</sup> <https://www.canberratimes.com.au/story/7783449/how-can-anyone-trust-them-foi-block-breeds-distrust-on-woodlawn-waste-site/>

been provided a copy of the report). I would like to request a copy of Veolia's response to the recommendations contained in the report (if there was a response)?

Date	Event
27 September 2022	GIPA Request submitted to the NSW EPA
29 September 2022	NSW EPA advises GIPA Request EPA842 is a valid access application following payment of the application fee. The decision was required to be made by 27 October 2022. However if a third party needed consultation, that could be extended by 10-15 days.
17 October 2022	NSW EPA advises consultation with a third party is required. The revised due date for a decision is now 10 November 2022.
9 November 2022	NSW EPA requests extension in the due date to 18 November 2022. Quote: “This is due to the delay in the third party sending back their response to the EPA’s third party consultation and the high volume of applications we have had to process recently. The extension will allow the EPA to address three objections from the third party accordingly and prepare a notice of decision to you.”
9 November 2022	We grant the EPA an extension till 18 November 2022
18 November 2022	NSW EPA releases the Notice of Decision. The EPA has decided in full to release the documents that had been discovered relevant to the request (pending any third party requests for a review). Payment for \$127 is required in order to proceed.
18 November 2022	We pay the required fee.
18 November 2022	We ask the EPA if they could approach the third party and ask (on our behalf) if they would permit the early release of the documents in the interests of community engagement and consultation.
22 November 2022	NSW EPA advise us they are unable to make such a request. They are “advised that a third party is looking to lodge an internal review application against the EPA’s decision to release the documents ...”. The EPA advises they will keep us informed if an internal review application is received.

**Table 11** List of events during delay of NSW EPA GIPA 842

It is clear from the communication with the EPA that a third party is doing everything to prevent or delay the release of the information. In the first instance the “third party” has delayed sending back their response to the EPA (9 November 2022). In the second instance, the EPA is already aware the “third party” are planning to lodge an internal review.

**Rejection 52:** *Veolia’s proposed incinerator must be rejected. Third parties do everything they can to delay or prevent the release of information related to Veolia’s environmental license and actions they are undertaking at Woodlawn. Either Veolia or a third party are attempting to cover up information about Veolia’s activities.*

### Veolia’s Failure to Inform the Community Liaison Committee (CLC)

On 9 June 2021, Veolia’s Bioreactor license (EPL 11436) was modified to include (among other things) the requirement to produce an independent report related to hydrogen sulphide emissions. On 17 June 2021 a Community Liaison Committee Meeting was held<sup>48</sup>. There is a brief

48 <https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2021/10/2021%20June%20Community%20Liaison%20Committee%20Meeting%20Minutes.pdf>

mention of an Independent Odour Audit in the June minutes, but no mention of the new requirements of their license. However the findings of the hydrogen sulphide report are never raised or contained in any of the following meeting minutes. For example, Veolia fail to raise within the CLC the fact that they will need to continually invest in gas capture for many years – even after waste is no longer deposited in the landfill.

**Rejection 53:** *The proposed incinerator must be rejected. Veolia only briefly discuss the Independent Odour Report in the Community Liaison Committee. Veolia never discussed the findings of the hydrogen sulphide report within the CLC. Veolia demonstrate through their actions they will undertake deceptive behaviour.*

In another example of Veolia's failure to inform the CLC, in 2017 Veolia notified the EPA there had been seepage from Evaporation Dam 1 and Evaporation Dam 2. The pollution had entered the groundwater. According to EPA Prevention Notice 3503885<sup>49</sup>, further use of ED1 and ED2 would result in further leakage. A review of the CLC minutes from 2016-2018 identified only one reference to groundwater pollution.

**Water Management - Groundwater:**

- GS expressed concern on behalf of a resident regarding water seepage potentially affecting their ground water bore. HG explained that the site is rigorously monitored and tested with chemical data going back many years. The site has a series of surface and groundwater monitoring points between Woodlawn and the surrounding neighbours.
- HG suggested that the resident carry out their own testing of bore water conditions due to no direct link between Woodlawn and the site. The current waste mass level is within solid bedrock and well below the natural ground water levels measured at the natural ground surface.
- Results pertaining to Woodlawn's groundwater testing are publicly available at: <http://www.veolia.com/anz/media/media/reports>
- LM queried monitoring site locations, which are specified in the Woodlawn Landfill's Environment Protection Licence. This can be viewed on the EPA website at: <http://www.epa.nsw.gov.au/prpoeoapp/ViewPOEOLicence.aspx?DOCID=87064&SY SUID=1&LICID=11436>

At no point in the CLC minutes from 2016-2108 does Veolia (or anyone) identify there had been seepage from ED1 and ED2. Clearly someone was aware that something had occurred, since a question was raised in the CLC meeting minutes from 17 May 2017.

**Rejection 54:** *Veolia's proposed incinerator must be rejected. Despite a serious pollution issue being raised in the Community Liaison Committee (CLC) on 17 May 2017, Veolia made no effort to inform the community of*

---

49 <https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=11436&id=3503885&option=notice&range=POEO%20licence&noticetype=>

*the seepage. There is a complete failure to conduct open and transparent communications.*

### CLC Community Representatives Quit

According to anecdotal information, the community representatives for the Community Liaison Committee (CLC) quit in late 2022. It is not clear why these people quit the CLC, however it was apparently related to the proposed incinerator.

**Rejection 55:** *Veolia’s proposal must be rejected. Veolia has lost the connection with the local community through the CLC. Veolia’s is not successfully engaging with the local community. The resignation of community representatives is indicative of a dysfunctional engagement.*

### Veolia Covers Up Groundwater Contamination In Their Annual Reports

Veolia’s Annual Reports for 2016, 2017 and 2018 do not contain any references to groundwater contamination. This is despite all reports being published AFTER they and the EPA were aware of the groundwater contamination potentially occurring. In fact they go so far as to state there are no problems and nothing to really worry about (for example see Figure 54 and Figure 55).

Monitoring undertaken within the Bioreactor void and around the licenced boundary during this reporting period validated that groundwater flows form an inward gradient towards the void ensuring no outward movement of leachate occurs.
---

**Figure 54** Extract from 2016 AEMR for Woodlawn – just after Veolia are aware of possible contamination

Surface Water	Contamination of surface water.	Possible without control measures, but unlikely due to existing approved Surface Water Management Scheme.	Ongoing Surface and Ground water monitoring, Leachate monitoring	Section 3.4
Groundwater	Contamination of ground water.	Possible without control measures, however unlikely due to the use of leachate barrier systems and existing Groundwater Management Scheme.		

**Figure 55** Extract from 2017 AEMR for Woodlawn

Veolia covered up the contamination of groundwater and failed to include relevant content in their annual reports.

**Rejection 56:** *Veolia’s proposal must be rejected. They clearly failed to inform the community about groundwater contamination in their annual reports. Veolia can not be trusted to accurately report information about environmental failures.*



**Recommendation 85:** *Veolia’s Annual Reports fail to contain critical information on their environmental performance. It is entirely possible Veolia’s Annual Reports have excluded other information, and obscured the truth about their operations. Veolia’s existing conditions of consent must be revoked immediately by the Department of Planning and the Environment. The NSW EPA must also revoke their EPL.*

### **Veolia Avoids the Whole Truth**

In an article contained in the December 2022 Tarago Times, Justin Houghton (Woodlawn Eco Precint Manager) correct reports of leachate spilling into local waterways. This is entirely correct – according to EPA’s Prevention Notice (3503885), Veolia “placed material in a manner where it could cause pollution of waters, in particular groundwater”.

To clarify the specific situation, following ongoing significant rainfall, an emergency measure was put in place to ensure we contain all liquids within our site. This involved moving treated leachate from one dam on-site to another, to prevent any possibility of off-site spills occurring. As this emergency measure is not part of our licence conditions, we informed the EPA and they asked us to increase monitoring and carry out an assessment above our current requirements. Despite reports, the EPA did not state that this measure caused pollution to waterways.

**Figure 56** *Extract from December 2022 Tarago Times*

However what Veolia fails to point out, is that they had already polluted the groundwater many years ago (2016) – and that their recent actions endangered the environment by pumping water from Coffey Dam 1 into ED1 – in this case ED1 is known to leak. Rather than point out the whole truth, Veolia avoids raising the point of the prevention notice – their actions placed the environment at risk.

**Rejection 57:** *Veolia’s proposed incinerator must be rejected. Veolia avoids keeping the community informed about the whole truth – trying to put a positive spin on their actions highlighted in EPA Prevention Notice 3503885 – and avoiding raising the fact groundwater was already polluted in 2016.*

### **Veolia Delays Informing the Community on Odour Monitoring Requirements**

As a result of ongoing odour issues, the NSW EPA required Veolia to develop a gas monitoring station within the township of Tarago (notice number 1617130, dated 25 July 2022). Veolia were required to provide to the EPA a plan by 31 August 2022 for the installation, commissioning and operation of a Hydrogen Sulphide sensor in the township of Tarago. The plan required options for publishing all data from the sensor on a publicly accessible website and a meaningful summary should be available within 24 hours.

We have been working closely with the Environmental Protection Authority (EPA) and local community groups on the installation of a meteorological (weather) station in the Tarago township area. This unit will not only measure weather conditions but will also have a Hydrogen Sulphide (H<sub>2</sub>S) gas monitor attached, to help us monitor odour. The unit will be set up to monitor extremely low levels of H<sub>2</sub>S gas because at low levels H<sub>2</sub>S is one of the main odorous components of the landfill gas at Woodlawn. We plan to have this up and running by the end of the year and, once set up, data will be made publicly available on the Veolia website.

**Figure 57** Extract from October 2022 Tarago Times

It was not until October 2022 (three months later) before Veolia inform the community in the Tarago Times about the odour monitoring (see Figure 57). It should be noted Veolia imply they are actively undertaking this activity. They fail to mention they were directed by the EPA to undertake this activity as an outcome of the “Project Report - Investigation and Assessment of H<sub>2</sub>S Gas Emissions at the Woodlawn Bioreactor”. Veolia applies a “spin” to the information to appear as if they are proactive in dealing with the odour issue.

**Rejection 58:** *Veolia apply a “spin” to the information they release to the community. They imply they are actively engaged in addressing the odour issue, when in actual fact they are being directed by the EPA to fix the problem. Veolia do not engage in open and honest communication in relation to addressing the odour issues in the community. The incinerator proposal must be rejected as Veolia are not open or transparent in their community engagement.*

## **Veolia Fails to Publish Environmental Reports**

Again, as is highlighted elsewhere in this submission (see Veolia Fails to Publish Environmental Reports), Veolia has also failed to publish environmental reports. This is despite being required to publish these reports and Veolia’s response to these reports.

**Rejection 59:** *Veolia fails to keep the community informed and hides environmental reports from the community. Veolia’s proposal must be rejected. They are not even remotely a “good neighbour”.*

## **Veolia Compared to EPYC**

In 2013, EPYC Pty Ltd proposed the Jupiter Wind Farm just south of Tarago (State Significant Development 6277)<sup>50</sup>. EPYC was appalling at community consultation (see submissions held by the Department of Planning and Environment). However EPYC actually tried to engage with the community more than Veolia. EPYC undertook the following activities:

- Regular emails sent to all stakeholders;
- Website updated regularly;
- Newsletters dropped into letterboxes (including many properties much further away);

---

50 <https://www.planningportal.nsw.gov.au/major-projects/projects/jupiter-wind-farm>

- Tarago Times news articles;
- Community Consultative Committee meetings (setup specifically for the project);
- Visits to all affected individuals (not just a small subset of the community); and
- Proposed a Benefit Sharing Scheme.

Even EPYC Pty Ltd were better at community consultation than Veolia. Veolia has a community liaison committee already established and have been in the area for more than twenty years. Yet Veolia achieved less than EPYC in terms of community consultation on their respective proposed State Significant Developments. Let me state this one more time so it can sink in: ***Even EPYC Pty Ltd were better at community consultation than Veolia.***

***Rejection 60: Veolia has achieved less community consultation than EPYC achieved on the Jupiter Wind Farm. Veolia’s efforts at community consultation have been minimalistic and limited to a very small subsection of the community affected by this proposal. This proposal must be rejected – Veolia completely failed to undertake sufficient community consultation.***

### **Veolia do not Publish Old Emails / Newsletters**

When we first heard of the proposed incinerator, it was from a local resident who asked if we had received the latest email from Veolia. We asked about it, and finally found information digging around on the Internet. Veolia did not make much effort to inform the community and left it for the local community to pass information around by word of mouth.

We signed up for the email updates on 17 September 2021. In the 15 months since signing up, we received 8 email updates from Veolia. There were three community “newsletters” released at random times, one reminder of a community engagement, and four updates. Hardly a consistent and predictable approach.

<b>Date</b>	<b>Email Title</b>
19 November 2021	Woodlawn ARC Community Newsletter   November 2021
25 February 2022	Woodlawn ARC Community Newsletter   February 2022
27 April 2022	Woodlawn ARC Community Newsletter   April 2022
2 June 2022	Woodlawn ARC Community Reminder   Meet the experts   4 June
21 September 2022	Woodlawn ARC Community Update – September 2022
13 October 2022	Woodlawn ARC Community Update – October 2022
1 November 2022	Woodlawn ARC Community Update – Environmental Impact Statement resources
11 November 2022	Woodlawn ARC Community Update – Energy from Waste air quality webinar

***Table 12 Emails received from Veolia’s mailing list after signing up.***

Veolia never published on a website any of the previous emails they had released – thus it made it hard to find out what other information local residents had been told about prior to us getting our email address onto the update list. This is a complete failure of Veolia to maintain any consolidated list of communications with the public, and it is far from open and honest communications. Although the Tarago Times is available online, Veolia also failed to provide an

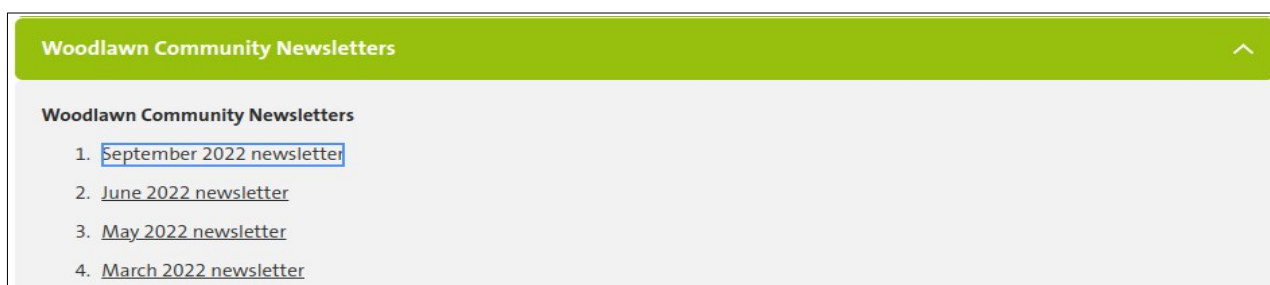


easy location where they uploaded all updates / emails to the one site – where the community could easily find them.

**Rejection 61:** *Veolia’s proposal must be rejected. They failed to provide the community with a list of all previous communications such that people who are only just becoming aware of the project can update themselves on historical information. This includes email releases and articles published in the Tarago Times.*

### **Veolia’s Woodlawn Monthly (or is it Quarterly?) Newsletter**

In March 2022, Veolia released a community newsletter in relation to Woodlawn. They then released another newsletter in May 2022, and then “quarterly newsletter” in June 2022 and September 2022. According to their website, these are the only newsletters they have released in relation to Woodlawn.



**Figure 58** List of newsletters from Veolia’s Eco-Precinct Website, 23 November 2022.

Not one of these newsletters contains anything about the proposed incinerator. Not only is it hard to know if these are monthly or quarterly newsletters, but their failure to even mention the proposed incinerator is a complete failure to communicate with the local community.

**Rejection 62:** *Veolia fail to mention the proposed incinerator in the “newsletters” published on the Woodlawn website. Veolia’s approach to consultation is not comprehensive or open. The proposed incinerator must be rejected.*

The September 2022 Newsletter was not actually published online until sometime around the 23 November 2022 – and yet again, there is absolutely nothing in the newsletter about the upcoming release of the EIS or even about the proposed ARC. It is almost as if Veolia itself does not want to acknowledge their own proposed incinerator.


**Rejection 63:** *Veolia are unable to effectively communicate. The Woodlawn Community Newsletter for September 2022 was not released on Veolia’s website until sometime around 23 November – two months after it was supposedly published. Veolia’s proposed incinerator must be rejected – they simply are unable to communicate with the local community.*

### **Veolia’s Psychological Torment of the Community**

Between October 2021 and October 2022, Veolia stated seven times they were about to submit the EIS for the proposed incinerator. Table 13 contains a list of references where they state this. Veolia appear to be in a rush to have the EIS released. In October 2021, just one month after they are informing people about the SEARs being released, Veolia are claiming the EIS will be released “later this year”. So in less than three months after the SEARs are released, Veolia was already planning on releasing a complex and detailed EIS.

It is hard to see how it is possible to release the EIS within three months of the extensive SEARs. If this were the case, Veolia would have already commissioned the reports and the analysis had already been undertaken – before the SEARs were even requested. If this were the case, Veolia would have known many months before informing the community that it was going to propose the incinerator.

***Rejection 64:*** *Veolia’s proposed incinerator must be rejected. They appear to have been in the position to inform the community long before the SEARs were requested. This does not not constitute open or honest communications.*

Date	Source	Content				
October 2021	Tarago Times	<p>The Community Information Sessions form part of our ongoing engagement with you about the proposed ARC. There will be further opportunities to engage with us, particularly through the formal public exhibition period for the Environmental Impact Statement.</p> <p>The formal exhibition will take place later this year and is your opportunity to have your say on the project in its entirety, including assessments, reports and surveys we are undertaking now.</p>				
November 2021	Tarago Times	<p>Veolia will submit the EIS to the Department of Planning, Industry and Environment, later this year and the Department will then place it on public exhibition. The community will have an opportunity to read and provide comments on the EIS when it goes on public exhibition - likely to be in early 2022.</p>				
December 2021	Woodlawn Community Liaison Committee Minutes	<table><tr><td>6</td><td>Other Business</td></tr><tr><td>6.1</td><td><p><b>Project Development - Woodlawn Eco-Precinct</b> <u>Woodlawn Advanced Energy Recovery Centre</u> JH provided an update on the ARC project. Aim is to get an EIS submitted early next year.</p></td></tr></table>	6	Other Business	6.1	<p><b>Project Development - Woodlawn Eco-Precinct</b> <u>Woodlawn Advanced Energy Recovery Centre</u> JH provided an update on the ARC project. Aim is to get an EIS submitted early next year.</p>
6	Other Business					
6.1	<p><b>Project Development - Woodlawn Eco-Precinct</b> <u>Woodlawn Advanced Energy Recovery Centre</u> JH provided an update on the ARC project. Aim is to get an EIS submitted early next year.</p>					
March 2022	Tarago Times	<p>Work to finalise the Environmental Impact Statement (EIS) is still underway. Despite community reports of EIS submission taking place in February, our submission will only be made when the assessments are completed, likely to be in the coming months. We are taking the</p>				
July 2022	Tarago Times	<p>Next steps</p> <p>We are now in the final stages of developing our Environmental Impact Statement (EIS) in preparation for the upcoming public exhibition period. This will be an opportunity for the community to review the assessments undertaken, and to have their say on the ARC project. We expect this to occur in the coming months, and will be hosting a number of additional information sessions leading up to public exhibition. We will continue to provide updates on our progress and future events.</p>				
August 2022	Tarago Times	<p>Final reviews of our Environmental Impact Statement (EIS) are still taking place, and we thank the community for their patience as we work through the process. We will continue to provide updates as they are available and we hope to have the EIS document on public exhibition soon.</p>				
September 2022	Email – Woodlawn ARC Community Update	“The ARC’s public exhibition period is coming soon.”				
October 2022	Tarago Times					

**Table 13** List of instances where Veolia claim they are about to submit the EIS

If Veolia had announced the EIS was being released once, and then explained a month or two later as to why the EIS had not been submitted, it could be excused. This is over a period of 12 months. This is a form of psychological torture – keeping the Tarago community “on edge” waiting for the EIS to be released. Sustained higher stress levels has a long term psychological and physiological impact on the human body. This is effectively a form of torture.

**Rejection 65:** *Veolia’s proposed incinerator must be rejected. Veolia continually torments the local community over many months stating they are*

*about to submit the EIS – but never do. This is not genuine or transparent communications.*

### **Veolia Notifies Everyone Formally (except us) About The EIS**

On about 17 October 2022, residents of Tarago identified they were receiving registered post letters from Veolia in relation to the EIS exhibition<sup>51</sup>. We were never provided with anything. This is despite reporting odour issues to Veolia and the EPA for many months. This is despite our property being 18kms from the proposed facility. Our property is also in the prevailing wind direction. Are the properties and people along Boro Road not considered as important as properties in Lake Bathurst (in a non-prevailing wind direction)?

**Rejection 66:** *Veolia’s proposal must be rejected. Veolia has excluded affected properties from consultation including those along Boro Road. Veolia has failed to undertake open and transparent communications.*

### **Appendix K – Project Engagement**

Veolia portray themselves as a “good neighbour”. Figure 59 is an extract from Appendix K related to Project Engagement.

#### **2.4 History of Community Engagement at Woodlawn Eco Precinct**

Veolia has a long-standing history of community engagement at its Woodlawn Eco Precinct and prides itself on operating with transparency, respect and commitment. Developing and maintaining positive relationships with local stakeholders is a foundational priority for Veolia's existing and future operations. Since 2004, over \$30 million has been provided to the Goulburn Mulwaree Council in the form of host fees, specific community projects including via the Veolia Trust, and for road upgrades and maintenance. Some of this funding has also been allocated to the Queanbeyan Palerang Regional Council for road upgrades.

**Figure 59** *Extract from Appendix K – Project engagement*

An analysis of the paragraph in Figure 59 is contained in Table 14

---

51 <https://www.facebook.com/groups/TaragoCommunityGroup/permalink/3155556151422406/>

Phrase	Analysis	True/False
long-standing history of community engagement	No comments	True
operating with transparency, respect and commitment	Veolia has withheld reports, continues to emit odour and undertakes psychological torment of the community. They have lied about groundwater contamination.	False
developing and maintaining positive relationships with local stakeholders	Veolia has alienated the local community with lies and deception. CLC members have quit.	False
\$30 million has been provided to Goulburn Mulwaree Council	Veolia fails to highlight funding was withdrawn for the Goulburn Mulwaree Arts Centre (\$2.5m)	Partially False
community projects including via the Veolia Trust	A large portion of the funding is allocated to areas outside Tarago and the region. They provide no evidence to show the Tarago and local community have significantly benefited in comparison to other communities.	Questionable
for road upgrades and maintenance	The condition of local roads is in an appalling state. Veolia can conveniently hide behind the failure of councils to undertake road maintenance. All the money in the world does not help if the roads take forever to be upgraded or be maintained.	Questionable

**Table 14** Analysis of Veolia’s claim in relation to their history of community engagement

Compliance Requirement	Veolia’s incinerator EIS meets this requirement?
Effective and genuine	No
Open and transparent	No
Community is actively engaged on issues that concern them	Partially
Good neighbour principle	No

**Table 15** A quick analysis of the compliance requirements for the EIS

It is very clear that Veolia’s Project engagement is a failure. This chapter provides ample examples of why this project must be rejected. These examples are not just small failures in book-keeping or rounding errors on a spreadsheet. They are major examples of Veolia’s efforts to hide the truth from the local community. These are major examples of their failure to communicate. Veolia completely fails the good neighbour principle.

**Rejection 67:** *Veolia’s proposed incinerator must be completely rejected. The have failed to demonstrate the good neighbour principle (NSW EfW Policy Statement) and failed to meet the SEARs. These are not one off minor failures. There are examples of ongoing failures to communicate with the local community for years.*

**Rejection 68:** *Veolia’s proposed incinerator must not continue past the existing process until they can demonstrate for a period of five years that they have been a good neighbour and can communicate effectively.*

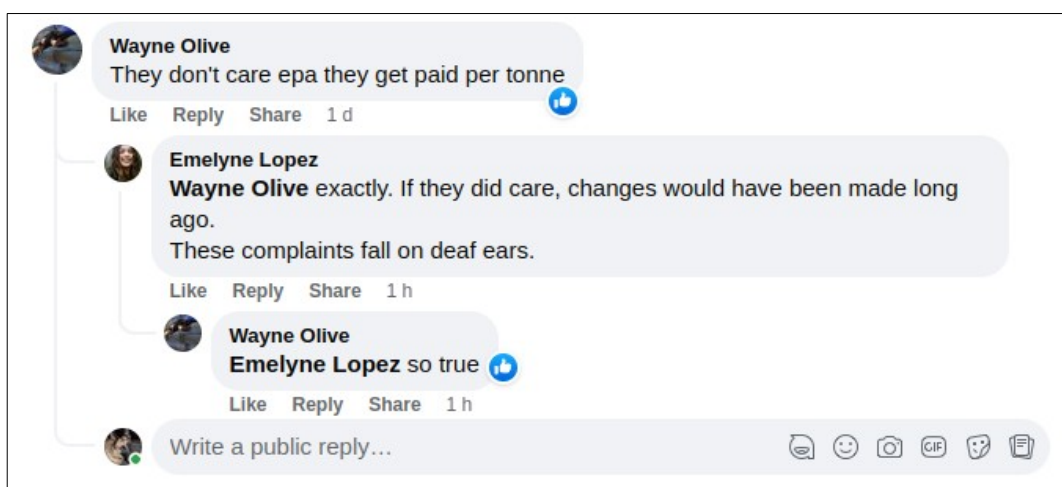
**Recommendation 86:** *If the proposed incinerator is to be approved, Veolia must demonstrate for a period of no less than five years that they can comply with all requirements of their existing licenses. They must be able to prove to the local community they have a social license to operate. Veolia’s operations at Woodlawn and supporting projects must pass with “flying colours” a detailed and rigorous audit to be undertaken every year for five years.*

### What Does The Community Think About Reporting Odours?

It quickly becomes apparent when viewing the Tarago Community Group Facebook Page that the community feels that Veolia can get away with their current behaviour. And it is pointless reporting odours – the EPA does nothing.



**Figure 60** Start of Facebook post on Tarago Community Group



**Figure 61** Some comments from post on Facebook about odour reporting

Figure 61 demonstrates there is likely under-reporting of odour issues in the local community. There is a belief that Veolia can get away with it and that the EPA does not care. It also demonstrates a mistrust of Veolia and the EPA in dealing with any issues that arise.

**Rejection 69:** *The proposed incinerator must be rejected. The community clearly indicates it is not engaged with Veolia and the EPA. Some parts of the community have developed a “learned helplessness”. Veolia must rectify this situation and should not be permitted to proceed with the incinerator.*

### **Veolia Withdraws \$2.5m Funding From Goulburn Performing Arts Centre**

It is well known in the Goulburn community that in October 2021, Veolia withdraw \$2.5 million in funding from the Goulburn Performing Arts Centre – while it was under construction. This was done just after the Goulburn Mulwaree Council had formally announced its opposition to the proposed incinerator. While Veolia will likely claim they had a “good reason” to back up withdrawing the money, it raises a question as to if the money Veolia hands out is just used as a form of coercion?

**Rejection 70:** *Veolia’s proposed incinerator must be rejected. Veolia has made efforts to explain their justification for withdrawing \$2.5m from the Goulburn Performing Arts Centre. This was done just after the Goulburn Mulwaree Council announced its opposition to the proposed incinerator. Veolia’s behaviour is not that of a good community member.*

## IMPACT ON LOCAL COMMUNITY

Veolia's EIS does not consider the cumulative impact on the community. To understand the cumulative impact, you need to consider other things occurring in the local community. This chapter looks at that cumulative impact on the local community. Failure to consider that impact is a failure to connect with the community.

### Water Contamination

Tarago and the surrounding rural area are dependant on water collected from our buildings. There is no reticulated water supply. Any contaminants that land on our roof, will invariably enter our water tanks, and finally enter our houses through our tap water.

**Rejection 71:** *Veolia are unable to prevent toxins emitted from the proposed facility. These toxins will end up being collected in our water supply and enter our houses through taps, showers, washing machines etc. This proposal must be rejected due to the risk to the local community.*

**Recommendation 87:** *Veolia is required to pay for the installation of water filtration systems in every residential property within 50kms of the facility. The water filtration systems must be capable at removing (at a minimum dioxins and furrians) toxins from the water. In the event the filtration system requires substantial power inputs, Veolia must pay for any upgrades to solar power systems to provide sufficient additional capacity. Veolia is required to pay for any repairs or replacement systems while the incinerator is operational.*

**Recommendation 88:** *If water filtration is not possible, Veolia are required to pay for the installation of 100kL of new water tanks at every residence that are not connected to any reticulated water supply. Veolia are required to pay for the costs of all water delivery to every residence within 50kms of the facility while the incinerator is operational. Water is to be source from either Canberra or Goulburn due to the risk of contamination of Bungendore's water supply.*

Many people in this area have stock that drink from dams. This includes larger scale farms with large numbers of sheep and cattle, and smaller properties with animals such as horses, goats and alpacas. Dam water is collected off large areas of ground, and thus will act as a concentrator of any contaminants.

### Soil Contamination

People in Tarago and surrounding areas are often growing their own food – in many cases people have moved to Tarago in order to be more self sufficient. This allows us to lower our costs of living (which is especially important in recent months). It also allows us to lower our impact on the environment. Veolia will be taking this away from us. It does not matter how small the amount of contamination is – we will still have contamination that we would of otherwise never had.



**Recommendation 89:** *Require Veolia to pay for 50 years of ongoing research and monitoring of the local community health. Funding must be provided up front and must include at least two full time researchers, funding for one administrative staff member, and additional funding to pay for sampling.*

Veolia’s proposed incinerator is an ideal opportunity to pay for research to conclusively prove such facilities are perfectly safe (according to Veolia). Ongoing research and monitoring is to include:

- Monthly water sampling and testing from creeks, rivers and bodies of water within 50kms;
- Monthly water sampling and testing from all water tanks within 30kms;
- Monthly soil sampling from 20 sites, representative of farmland, within 30kms;
- Monthly sampling of chicken eggs within 30kms;
- Monthly sampling of meat from at least 5 sheep and 5 cattle;
- air sampling etc

**Recommendation 90:** *The proposed facility is not to commence operations until at least two years of baseline data has been collected.*

## **Cumulative Psychological Impact on Local Community**

Veolia’s incinerator proposal is not the only challenge facing the Tarago and surrounding communities. As a part of Veolia’s existing Woodlawn Bioreactor, we have to deal with trains full of waste from Sydney parked next to the Tarago Primary School. Multiple trains every day – for years. More recently waste is also being trucked in from regional councils. And just this year we have had to tolerate additional trucks transporting waste through the main town because of what could only be considered a very minor disruption to railway lines due to wet weather.

**Rejection 72:** *Veolia’s proposed incinerator must be rejected. There is no consideration in the EIS in relation to cumulative psychological impact on the local community from years of issues – including the extant activities by Veolia.*

For over ten years, the community of Tarago has been subjected to odours originating from Woodlawn. This is despite their license from the EPA clearly stating (condition L6.1) that there are to be no odours emitted. Years of complaints, and Veolia are still unable to control the odour. Veolia claim they have spent large amounts of money fixing the problem. Yet the odours being released are continuing – to the point where we can even smell the odours during extremely high winds.

Over the last ten years there has been a significant increase in traffic through Tarago – both along the North-South corridor (Braidwood Road / MR79) and the East-West corridor (Bungendore Road and through to Nerriga). The traffic volumes have resulted in severely degraded roads in and out of the town in all directions. During October 2022 we heard from local residents of four broken rims (see Figure 62 for an example), a broken front strut and multiple windscreens damaged – and that was just the people we know! This includes:

- Potholes damaging wheels and causing wheel alignment issues;
- Rocks thrown up by other passing vehicles damaging windscreens;
- Delays caused by endless roadworks;
- Vehicles swerving onto the wrong side of the road to avoid damaged roads; and

- Waiting behind slow Veolia trucks driving up the hill to the existing facility.



**Figure 62** Example of damage to wheel rim from local roads – Goulburn Road (MR79)<sup>52</sup>

Although Veolia have provided some funding for local roads, this is yet another example of what we have to deal with as a local community.

**Recommendation 91:** *Construction of the incinerator is not to commence until roads between Tarago, Bungendore, Goulburn, the Kings Highway and Nerriga are all in suitable condition to reduce the stress on local residents.*

**Recommendation 92:** *Construction of the incinerator is not to commence until the road between the Crisp’s Creek Intermodal facility and the turnoff to Woodlawn is upgraded to include a climbing lane in order to reduce to impact on the local community and travellers of slow trucks on the hill.*

**Recommendation 93:** *In addition to existing funding, Veolia must provide a minimum of \$10m each per year to QPRC and GMC to upgrade and maintain the roads surrounding Tarago, including the main roads, roads in and around the township of Tarago.*

In 2013, the proponent EPYC Pty Ltd submitted a proposal to the Department of Planning (and Environment) for another State Significant Development (SSD-6277). The Tarago and surrounding communities were subjected to years of stress dealing with a company that did not care, could not communicate effectively, and blatantly ignored the community. Proponents of SSDs do not seem to care about the psychological toll their proposals take on the local communities affected.

---

<sup>52</sup> <https://www.facebook.com/groups/TaragoCommunityGroup/permalink/3158499034461451/>

Those of us with children who attend the Tarago Public School and Tarago Pre-School in the town have to worry about the long term impact of exposure to the existing odour and other potential airborne particles from the existing facility.

However one of the biggest issues in the town is related to the Lead (Pb) contamination within the town. There have been two aspects to this – one was the lead contamination of the railway corridor. The second was separate lead contamination detected at Tarago Public School. The contamination at the school has been cleaned up and regular monitoring of the school is undertaken. However the contamination of the railway corridor has not even commenced.

***Recommendation 94:*** *Veolia must not commence construction until all Lead (Pb) contamination in Tarago and Bungendore has been removed and rehabilitation completed.*

Veolia’s proposal is yet another stress on the local community – we are exhausted. The EPA appears to be unable to enforce license conditions on Veolia (see other parts of this submission). The town is suffering from multiple stressors. All of these things have cumulative effects on the psychological health of individuals in the town. Impact on psychological health has an impact on physiological health.

***Rejection 73:*** *Tarago and surround areas have been subjected to significant cumulative psychological stress over many years, with Veolia Woodlawn operations a contributor to that stress. This project must be rejected on the basis of cumulative psychological stress on the local community.*

Many people here do their bit for the environment – why should we have to tolerate Sydney’s inability to reduce waste generation? The residents of Sydney need to do their bit for the environment as well – rather than ignoring the waste they generate – rather than burning it to make it go away.

***Rejection 74:*** *The proposed incinerator must be rejected. Sydney needs to start pulling it’s weight in reducing waste generation in the first place. The proposed incinerator allows Sydney residents to ignore the problem and “kick the can down the road” so to speak.*

## **Lead Contamination on the Rail Corridor**

In 2015, Lead Contamination was detected near the railway lines in the middle of Tarago<sup>53</sup>. Details of this is contained in a report “Tarago Rail Siding Extension: Preliminary Contaminated Site Assessment”<sup>54</sup>. However the local community was not informed until February 2020 – five years later. While it could be expected the monitoring and clean-up of the site would be a priority, Transport NSW admits the dropped the ball in informing the community<sup>55</sup>.

On 8 September 2022, the NSW EPA issued Prevention Notice 3503607<sup>56</sup> to TransportNSW. According to the prevention notice, the interim containment measures were not effective, including evidence of vehicles driving over the area, and evidence of the containment measures failing.

---

53 <https://www.transport.nsw.gov.au/projects/current-projects/tarago-rail-yards-lead-contamination>

54 <https://www.transport.nsw.gov.au/system/files/media/documents/2020/Preliminary%20Contaminated%20Site%20Assessment%20June%202015.pdf>

55 <https://www.abc.net.au/news/2020-03-16/transport-nsw-knew-about-lead-contamination-in-tarago-since-2015/12042712>

56 <https://apps.epa.nsw.gov.au/prpoeoapp/ViewPOEONotice.aspx?DOCID=-1&SYSUID=1&LICID=3503607>

According to the latest information provided to the community from August 2022<sup>57</sup>, the lead contamination will not be resolved until late 2024 according to the current timeline. This is 9 years after the initial detection, and 5 years after it was reported to the NSW EPA.

Not only was the Tarago community not consulted about the railway siding to start with, but TransportNSW and the NSW EPA have demonstrated a complete failure to protect the local environment and community.

***Rejection 75:*** *Veolia’s proposed incinerator must be rejected. The Tarago community has been subjected to continual failures by Transport NSW and the NSW EPA in relation to the ongoing failure to remediate lead contaminated land in the middle of the town. These failures have a significant impact on the local community. Veolia’s proposed incinerator is yet another impost on the community.*

***Rejection 76:*** *History has taught the Tarago and local community that it is not until many years later that we find out about things that may affect our health. For example, lead contamination within the town was identified in 2015. It was not considered urgent until 2019 when the extent of the problem came to light after more detailed testing. And the problem has still not been resolved in 2022 – seven years after the initial detection. Veolia have also failed to inform the community for six years about groundwater contamination in 2016. Veolia’s proposed incinerator must be rejected – Tarago residents are likely to be kept in the dark about issues that affect us and our health for many years.*

## **Tarago Community – Never Consulted on Railway Siding**

According to the Tarago Times (October 2018) no one in the local community was ever consulted about the Tarago Rail Loop. The project documentation (see <sup>58</sup> and <sup>59</sup>) makes no reference to any consultation with the community. It is questionable as to how the \$7.7m grant was approved and there seems to be a lack of evidence related to the project’s justification.

In this case the NSW Department of Planning and Environment is not involved (the land is owned by the government). However it indicates how the local community has been ignored by projects. If anything this makes the local community more sensitive to consultation during projects. But also demonstrates a failure of the NSW Government. In of itself, this may not seem much. Yet it is another example of cumulative effects on the local community.

***Rejection 77:*** *Veolia’s proposed incinerator must be rejected. The local Tarago Community has had projects thrust upon them with no community consultation. The role of approvals and justifications in the Tarago Passing Loop Extension is an example where the local community has not been consulted. This has a cumulative effect on the community.*

---

57 <https://www.transport.nsw.gov.au/system/files/media/documents/2022/Presentation-Community-Information-Sessions-August-2022.pdf>

58 <https://www.transport.nsw.gov.au/system/files/media/documents/2020/Business-case-for-Tarago-passing-loop-extension-project-Executive-Summary.pdf>

59 <https://www.transport.nsw.gov.au/system/files/media/documents/2020/Tarago-Passing-Loop-Extension-options-Attachments-1-4-to-the-Business-Case.pdf>

### At Least 12 Years of Increasing Odour Emissions

On 9 June 2021 the EPA required Veolia develop an independent investigation and assessment of H<sub>2</sub>S Gas Emissions at the Woodlawn Bioreactor (document released under NSW EPA GIPA reference EPA802)<sup>60</sup>. The developers of the report (EPIC) state:

Many literature sources (including NSW EPA 2019) indicate that a typical putrescible waste landfill passes through a number of well-defined and understood maturation stages and that gas production (and associated H<sub>2</sub>S production) will peak after about 12-years ...

Given the age of the landfill (17 years) and the expected life of the landfill (>40 years), LFG production is expected to significantly increase over the life of the landfill and may not peak until following its closure. Therefore, LFG capture systems installed at the landfill will need to be continually upgraded to maintain LFG capture efficiency.

**Figure 63** Extract of independent investigation and assessment of H<sub>2</sub>S Gas Emissions at Woodlawn Bioreactor.

Even if the bioreactor is closed today, evidence shows the H<sub>2</sub>S production levels will increase until 2034. Given Veolia’s lack of odour emissions control today, Tarago and surrounding areas are likely to experience increasing odour issues for many years to come.

**Rejection 78:** *The Woodlawn Bioreactor is likely to see H<sub>2</sub>S gas generation increase up to 12 years after the site is closed. Tarago and surrounding areas are likely to be subjected to fugitive emissions for many years to come. This will have a cumulative impact on the psychological health of the community.*

**Rejection 79:** *The incinerator must be rejected. Veolia does not currently have any documented long term plan for dealing with an increasing level of H<sub>2</sub>S generation. Veolia’s approach to date has been reactive in nature to NSW EPA directions rather than a proactive long term plan with appropriate resourcing and finance.*

Veolia do not demonstrate any long term plan for dealing with future gas emissions – all actions to deal with odour from the existing facility are reactive rather than proactive. Veolia only takes action if directed to by the EPA – and the EPA has (to-date) been reluctant to undertake enforcement of Veolia’s licenses. Veolia has never published a plan or demonstrated where the funding comes from to deal with the increasing emissions – despite being clearly informed through this report that they will need to be investing more resources over time.

**Rejection 80:** *Veolia’s proposed incinerator must be rejected. Their EIS does not contain any longer term plan on dealing with increasing emissions for*

---

60 <https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=11436&id=1607978&option=notice&range=POEO%20licence&noticetype=>

*the average 12 years after the existing facility is closed. Veolia's EIS has not been informed by independent research Veolia had to pay for!*

### **Impact on us personally**

We know particles from the proposed facility would reach us (due to existing odour issues and prevailing wind direction). Veolia continue to flaunt their responsibilities with their existing facility and the EPA continues to take no actions with a tangible outcome. If the Department of Planning and Environment chooses to ignore all the things raised in this report, then who should we hold to account in years to come when someone in my family comes down with cancer?

**Rejection 81:** *Who is ultimately held responsible in 50 years time when there is a statistically significant increase in health issues in this region? This proposal must be rejected – without existing longitudinal studies of more than 30 years, there is insufficient data to justify this proposal is safe for human health or the environment.*

We have lived here for over 15 years. Until June 2021 we had never experienced the odour from Woodlawn on our property – approximately 18 kms away. Now, I smell the air each time I walk outside – worrying about the longer term exposure to low level hydrogen sulphide. We know any toxins from the Woodlawn facility will reach us. Yet Veolia considers us too far away to warrant even a visit (apparently Braidwood Road stops the emissions from reaching Boro Road residents). Not even something in the letter box! Apparently people beyond 10kms will not be affected by this proposal.

We decided to buy a property in a quiet rural area with clean air. It was not next door to a rubbish tip. It was not near a planned airport. It was not near a planned waste incinerator.

**Rejection 82:** *Veolia's waste incinerator should be rejected – the odour issues from existing facilities have been getting worse over many years, affecting local people's lives. We choose to purchase in a healthier environment without significant industrial development. Veolia's proposal is being forced upon us.*

**Rejection 83:** *The waste incinerator proposed by Veolia must be rejected. The impact of failures of the current facility can be detected by the human nose. Failures of the proposed facility are only detectable with specialised equipment.*

Our child attends Tarago Public School. We have to worry about the potential impact of lead poisoning<sup>61</sup>, and the long term exposure to low level Hydrogen Sulphide<sup>62</sup>. Trains full of garbage are regularly parked next to the school. And now Veolia want to burn Sydney's rubbish and potentially poison our children more? I do not believe Veolia when they claim it is perfectly safe. If it is so

---

61 Note: The lead contamination at Tarago Public School is a different issue / cause compared to the lead contamination along the rail corridor. The NSW Department of Education has undertaken the necessary measures to remediate the contamination at the school and undertakes regular testing at the school.

62 Note: Research on long-term exposure to low level H<sub>2</sub>S appears to be inconclusive. While some studies report some impacts, others report no impacts. This includes research from New Zealand near volcanic activity. The inconclusive results introduces significant uncertainty in everyday life.

safe, there should be no issue (other than political policy) in placing this facility in Sydney where the rubbish comes from. However we do not think waste incinerators should be built anywhere.

**Rejection 84:** *If burning Sydney's waste is so safe for people and the environment, then there is no reason (other than political policy) to transport the waste to Tarago. This proposal should be rejected and Sydney should take responsibility of it's own waste.*

Like many people in this community, we have spent many hours putting together submissions that reflect the views of many people in our community. We are not paid to do this, unlike the people Veolia pays to create their submission. Many of us have jobs, families and properties to look after. Proposals such as this create stress on families, and prevent us from enjoying our rural lifestyle.

**Rejection 85:** *Veolia's proposal should be rejected. The cumulative stress caused on families in this region as a result of many factors (including Veolia's existing facility). Veolia's submission does not take into account the psychological harm they are causing this community.*

Although Tarago and the surrounding area has a lower population density, the people and animals in this area are connected to the environment much closer than many people in city areas. While these incinerators are declared unsafe close to city areas because of the population densities would lead to more "noticeable" health impact, they are also unsafe in rural areas as there is a much higher connection and dependence on local natural resources.

**Rejection 86:** *The Veolia incinerator proposal must be rejected. Similar incinerators have been rejected in higher population density areas near Sydney. While Tarago may be lower density, the population is dependant on a stronger connection to Country: rainwater from roof collection, fruit and vegetables grown on the land, eggs from poultry etc.*

## SOCIAL LICENSE TO OPERATE

Although an abstract concept, a “social license to operate” is related to many aspects of a corporations behaviour. Throughout this submission we have identified many reasons why Veolia should not be permitted to operate a waste incinerator (let alone existing operations). In addition to the many other reasons in this report, this chapter contains some other examples as to why Veolia is not a good neighbour and has lost any social license to operate in the local community.

### Veolia’s Driver Behaviour

We have been witness to a variety of poor behaviour of Veolia drivers. In one instance (21 February 2022 at about 08:35am), while in Mitchell (ACT) having repair work done to our vehicle, we drove through an intersection where a Veolia truck was opposite. While driving through the intersection, the driver tipped a liquid out of the window of their truck and onto the ground.



*Figure 64 Driver’s arm out the window*



*Figure 65 A few frames later showing the liquid on the road next to the front wheels*



**Rejection 87:** *Veolia’s drivers show disrespect of the environment and community. They have been witnessed pouring liquids out of the cab of trucks onto the road rather than dispose of waste correctly. Veolia’s proposed incinerator must be rejected. They have no social license to operate given their poor behaviour in and around the community.*

Unfortunately this has been the only time we were in a vehicle with a dashcam to catch the behaviour. However we have also witnessed (and been subjected to) Veolia trucks “tailgating” when driving on both the Bungendore/Tarago Road, and in the last week along the Braidwood Road on our way in to Goulburn. Veolia waste collection trucks are often seen travelling within one second of the vehicle in front – placing the local community at risk.

**Rejection 88:** *Veolia has no social license to operate within the community. Veolia waste collection trucks are often driving far too close to the vehicle in front – failing to drive without due care. The proposed incinerator must be rejected – Veolia places the lives of the local community at risk.*

Veolia drivers do not just place the local community at risk. Whilst the roadworks outside the new Elm Grove Estate (Bungendore) was being undertaken, there was a set of traffic lights limiting traffic between the Bungendore waste transfer facility and the other side of the new roundabout. We were approaching the traffic lights (which had been green for some time) from the north with a Veolia waste collection truck behind us (like normal, well within a three second gap). As we approached the traffic lights, they turned orange. We had ample time to slow down and stop safely at the lights.

However, rather than stop and wait, the Veolia driver proceeded onto the wrong side of the road and drive through a red light while entering the roadworks.

**Rejection 89:** *Veolia’s drivers undertake illegal driving manoeuvres. Rather than wait, they drive through red lights at roadworks. Veolia’s proposal must be rejected – they have no social license to operate, particularly given their poor driving behaviour.*

Veolia will most likely highlight they have a phone line to report this sort of action. In this case it is our word against theirs as we have no evidence. And that is a valid point. However we are not the only ones to witness poor driver behaviour, and the local community are not here to police Veolia’s ongoing poor behaviour.

### **Veolia Statements Compared to Behaviour**

According to Veolia’s website on TheArc<sup>63</sup> (prior to the release of the EIS), Veolia claim they are proposing to build the incinerator now because they have spent the last 20 years evolving their operations in Tarago (see Figure 66, taken on 1 July 2022).

---

63 <https://www.veolia.com/anz/TheArc>

**Why are we proposing to do this now?**

The purpose of our organisation is to bring **sustainable waste management** solutions to regions and communities, and we have spent the past 20 years evolving our activities in Tarago to achieve this, whilst also minimising impact on the **community** and the **environment**.

**Figure 66** Extract from Veolia’s TheArc website taken on 1 July 2022

The last part of this statement is false. Veolia have not minimised their impact on the community and the environment. The number of odour reports is increasing over time, and whilst they claim they have spent a lot of money fixing the problem, the odour problem persists. Independent reporting also indicates the gas levels will increase for about 12 years after the site stops accepting waste. When there was difficulty with the train line from Sydney, they increased the level of rubbish being transporting it using trucks through the town. They have also increased the number of trains over time. And we also now know they have been polluting the groundwater.

***Rejection 90:** Veolia claims they are minimising the impact on the community. This submission clearly demonstrates the impact on the community has been increasing over time. Veolia claims one thing, but the reality is actually different. The proposed incinerator must be rejected – Veolia can not be trusted to do what is best for Tarago and surrounding rural areas.*

## **Access to Information About Veolia’s Operations**

In a Canberra Times article on 18 June 2022, when the Canberra Times approach Veolia for a response in relation to blocking NSW EPA GIPA requests (Freedom of Information). Veolia responded with “We do not block Freedom of Information requests, however, as is standard practice, Veolia has used its right to query the release of commercially sensitive information”. What is commercially sensitive? Do they have a competitor that could come in and offer a better Bioreactor service? Is there a better way of dealing with Sydney’s rubbish? Or does it affect their share price? Do their profits rely on hiding negative things about their operations?

In late September 2022 we submitted a GIPA request to the NSW EPA (reference EPA842). Under this request we were asking for information that Veolia were actually required to publish (see “Third Party” Delays Release of Another GIPA Request related to Veolia). On 17 October 2022 the EPA determined that consultation was required and the due date for the GIPA application was now 10 November 2022. The EPA contacted us on 9 November 2022 to request an extension to the due date (see Figure 67).

Good Morning [removed],

I am writing to request an extension of the decision due date to next Friday 18 November 2022. This is due to the delay in the third party sending back their response to the EPA’s third party consultation and the high volume of applications we have had to process recently. This extension will allow the EPA to address the objections from the third party accordingly and prepare a notice of decision to you.

Could you please respond and let me know if you accept the request for the extension of the due date? Thank you.

Kind Regards,  
[removed]

**Figure 67** Extract of email from NSW EPA received on 9 November 2022.

While the details of the third party are not released, it would be reasonable to assume it was either Veolia or a subcontractor of Veolia. This is not the first time content a third party has delayed the release of information to the public about Veolia’s operations. In fact in this case, EPA842 was for information that Veolia is required to publicly release on their website.

**Rejection 91:** *Veolia (and potentially other third parties) regularly block information about Veolia’s operations at Woodlawn. In some cases they block information that should have already been published. This is not socially responsible behaviour and also does not follow community expectations. Veolia has no social license to operate in this community and their proposed incinerator must be rejected.*

Such approaches to blocking information about their operations about Woodlawn does not engender honest and transparent communications. It raises the question as to what else Veolia are hiding that is currently not known by the local community? What else are they lying to the community about?

### CLC Meeting Minutes Indicate Local Community Has No Confidence in Veolia

According to the September 2022 CLC meeting minutes<sup>64</sup>, members of the community are not reporting odour issues to Veolia – simply because they do not believe Veolia acts on it. This clearly demonstrates the local community has no trust or confidence in Veolia.

4.2	<p><b>Other Matters</b></p> <p>CR advised he did not see the original minutes. Remainder of CLC received the minutes fine.</p> <p>AE reports that people complain to him about odour, and they only report it to the EPA, or they don't report it at all since they don't believe Veolia acts on it. CR reports that the month of May was bad, and the month of September was bad as well.</p>
-----	--

**Figure 68** Extract from September CLC Meeting Minutes

**Rejection 92:** *Veolia has lost it’s social license to operate. The local community demonstrate they have lost all confidence in Veolia and it’s ability to act on odour issues. The proposed incinerator must be rejected – Veolia has no social license to operation in the local community.*

<sup>64</sup> <https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2022/11/2022%20September%20Community%20Liaison%20Committee%20Meeting%20Minutes.pdf>

### **Local State Member Demonstrates Veolia is Detested By the Local Community**

Our local NSW Government MP, Wendy Tuckerman would definitely hear from the local community on many things. It is clear in an email / newsletter, the MP is hearing loud and clear that the local community is not happy with Veolia’s plans. The word used is “palpable”. This does not sound like a community that is satisfied with Veolia’s operations.

Community opposition is palpable. We do not want Sydney's rubbish burnt in our backyard. I have pushed the concerns that have been raised with my office with the Premier, the Deputy Premier, the Minister for Regional New South Wales, the Minister for Planning, the Minister for Energy and the Minister for Environment and Heritage.

**Figure 69** Extract of email / newsletter from Wendy Tuckerman, NSW MP, 23 November 2022

**Rejection 93:** *The local NSW MP Wendy Tuckerman clearly indicates the community does not want the incinerator in Tarago. She at least appears to be listening to the community. This is another indicator that Veolia does not hold a social license to operate in Tarago. Veolia’s proposed incinerator must be rejected.*

### **Veolia’s Social License To Operate**

Overall the local community does not support this proposal – Veolia has no social license to operate in Tarago (either their current operations, or future operations).

**Rejection 94:** *Veolia’s proposed incinerator must be rejected. Their social license to operate any facility in the Tarago NSW region has been lost. The majority of the local community does not support this proposal.*

## BREECHES OF ENVIRONMENTAL LICENSE, PLANNING CONSENT AND AUSTRALIAN LAW

This chapter looks at Veolia’s current operations and compliance with their existing environmental license(s), planning consent from the NSW Department of Planning and Environment and applicable Australian Laws. This information can be used to determine if Veolia is a “good neighbour” and a “good corporate citizen”.

More importantly, this provides insight into if Veolia are likely to be compliant on their proposed incinerator. Unlike some State Significant Development, Veolia has been operating in NSW for many years – thus we can compare what they say to their actual behaviour. Ultimately we can answer the question: If Veolia’s incinerator proposal is approved, are they likely to breach the rules and limits, and ultimately – will they harm the environment and the local community?

### Complaints Handling and Reporting

According to DA 31-02-99 Modification 2, conditions of consent were added to the original Development Approval (DA 31-02-99) – see Figure 70.

#### **Complaints Handling Procedures**

162. Within 2 months of the date of the approval of MOD 2, a complaints handling procedure must be submitted to the Secretary for approval. The procedure shall be prepared in consultation within the Department, Goulburn-Mulwaree Council, the EPA and the Community Liaison Committee. The complaints handling procedure must include:

- a formal complaint/incident reporting procedure;
- an investigation procedure; and
- a complaint resolution procedure.

A report of the complaint and the response/action taken and timeframe required to resolve the complaint must be made publicly available **on the Applicant’s website within 7 days of a complaint being made**. Note: The level of detail contained in the report of the complaint shall be determined in consultation with the Department, Goulburn-Mulwaree Council, the EPA and the Community Liaison Committee.

163. The Applicant shall provide a report to the Secretary of the complaints received, the response/action taken and the timeframe in accordance with Condition 162, on an annual basis which is to be submitted within the AEMR. The report shall include all matters required within subsections of Condition 162.

*Figure 70 Extract of DA 31-02-99 Modification 2*

Under modification MP 10\_0012, condition 162 was also listed in Schedule 7 paragraph 7 “Complaints Handling Procedure” with the same wording. Modification 1 to MP 10\_0012 also added a paragraph similar to condition 163.

Veolia do not appear to have ever published their complaints handling procedure – as such there is no way to know what was ever agreed to between Veolia and the Department.

***Recommendation 95:*** *Veolia are required to publish their Bioreactor complaints handling procedure and the approvals from the EPA on their website prior to any approval for the proposed incinerator.*

Table 16 contains a list of the most recent complaints registers, published by Veolia on their website<sup>65</sup>.

Filename	Earliest Odour Report <sup>66</sup>	Reported Publication Date <sup>67</sup>	Days Between Earliest Odour Report and Reported Publication Date
Woodlawn Eco-Precinct Complaints Register_20221130	7 Nov 2022	1 Dec 2022	24
Woodlawn Eco-Precinct Complaints Register_20221114	25 Oct 2022	16 Nov 2022	22
Woodlawn Eco-Precinct Complaints Register_20221031	07 Oct 2022	31 Oct 2022	24
Woodlawn Eco-Precinct Complaints Register_20220928	01 Sep 2022	30 Sep 2022	29
Woodlawn Eco-Precinct Complaints Register_20220914	24 Aug 2022	16 Sep 2022	28
Woodlawn Eco-Precinct Complaints Register_20220824	13 Aug 2022	26 Aug 2022	13
Woodlawn Eco-Precinct Complaints Register_20220817	13 Aug 2022	19 Aug 2022	6
Woodlawn Eco-Precinct Complaints Register_20220810	28 Jul 2022	12 Aug 2022	15
Woodlawn Eco-Precinct Complaints Register_20220803	15 Jul 2022	5 Aug 2022	21
Woodlawn Eco-Precinct Complaints Register_20220727	10 Jul 2022	29 Jul 2022	19
Woodlawn Eco-Precinct Complaints Register_20220720	15 Jul 2022	22 Jul 2022	7
Woodlawn Eco-Precinct Complaints Register_20220713	30 Jun 2022	15 Jul 2022	15
Woodlawn Eco-Precinct Complaints Register_20220706	25 Jun 2022	6 Jul 2022	11
Woodlawn Eco-Precinct Complaints Register_20220701	16 Jun 2022	4 Jul 2022	18
Woodlawn Eco-Precinct Complaints Register_20220622	26 May 2022	29 Jun 2022	34
Woodlawn Eco-Precinct Complaints Register_20220520	18 Apr 2022	25 May 2022	37
Eco-Precinct Complaints Register Feb-Mar	18 Feb 2022	06 Apr 2022	48
Eco-Precinct Complaints Register_20220216	10 Jan 2022	04 Mar 2022	53
Eco-Precinct Complaints Register_20220117	30 Nov 2022	21 Jan 2022	52

**Table 16** *List of recent complaint registers and days between first odour report and publication date.*

It is hard to tell just when Veolia release their complaints register. During July and August 2022 the complaints register was released weekly. In September it moved to about every two weeks. In October only one complaint register was released. Prior to July it was once a month. However it

<sup>65</sup> <https://www.veolia.com/anz/about-us/environmental-compliance/reports>

<sup>66</sup> It can be difficult to determine when the earliest odour report is made in the report – quite often they overlap the data contained in the report, and in many cases they change the order in which the information is included.

<sup>67</sup> As per this chapter, Veolia’s reported “publication date” is incorrect – the reports are usually publicly available three to four days after the displayed “publication date”.

has consistently been well short of the seven (7) day requirement<sup>68</sup>. Since the beginning of 2022 there has been only one complaints register that has met this requirement. This has been ongoing for many years and is clearly a breach of conditions 162 and 163 of the original DA 31-02-99 and a breach of the updated conditions in Schedule 7 of MP 10\_0012.

**Rejection 95:** *The proposed facility should be rejected. Veolia demonstrate they are unable to comply with time-frames for reporting over a period of years and demonstrate a lack of respect of the community in relation to complaints lodged. There is a lack of transparency in their operations.*

**Recommendation 96:** *Veolia must demonstrate full compliance with MP 10\_0012 and all modifications for a period of at least five years prior to commencing any construction work on any new facilities. Five years is considered appropriate considering they have failed for years to comply with reporting requirements.*

It should also be noted the reported date of publication on the Veolia website<sup>69</sup> is also incorrect. For example the report “Woodlawn Eco-Precinct Complaints Register\_20220727” is shown with a publication date of 29 July 2022. The author of this submission checked the Veolia reporting website regularly including on 23, 26, 28 and 30 July, and also on 1 and 2 August 2022. The report was not actually released until 2 August 2022 – Four days after the publication date listed on the website.

And to demonstrate this is not a one-off case, the report “Woodlawn Eco-Precinct Complaints Register\_20220914” is shown with a publication date of 16 September 2022. The author of this submission checked the Veolia reporting website on every day from 14 September 2022 until 21 September 2022. Veolia did not release the report until at least late on 20 September 2022 – again four days after the reported publication date. This was again repeated in October 2022.

**Recommendation 97:** *Veolia’s website contains inaccurate dates on the release of reports. Veolia demonstrate poor record keeping practices and present inaccurate information to the public. Veolia must demonstrate for a period of no less than five years highly accurate record keeping in all activities prior to any approvals for the incinerator being permitted. At the end of five years, Veolia must pay for an independent audit to be undertaken of all operations Woodlawn, Crisps Creek and the respective waste transfer terminals in Sydney to ensure they have demonstrated they are suitably qualified to undertake reporting in relation to the proposed incinerator. The choice of the independent auditor(s) must be undertaken by a joint panel of staff from the EPA, the NSW Department of Planning and Environment and the community liaison committee. A report on the choice must be published to the community and input and feedback from community members must be included. Final approval for the choice of auditors must be granted by Department of Planning.*

---

<sup>68</sup> It should also be noted the additional typically delay between their reported publication date and actual release to the public of four days. Table 16 is based on Veolia’s reported publication date, not the actual publication date.

<sup>69</sup> [https://www.veolia.com/anz/about-us/environmental-compliance/reports?publication\\_type=26&sort\\_by=created&sort\\_order=DESC](https://www.veolia.com/anz/about-us/environmental-compliance/reports?publication_type=26&sort_by=created&sort_order=DESC)

Veolia has also published an Air Quality and Greenhouse Gas Management Plan (24 July 2018)<sup>70</sup>. An extract from section 4.1 is contained in Figure 71. This clearly indicates they will publish odour complaints **within 7 days of receipt of a complaint**.

- A report detailing Veolia’s response to each complaint is prepared and submitted to the EPA. This report is uploaded onto the Veolia website within 7 days of receipt of a complaint.

**Figure 71** Extract of section 4.1 (Odour Control Measures) from the Air Quality and Greenhouse Gas Management Plan, 24 July 2014.

**Rejection 96:** *The proposed incinerator must be rejected. Not only is Veolia obligated under their license and conditions to upload odour complaints to their website, they also claim in their own processes (the Air Quality and Greenhouse Gas Management Plan) that they will upload complaints within 7 days of receipt. Veolia fail to follow their own processes.*

### **AEMR Publications Missing Appendices**

Since at least 2018, Veolia’s annual reports have been missing appendices – in some cases all the appendices are missing, in other cases there are a few missing. These appendices include things such as the complaints register. In addition, the AEMR does not currently contain timeframe information in relation to a complaint (or compliance against the requirement to publish the complaint within 7 days).

**Rejection 97:** *Veolia are also in breach of reporting requirements within the AEMR in relation to timeframes to publish a complaint on their website. The proposed facility must be rejected as Veolia demonstrate a complete failure to comply with departmental requirements for earlier projects at the same site.*

**Recommendation 98:** *Veolia must be required to publish complaints within 24 hours of receipt on their website. To date they have shown a complete disregard for the local community and any future development activity must set a much higher standard.*

**Recommendation 99:** *Failure to publish complaints within 24 hours must result in an immediate shutdown of the proposed facility for a period of no less than 24 hours after the complaint has been published.*

Veolia are required under this condition of consent to publish within the AEMR “the complaints received, the response/action taken and the timeframe in accordance with Condition 162”. A review of all AEMR documents available on Veolia’s website indicates not one of these reports has ever complied with these conditions of consent. In fact in the 2017 AEMR<sup>71</sup>, Veolia

---

70 [https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2018/11/d1\\_air\\_quality\\_greenhouse\\_gas\\_management\\_plan\\_24072018\\_.pdf](https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2018/11/d1_air_quality_greenhouse_gas_management_plan_24072018_.pdf)

71 [https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2018/01/Woodlawn\\_Expanded\\_Operations\\_AEMR\\_2017\\_-final\\_v2.pdf](https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2018/01/Woodlawn_Expanded_Operations_AEMR_2017_-final_v2.pdf)



clearly demonstrate they are aware of the conditions of consent in tables 4.1 and 4.2 compared to the EPL issued by the NSW EPA. As such they can not claim they were not aware of conditions of consent.

**Rejection 98:** *Veolia’s proposal must be rejected. They demonstrate knowledge of the Department of Planning and Environment’s conditions of consent, but make no effort between 2007 and 2021 (all available AEMRs) to report to the secretary on timeframes of complaints being reported on their website. Veolia are unable to comply with basic reporting requirements and have likely been in breach of this requirement since it was put in place.*

### Privacy Act and De-Identification of Data

On 14 May we detected an odour and reported it to the EPA and Veolia on 15 May – in that report we included our street address. On 25 May Veolia published a complaints register which included our street address. This has never occurred previously – they have only ever reported the street, thus effectively de-identification of personal data when published. De-identification of data is a good practice and is required for large corporations under the Privacy Act 1988<sup>72</sup>.

**Rejection 99:** *Veolia failed to protected personal data and has breeched the Privacy Act 1988 when they published personal information in their complaints register on 25 May. Veolia demonstrates through their behaviour a lack of respect for Australian laws. The proposed incinerator must be rejected.*

**Recommendation 100:** *Veolia must pay for an independent review of all published data to ensure they comply with the Privacy Act 1988 prior to any approval for the proposed incinerator being granted. All recommendations must be implemented prior to approval for the proposed incinerator being granted.*

We reported the breach through to the EPA on 26 June. The published complaints record was not corrected and on 7 July (10 working days later) I submitted a complaint directly to Veolia. Veolia undertook corrective action. However our personal information had already been leaked by Veolia.

**Rejection 100:** *This project should not go ahead. The EPA clearly show a disregard for breaches of Australian laws (Privacy Act 1997) in relation to de-identification of personal data. The EPA was not proactive in taking action to ensure Veolia was notified. The EPA does not care if a license holder is breaching the law and is unlikely to take action in the future in the event Veolia are breaking the law.*

In a similar failure, the 2021 “Independent Odour Report”<sup>73</sup> contains a failure to correctly hide personal data. Emails contained in Appendix A contain sections that have been “blacked out” to protect the identities of the NSW EPA individuals. However the technique used to undertake this

---

<sup>72</sup> <https://www.oaic.gov.au/privacy/privacy-for-organisations/tips-for-good-privacy-practice>

<sup>73</sup> <https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2021/08/2021%20Woodlawn%20Eco-Precinct%20Independent%20Odour%20Audit%20%28IOA%29%20%282%29.pdf>

was simply to place a black box over the relevant sections of text. By simply hovering a mouse over these sections (or highlighting the text and using copy / paste) the text behind the box is revealed. This is a common and well known failure to protect information in pdf documents.

**Rejection 101:** *Veolia's fails to show due diligence in publication of personal information. The 2021 Independent Odour Report (published on their website) contains obfuscation of personal information of EPA individuals. However the method used is insufficient and easy to bypass. Veolia's proposed incinerator must be rejected until Veolia can demonstrate for a period of at least two years they can suitably protect personal information.*

## Responses to Complainants

When someone lodges a complaint with Veolia in relation to odour (or anything else), it appears to go into a black hole. Table 17 contains a list of the number of complaints we have made each month, and the number of responses we have received from Veolia in relation to what they are doing to resolve the issue.

Month Complaint Lodged	Number of Complaints	Number and Type of Responses Received
May 2021	1	0
Jun 2021	3	0
Jul 2021	5	0
Aug 2021	2	0
Sep 2021	0	0
Oct 2021	2	0
Nov 2021	0	0
Dec 2021	0	0
Jan 2022	0	0
Feb 2022	1	0
Mar 2022	0	0
Apr 2022	2	0
May 2022	4	3 emails
Jun 2022	17	1 email
Jul 2022	3	1 email
Aug 2022	0	0
Sep 2022	1	1 email
Oct 2022	1	0
Nov 2022	1	0

**Table 17** *Odour complains submitted to Veolia and number of responses we have received*

Despite sending five odour complaints to the EPA between May and July 2021, we had not received any communications from Veolia in relation to odour issues. As such in July 2021 we sent an email to Veolia in an effort to try and get further action.

We have lived on Boro Road for [removed] years and until earlier this year had no issues with odour from Woodlawn. Since then we have had at least six occasions where the smell at our property has been appalling. And in numerous cases we have been in Tarago itself and found the stench of Veolia's operations to be overpowering.

1. Could Veolia please advise where I can email odour complaints?
2. When is this issue going to be dealt with?
3. Can you please advise on what independent air quality testing has been conducted at the local primary school / pre-school to ensure air quality standards for our children are being met?
4. Please ensure all responses are via email as phone reception is limited where we live.

**Figure 72** Email sent to woodlawn@veolia.com on Monday 12 July 2021

There was no response from Veolia, so we sent a follow-up email four days later on 16 July 2021.

I was just wondering if anyone was going to respond to my email?

**Figure 73** Follow-up email sent to woodlawn@veolia.com on Friday 16 July 2021

Veolia did not reply until 20 July 2021 (8 days after my original email). It is hard to believe that despite years of odour complaints by other local community members prior to 2021, that Veolia does not appear to have (or follow) a complaints handling procedure. Their complaints handling procedure is not even published on their website (that we could find).

**Rejection 102:** *Veolia’s proposed facility must be rejected. Veolia fails to respond to complaints as required within their license and conditions of consent. They also claim in some odour complaint registers they have sent letters to people registering complaints, however then number of “letters” (in this case emails) we have received has been 14% of the number of complaints. Veolia lie in their reporting and cannot be trusted.*

**Recommendation 101:** *Veolia must review and update its complaints handling procedure. The procedure must be published on their website.*

## Publication of Environmental and Odour Reports

According to Schedule 7 of MP10\_0012, paragraph 10, Veolia is required to publish all independent environmental or odour reports (see Figure 74) and their response to the recommendations in the report.

10. From the commencement of expanded operations, the Proponent shall make the following information publicly available on its website as it is progressively required by the approval:

...

d) a copy of any Independent Environmental or Odour Audit, and the Proponent’s response to the recommendations in any audit;

...

**Figure 74** Extract of Schedule 7 of MP10\_0012, paragraph 10.

On 9 June 2021, Veolia’s Bioreactor license (EPL 11436) was modified<sup>74</sup>. This modification included (among other changes) the requirement to produce a report on the impact of Hydrogen Sulphide Gas Emissions (see Figure 75).

## **U2 Investigation and Impact Assessment of Hydrogen Sulfide Gas Emissions**

U2.1 The licensee must engage a suitably qualified and experienced person to undertake a Hydrogen Sulfide Investigation and Impact Assessment. In undertaking the Investigation and Impact Assessment the person must;

- a. Consult with the EPA on the study scope and methodology;
- b. Review historical data and reports relating to gas production and to hydrogen sulphide concentrations in landfill gas captured at the premises;
- c. Assess the scale and extent of emissions of hydrogen sulphide from the landfill and other known emission sources (e.g. gas collection infrastructure, the flare and the power station);
- d. Investigate and assess the causes of increased concentrations of Hydrogen Sulfide emissions;
- e. Review and report on the adequacy of the current control measures implemented on the site in relation to surface emission of Hydrogen Sulfide; and
- f. Outline all reasonable and feasible measures that could be implemented to reduce the production of hydrogen sulfide and its emission from the landfill.

U2.2 By 1 October 2021, the Licensee must submit a report to the EPA detailing the findings of the Hydrogen Sulphide Investigation and Impact Assessment referred to in Condition U2.1.

**Figure 75** EPL 11436, modification 1607978

The required report was never published by Veolia on their website. On 3 May 2022 we submitted a GIPA request to the NSW EPA (reference GIPA EPA802) to obtain a copy of this report. On 14 June 2022 the EPA determined to release in full the information within scope of our request

---

<sup>74</sup> <https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=11436&id=1607978&option=notice&range=POEO%20licence&noticetype=>

(pending any reviews by a third party). The report was released on 14 July 2022. This report was never published by Veolia on their website.

**Rejection 103:** *Veolia’s proposal must be rejected. Their conditions (MP10\_0012) requires the publication of any environmental or odour reports. Veolia’s license (EPL11436, license variation notice 1607978) required the production of an independent odour report (the Hydrogen Sulfide Investigation and Impact Assessment) which was not released on their website. Veolia demonstrate they are unable to comply with conditions from the Department of Planning and Environment, or with their license.*

Veolia has also failed to publish their response to the report. We requested a copy of Veolia’s response from the NSW EPA (reference GIPA EPA842). A third party had to be consulted. The third party delayed their response, and as a result the NSW EPA had to request an extension from us to suitably reply to the third party. This is all for a response to a report that Veolia are supposed to have published on their website as a condition of consent (MP10\_0012).

**Rejection 104:** *Veolia’s proposed incinerator must be rejected. Veolia fails to publish there responses to environmental reports as required under Schedule 7, paragraph 10 of MP10\_0012. Even when requested from the NSW EPA through a GIPA request (EPA842), a third party still delays access to the response to environmental reports.*

To date, Veolia has also never published the Hydrogen Sulfide Investigation and Impact Assessment report or their response to the report on their website. It is not the community’s responsibility to police Veolia. Both the EPA and Veolia continue to fail the community to ensure Veolia are held to account for their failures.

**Rejection 105:** *The incinerator proposal must be rejected. Veolia have failed to publish their response to the independent report required under EPL 11436 variation notice 1607978. The response is required to be published under Schedule 7 of MP10\_0012, paragraph 10. Veolia demonstrate they will ignore their license requirements and conditions of consent.*

### **Failure to Publish 2022 AEPR While EIS is on Exhibition**

For the last two years, Veolia’s Annual Environmental Performance Report (AEPR) for Woodlawn and Crisps Creek have been finalised in November, and are publicly available on their website. However this year, they have yet to release the AEPR – despite it being December (at the time of writing this submission), and the annual returns have been submitted to the EPA (4 November 2022 for both licenses).

**Rejection 106:** *Veolia’s proposed incinerator must be rejected. Veolia deliberately delay the release of the 2022 AEPR for Woodlawn and Crisps Creek while the EIS is on exhibition.*

## Failure to Publish 2022 Independent Odour Report While EIS is on Exhibition

As per the last section, Veolia has also delayed the publication of the 2022 Independent Odour Report. Despite the last three years of reports being finalised in July 2019, October 2020 and August 2021, Veolia has still not released the 2022 report on their website.

According to CLC meeting minutes, The Odour Unit undertook the audit in March 2022<sup>75</sup>. As of September 2022<sup>76</sup>, Veolia was apparently still waiting for the draft report. This is despite the June 2022 CLC meeting minutes indicating the report had been finalised and was being reviewed (see Figure 76 and Figure 77).

5.5	<b>Independent Environmental Audits</b>
	<ul style="list-style-type: none"> <li>a. Independent Odour Audit <ul style="list-style-type: none"> <li>i. Undertaken by The Odour Unit Pty Ltd in March 2022.</li> <li>ii. Fieldwork was completed in March.</li> <li>iii. A draft report has been finalised and is currently being reviewed.</li> </ul> </li> </ul>

**Figure 76** June 2022 CLC meeting minutes – the odour audit is being reviewed...

5.6	<b>Environmental Compliance</b>
	<ul style="list-style-type: none"> <li>a. Awaiting Draft Independent Odour Audit Report from consultant</li> <li>b. Monthly meeting with the NSW EPA are ongoing</li> <li>c. Weather/H2S Monitoring Station in Tarago</li> <li>d. Environmental Performance Reporting</li> </ul>

**Figure 77** September 2022 CLC meeting minutes – the odour audit has not been received...

**Rejection 107:** *Veolia’s proposed incinerator must be rejected. Veolia has delayed the publication of the 2022 Independent Odour Report for about six months. The June 2022 CLC meeting minutes indicates the report had been finalised and was being reviewed. Three months later the September 2022 CLC meeting minutes indicate Veolia has not received a copy of the report. Veolia are clearly misleading the community, and deliberately delaying the release of audit data while the EIS is on exhibition.*

## Publication of Other Environmental Reports (or Failure to Publish)

The reports listed in the previous section are not the only environmental reports that have not been published by Veolia. During reviews of the EIS and other sources, the following other independent environmental reports have not been published by Veolia (although in one case it was found on the DPIE website):

- Section 2.5.2 of Appendix F in the EIS refers to an AECOM report from 2017 in relation to groundwater contamination. The report has never been published by Veolia on their website – it was found buried on the NSW DPIE major projects website under 10\_0012 Modification 2 submission.
- Veolia had an Ecological Risk assessment undertaken by Niche Environment and Heritage in 2018 in relation to the groundwater pollution from ED1 and ED2.

<sup>75</sup> <https://www.veolia.com/sites/g/files/dvc2011/files/document/2022/11/2022%20June%20Community%20Liaison%20Committee%20Meeting%20Minutes.pdf>

<sup>76</sup> <https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2022/11/2022%20September%20Community%20Liaison%20Committee%20Meeting%20Minutes.pdf>

- EPA license 11436, prevention notice 3503885 clearly indicates in paragraph E and environmental report submitted to the EPA in 2017 related to groundwater pollution from ED1 and ED2.
- Prevention notice 3503885 also identifies another environmental report submitted to the EPA under paragraph I on 5 October 2022 – again, never published.
- Under license EPL 11436, variation 1617130, condition U3 required a plan to be produced by Veolia for "Monitoring station for meteorology and hydrogen sulfide". This report was requested under EPA GIPA 842 (pending response, delayed by third party).
- EPA License 11436 (Woodlawn Bioreactor) notice number 1607978 added condition U2.1 requiring production of a “Hydrogen Sulphide Investigation and Impact Assessment”. We only obtained a copy of this report as a result of a GIPA request (NSW EPA802).
- EPA License 11436 (Woodlawn Bioreactor) notice number 1544465 clearly identifies in paragraph D of the Background that the EPA received a report titled “Woodlawn Longterm Leachate Treatment Solution Submission Report”. We had to submit a GIPA request for this document (pending response, delayed by third party).
- EPA License 11436, notice number 1617130 - "Project Report - Investigation and Assessment of H2S Gas Emissions at the Woodlawn Bioreactor”
- And the list goes on... (during development of this report we ran out of time to keep adding to this list, however there were a lot more reports mentioned that never appear to have been published.

**Rejection 108:** *Veolia fails to publish multiple environmental reports related to operations at Woodlawn, and their responses to those reports. This is not a one off recent behaviour but has been demonstrated since at least 2017. The proposed incinerator must be rejected. Veolia hides information from the public despite being required to publish this information as a result of their conditions of consent.*

## Publication of Monitoring Results

According to Veolia’s EPL, they must undertake monitoring of air and water samples (section 5 of license 11436). These conditions also fall under the Protection of the Environment Operations Act 1997 (section 66) in relation to monitoring requirements. Veolia does not comply with condition 6.

**(6) Publication of results of monitoring** The holder of a licence subject to a condition referred to in subsection (1) (a) must, within 14 days of obtaining monitoring data as referred to in that subsection—

(a) if the holder maintains a website that relates to the business or activity the subject of the licence—make any of the monitoring data that relates to pollution, and the licensee’s name, publicly and prominently available on that website in accordance with any requirements issued in writing by the EPA, or

(b) if the holder does not maintain such a website—provide a copy of any of the monitoring data that relates to pollution, to any person who requests a

copy of the data, at no charge and in accordance with any requirements issued in writing by the EPA.

Maximum penalty—

(a) for a corporation—\$20,000, or

(b) for an individual—\$10,000.

**Figure 78** PEOA Act 1997 section 66, condition 6

Table 18 contains a list of some of the surface water reports<sup>77</sup>, the sampling dates and the publication dates for the monitoring requirements.

---

<sup>77</sup> [https://www.veolia.com/anz/about-us/environmental-compliance/reports?publication\\_type=26&media\\_created\\_year=All&search\\_text=&sort\\_by=created&sort\\_order=DESC](https://www.veolia.com/anz/about-us/environmental-compliance/reports?publication_type=26&media_created_year=All&search_text=&sort_by=created&sort_order=DESC)



Sample Point	Report Name	Publication Date	Sample Date	Days
Site 115	Woodlawn Bioreactor - Surface Water Q4 2019-20_20200819	20-08-31	20-07-27	35
	Woodlawn Bioreactor - Surface Water Q1 2020-21_20201130	20-12-08	20-11-10	28
	Woodlawn Bioreactor - Surface Water Q2 2020-21_20210302	21-03-04	21-02-02	30
	2020-21 WB Surface Water - Quarterly - Q3	21-06-15	21-03-12	95
	Woodlawn Bioreactor - Surface Water - Q4 2020-21_20210910	21-10-07	21-07-15	84
	Woodlawn Bioreactor - Surface Water - Q1 2021-22_20211223	22-01-10	21-10-13	89
	Woodlawn Bioreactor - Surface Water - Q2 2021-22	22-04-06	22-01-20	76
	Woodlawn Bioreactor - Surface Water - Q3 2021-22	22-06-29	22-03-14	107
	Woodlawn Bioreactor - Surface Water - Q4 2021-22	22-10-10	22-09-15	25
Spring 2	Woodlawn Bioreactor - Surface Water Q4 2019-20_20200819	20-08-31	20-07-30	32
	Woodlawn Bioreactor - Surface Water Q1 2020-21_20201130	20-12-08	20-11-13	25
	Woodlawn Bioreactor - Surface Water Q2 2020-21_20210302	21-03-04	21-02-02	30
	2020-21 WB Surface Water - Quarterly - Q3	21-06-15	21-04-08	68
	Woodlawn Bioreactor - Surface Water - Q4 2020-21_20210910	21-10-07	21-08-23	45
	Woodlawn Bioreactor - Surface Water - Q1 2021-22_20211223	22-01-10	21-11-12	59
	Woodlawn Bioreactor - Surface Water - Q2 2021-22	22-04-06	22-03-03	34
	Woodlawn Bioreactor - Surface Water - Q3 2021-22	22-06-29	22-05-08	52
	Woodlawn Bioreactor - Surface Water - Q4 2021-22	22-10-10	22-08-24	47
Site 105	Woodlawn Bioreactor - Surface Water Q4 2019-20_20200819	20-08-31	20-07-27	35
	Woodlawn Bioreactor - Surface Water Q1 2020-21_20201130	20-12-08	20-11-10	28
	Woodlawn Bioreactor - Surface Water Q2 2020-21_20210302	21-03-04	21-02-02	30
	2020-21 WB Surface Water - Quarterly - Q3	21-06-15	21-03-25	82
	Woodlawn Bioreactor - Surface Water - Q4 2020-21_20210910	21-10-07	21-06-30	99
	Woodlawn Bioreactor - Surface Water - Q1 2021-22_20211223	22-01-10	21-09-28	104
	Woodlawn Bioreactor - Surface Water - Q2 2021-22	22-04-06	22-03-03	34
	Woodlawn Bioreactor - Surface Water - Q3 2021-22	22-06-29	22-05-18	42
	Woodlawn Bioreactor - Surface Water - Q4 2021-22	22-10-10	22-08-24	47

**Table 18** List of reports, sampling dates and days between sampling and publication

It should be noted in Table 18, the delay between sampling and publishing the data on their website ranges from 28 to 107 days – this is well outside the 14 day requirement of the Act. There has been insufficient time to review all reports produced by Veolia, however a quick review reveals this pattern of non-compliance by Veolia is fairly consistent behaviour for many types of reports. It should also be noted (as raised earlier in this submission), the publication date listed on Veolia's reporting website and the actual public release is inaccurate. There is typically an addition 2-4 day delay during publication.

**Rejection 109:** *Veolia’s proposed incinerator must be rejected – they demonstrate a disregard for their obligations under the POEO Act 1997 over a number of years. Veolia fails to publish monitoring results within the 14 day requirements. Veolia demonstrate through behaviour a disregard for Australian laws.*

### **Sampling Frequency and Scientific Method**

The sampling frequency specified for many of the monitoring requirements for Veolia is specified as Monthly, Quarterly or Yearly. If Veolia were using a scientific method, they would obtain the sample as close to the required period as possible. For example, if the requirement is monthly, the sample might be collected on the first working day of each month – this takes into account business operations and a reasonably close frequency.

As an example, one of the monitoring requirements for surface water is a quarterly basis (license 11436, condition M2.4 for points 13,14,15,16,17,18,19,22,54 and 59). Table 19 contains a list of the monitoring points, report name, sampling dates and the number of days between each sample.

Sample Point	Report Name	Sample Date	Days Since Previous Sample
Site 115	Woodlawn Bioreactor - Surface Water Q4 2019-20_20200819	20-07-27	-
	Woodlawn Bioreactor - Surface Water Q1 2020-21_20201130	20-11-10	106
	Woodlawn Bioreactor - Surface Water Q2 2020-21_20210302	21-02-02	84
	2020-21 WB Surface Water - Quarterly - Q3	21-03-12	38
	Woodlawn Bioreactor - Surface Water - Q4 2020-21_20210910	21-07-15	125
	Woodlawn Bioreactor - Surface Water - Q1 2021-22_20211223	21-10-13	90
	Woodlawn Bioreactor - Surface Water - Q2 2021-22	22-01-20	99
	Woodlawn Bioreactor - Surface Water - Q3 2021-22	22-03-14	53
	Woodlawn Bioreactor - Surface Water - Q4 2021-22	22-09-15	185
Spring 2	Woodlawn Bioreactor - Surface Water Q4 2019-20_20200819	20-07-30	-
	Woodlawn Bioreactor - Surface Water Q1 2020-21_20201130	20-11-13	106
	Woodlawn Bioreactor - Surface Water Q2 2020-21_20210302	21-02-02	81
	2020-21 WB Surface Water - Quarterly - Q3	21-04-08	65
	Woodlawn Bioreactor - Surface Water - Q4 2020-21_20210910	21-08-23	137
	Woodlawn Bioreactor - Surface Water - Q1 2021-22_20211223	21-11-12	81
	Woodlawn Bioreactor - Surface Water - Q2 2021-22	22-03-03	111
	Woodlawn Bioreactor - Surface Water - Q3 2021-22	22-05-08	66
	Woodlawn Bioreactor - Surface Water - Q4 2021-22	22-08-24	108
Site 105	Woodlawn Bioreactor - Surface Water Q4 2019-20_20200819	20-07-27	-
	Woodlawn Bioreactor - Surface Water Q1 2020-21_20201130	20-11-10	106
	Woodlawn Bioreactor - Surface Water Q2 2020-21_20210302	21-02-02	84
	2020-21 WB Surface Water - Quarterly - Q3	21-03-25	51
	Woodlawn Bioreactor - Surface Water - Q4 2020-21_20210910	21-06-30	97
	Woodlawn Bioreactor - Surface Water - Q1 2021-22_20211223	21-09-28	90
	Woodlawn Bioreactor - Surface Water - Q2 2021-22	22-03-03	156
	Woodlawn Bioreactor - Surface Water - Q3 2021-22	22-05-18	76
	Woodlawn Bioreactor - Surface Water - Q4 2021-22	22-08-24	98

**Table 19** Days between samples for specific monitoring points

Based on a quarterly sampling frequency and using a scientific method that accommodates normal Monday-Friday business operations, the average days since the last sample should be approximately 91 days (3 months of the year, one month will most likely have 31 one days). As can be seen in Table 19 the sampling period ranges from 38 days (just over one month) through to 185 days (over six months)!

There is no explicit requirement in the POEO Act 1997 in relation to ensuring a reasonably scientific approach to monitoring. Longer periods between sampling requirements allows any

license holder to take multiple samples over the sampling period, and then publish the “best result”<sup>78</sup>. As such, with a quarterly requirement, license holders are given the opportunity to take multiple samples and only report the best result from that period. For example sampling after rainfall may skew the results to appear more benign in the case of surface water.

**Rejection 110:** *Veolia’s proposal must be rejected – they do not demonstrate a rigorous scientific method in their monitoring requirements for existing licenses. Veolia never report on why sampling dates for monitoring vary dramatically during each period – as would be expected in a scientific method.*

**Recommendation 102:** *Veolia is required to provide to the EPA and the community the scientific process they will use for collecting, analysing and reporting data. Veolia must pay for an independent review of the process used to ensure a scientific method has been used. Veolia must comply with any recommendations of the review.*

**Recommendation 103:** *Veolia must include in any reporting why variations from the approved process for collecting, analysing and reporting of data have occurred.*

There are also simple indicators of poor quality control in reporting. As an example, report names used by Veolia vary significantly (see Table 18). In some cases incorrect spelling has been used in the report names, in other cases date are included in the filename, and in some cases rather than refer to “Woodlawn Bioreactor” reports refer to “WB”.

**Recommendation 104:** *Veolia must ensure high quality data is readily available for the new facility in the form a database that can be searched. The data must be quality controlled. The database must be available to the public and allow exporting the data to formats such as csv and xls.*

## Publication Dates From Veolia’s Website

Veolia has a webpage they use to publish reports<sup>79</sup>. From there you can search for various reports for a variety of facilities. After monitoring for updates for some time, it was noticed the publication dates on the website often do not match when the report becomes visible to visitors to the website. We carefully monitored the reports page for a number of weeks, ensuring website browser caching was not enabled, and took regular copies of the page. The following image was taken on the afternoon of 22 August 2022.



**Figure 79** Screen shot from Veolia’s reporting webpage on 22 August 2022.

<sup>78</sup> We are not stating this is what Veolia is doing. We are highlighting the lack of rigorous scientific processes.

<sup>79</sup> [https://www.veolia.com/anz/about-us/environmental-compliance/reports?publication\\_type=26&sort\\_by=created&sort\\_order=DESC&page=1](https://www.veolia.com/anz/about-us/environmental-compliance/reports?publication_type=26&sort_by=created&sort_order=DESC&page=1)

This report was not listed on the website between 19 August 2022 and the morning of 22 August 2022 (a snapshot of the website was also taken at 05:15 AEST on 22 August 2022).

**Rejection 111:** *Veolia can not be trusted to provide accurate information on reporting information to the public. Publication dates for their website vary from the actual date the information is actually available. Veolia’s website contains false information. This project must be reject as Veolia are unable to demonstrate accurate publication information to the public.*

This was not the first time this failure of Veolia had been noticed, however it was the first time I was able to collect data to provide evidence of the failure. As such this is not a “once off” fault. It is also not possible to justify this based on time differences of the server location. Other sections of this submission against the incinerator contain other examples of variations in dates.

### **Veolia’s Annual Reports Fail To Include Compliance against License Conditions**

Figure 80 contains an extract from Veolia’s conditions of consent (PA10\_0012).

138. The Applicant must provide an annual return to the EPA in relation to the development as required by any licence under the POEO Act 1997 in relation to the development. In the return, the Applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, **report on compliance with licence conditions** and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the Applicant will be required to submit load-based fee calculation work-sheets with the return.

**Figure 80** *Where did this come from?*

PA10\_0012 requires analysis and comparison to limits. The 2017 AEMR was the first to report this for the waste tonnage. For eight years they simply stated they were compliant.

**Recommendation 105:** *Veolia must provide a public report detailing all waste volumes received for all operational years of Woodlawn. This must include waste origin (southern trucking route, northern trucking route, train), volumes (tonnage) and types of waste (as described in their licenses). For each year they must also include the limits for that year according to the then relevant limits. This must be done for all waste types, not just putrescible waste.*

The 2021 Independent Environmental Audit<sup>80</sup> also identified a lack of clear compliance against EPL conditions (Improvement Opportunities, Condition 7.5). Veolia’s 2021 and 2022 AEMR finally contain a list of non-compliances. However two years of finally including this table hardly makes up for years of failure to comply with their conditions.

---

80 <https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2021/07/Woodlawn%20Bioreactor%20and%20Crisps%20Creek%20IMF%20Independent%20Environmental%20Audit%20%28IEA%29%20Report%202021.pdf>

**Rejection 112:** *Veolia’s proposed incinerator must be rejected. For years they failed to comply with PA10\_0012 condition 138. Veolia are required to report on compliance with license conditions and failed to do so until the 2021 Annual Report. This is despite years of odour complaints which demonstrate they were non compliant, and Veolia chose not to report this non-compliance for years.*

### **Veolia Removes Content From 2021 Annual Return**

Veolia released two copies of their 2021 Annual Report. In the second version of the document, section 1.8 was modified, however document data is not updated (we have a copy of both versions of the document). This failure to update the document includes:

- The document revision register (page 2);
- The issue date (on all pages);
- The signatures of Veolia executive (page 2);
- Section 1.7 not updated to reflect changes to section 1.8; and
- Table in Section 1.8 missing earlier non-compliance against condition L3.3.

This shows Veolia does not have appropriate document control, and will remove content from published reports without informing the public. At best this is a failure to follow due process within Veolia. At worst this is deceptive behaviour. This change was only detected due to the EPA’s removal of condition L3.3 from the list of non-compliances (see later in this submission). However it also raises the question as to how many other times Veolia has modified reports after formal publication and not informed the public or kept appropriate records?

**Rejection 113:** *The incinerator must be rejected. Veolia demonstrate either deceptive behaviour or failure to follow document change control processes in their 2021 Annual Return to the EPA for EPL11436. Content was removed from section 1.8 of their annual return after publication. This demonstrates Veolia can not be trusted in relation to the proposed incinerator.*

### **Veolia Can Dump as much Asbestos and Tyres as they want – And Not Report It**

Veolia’s Woodlawn Landfill 2021 return originally reported a non-compliance with L3.3 in relation to exceeding the limit of putrescible waste (submitted on 4 November 2021). After clarification from the EPA, Veolia resubmitted their annual return. In an email to the EPA, we queried the basis for the resubmission. Figure 81 contains part of the response from the EPA.

Veolia subsequently contacted the EPA and sought to withdraw and resubmit the Annual Return on the basis the above reported non-compliance was entered in error. Veolia argued that whilst more than 90,000 tonnes of regional waste had been received by road at the premises during the reporting period, it had not received more than 90,000 tonnes of “putrescible” regional waste by road and, therefore, were compliant with the license condition.

**Figure 81** *Extract of email response from EPA South Operations, 7 October 2022.*

Based on this response (and a review of EPL11436 condition L3), Veolia is also permitted to receive Asbestos waste and Waste tyres (see Figure 82).

**L3.1** The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled “Waste” and meeting the definition, if any, in the column titled “Description” in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled “Activity” in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled “Other Limits” in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	General solid waste (non-putrescible)	As defined in Schedule 1 of the POEO Act, as enforced from time to time	Waste disposal (application to land)	NA
NA	General solid waste (putrescible)	As defined in Schedule 1 of the POEO Act, as enforced from time to time	Waste disposal (application to land)	NA
NA	Asbestos waste	As defined in Schedule 1 of the POEO Act, as enforced from time to time	Waste disposal (application to land)	NA
NA	Waste tyres	As defined in Schedule 1 of the POEO Act, as enforced from time to time	Waste disposal (application to land)	NA

**Figure 82** Condition L3.1 from EPL11436 in relation to waste types that can be accepted at Woodlawn

The additional ~48,128 tonnes of regional waste could have contained any volume of non-putrescible waste, asbestos or tyres. This is something not advertised by Veolia, and the local community are certainly not informed of this aspect of Veolia’s operations. Veolia also fail to publish what volume of other forms of waste they have received. Given the EPA’s response (Figure 81), Veolia now also know they do not have to even report how much asbestos or tyres they receive – giving them a “free pass” to dispose as much of this type of waste as they want.

**Recommendation 106:** Conditions for Veolia’s proposal must be strict and very clear. Limits must be imposed on all waste types to ensure Veolia does not abuse their conditions or license. Veolia has demonstrated it will take advantage of any “loose” conditions in order to dispose of other types of waste – even if those wastes pose a threat to the local community. In the 2021 annual return period, Veolia disposed of ~48,128 tonnes of other waste that is never described as to the content of asbestos or tyre volumes.

**Rejection 114:** Veolia’s proposed incinerator must be rejected. Veolia have never openly informed the community about the volumes of asbestos and waste tyres that have been received at Woodlawn. Veolia have demonstrated

*they will deceive the local community – avoiding telling them about risks such as local transportation of asbestos.*

**Rejection 115:** *Veolia’s proposed incinerator must be rejected until Veolia release detailed reporting for the last seven years on how much non-putrescible waste has been received, broken down into the categories of waste as defined in the table for condition L3.1 of EPL11436.*

## Veolia Fail to Notify EPA of New Flare

The following is item I from EPL11436 variation 1617130<sup>81</sup>:

I. On 22 January 2022, an EPA Officer inspected the premises and observed a third gas flare had been installed. The installation and commissioning of the third flare necessitates changes to licence conditions P1.1 and M2.2 to include additional monitoring points and parameters (residence time, temperature and pollutants to be measured). This additional monitoring will ensure Veolia can demonstrate all flares installed at the premises are operating as intended and achieving relevant discharge limits.

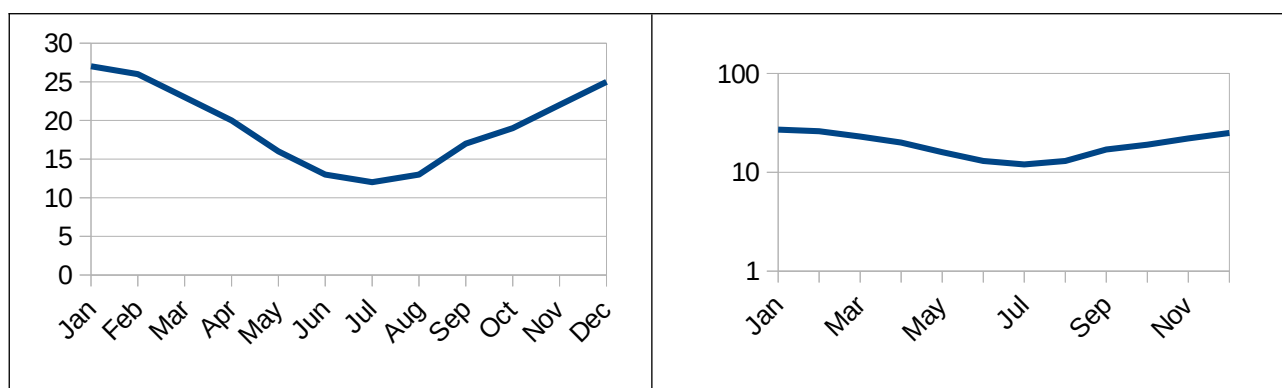
**Figure 83** Item I from EPL11436, variation 1617130.

This is an indication Veolia are undertaking work on the site without notifying the EPA of relevant information in relation to their license. It raises the question as to what other activities Veolia undertake without notification.

**Rejection 116:** *The proposal must be rejected. Veolia are undertaking work that affect the licenses. They are failing to notify the appropriate authorities of these changes. In this case Veolia installed a third gas flare and until the license variation was not require to report on the additional monitoring points.*

## Obfuscation of Monitoring Data

Some environmental monitoring data presented by Veolia (typically in older annual returns) contains graphs of data from various monitoring points. Many of these graphs use a log scale on the Y-axis to represent the data.



**Figure 84** Two graphs (a) In linear scale, (b) in log scale.

81 <https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=11436&id=1617130&option=notice&range=POEO%20licence&noticetype=>



In Figure 84 the average maximum temperatures for Braidwood have been graphed using a linear scale and a log scale. As can be seen in the log scale results (on the right), the change in data is not as obvious. While log scale can be useful in representing some datasets, it can also be used to disguise changes in data.

**Recommendation 107:** *Independent analysis of Veolia’s monitoring data should be undertaken – their use of log scale graphs may be disguising some data trends in relation to pollution and the environment.*

### **Poor Track Record Applying Audit Findings and Questionable Audit Findings**

In 2021 an Independent Environmental Audit was conducted of the Woodlawn Bioreactor and Crisps Creek IMF<sup>82</sup>. Despite all the findings of the audit, Ramboll (the authors) still “consider that overall environmental practices for the site are generally adequate with evidence of improvements in environmental performance”. However as per this submission, viewed in the broader context of years of failures, Veolia’s performance has been appalling.

The Ramboll audit was undertaken in the context of Veolia having hidden groundwater contamination, and hiding information from the community. Years of complaints about odour. Promises of things being fixed. Viewed in isolation, the audit does not look too bad. Viewed in the context of everything else, the audit by Ramboll demonstrates yet more failures and non-compliances by Veolia.

**Rejection 117:** *Veolia treat’s audits as a “tick-and-flick” exercise. Once the audit is completed and they have responded, there appears to be no real follow-up. Despite numerous non-compliances, appropriate agencies such as the NSW EPA and the NSW Department of Planning and Environment do not appear to take further steps to ensure the non-compliances are really followed up and dealt with. Veolia’s proposed incinerator must be rejected. Despite audits highlighting many issues, Veolia continues to breach conditions and limits. They are likely to continue this behaviour under any conditions or license issued for the proposed incinerator.*

### **Veolia’s Actions Endanger the Environment and Demonstrate Incompetence**

According to EPA Prevention Notice 3503885, Veolia pumped water from the ED1 Coffey Dam into the broader ED1. ED1 is known to leak to groundwater in the past, and as such, Veolia’s actions endangered the environment. This has also been raised in other parts of this submission. Veolia’s environmental license (EPL11436) specifically limits the pollution of groundwater (see Figure 85).

---

82 <https://www.veolia.com/anz/sites/g/files/dvc2011/files/document/2021/07/Woodlawn%20Bioreactor%20and%20Crisps%20Creek%20IMF%20Independent%20Environmental%20Audit%20%28IEA%29%20Report%202021.pdf>

**L1 Pollution of waters**

- L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.
- L1.2 There must be no pollution of surface water or groundwater.
- L1.3 There must be no discharge of waters from the premises unless more than 210 mm of rain falls within a 72 hour time period (1 in 100 year ARI of 72 hours duration).

**Figure 85** Extract of condition L1 of EPL11436

Condition O1 also requires Veolia undertakes their activities in a competent manner (see Figure 86).

**O1 Activities must be carried out in a competent manner**

- O1.1 Licensed activities must be carried out in a competent manner.  
This includes:
- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
  - b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

**Figure 86** Extract of condition O1 of EPL11436

**Rejection 118:** *Veolia’s proposed incinerator must be rejected. They demonstrate through their behaviour they willingly breach conditions of their environmental license, including contamination of groundwater. They also demonstrate they are failing to undertake activities in a competent manner. Veolia are unlikely to comply with license conditions of a license for the proposed incinerator.*

**Recommendation 108:** *Veolia’s existing environmental license must be revoked. They demonstrate breaches of conditions L1 and O1 – willingly endangering the environment.*

## **Veolia Breaches Even More Conditions**

According to the EPA register, the latest non-compliances continue (see Table 20). Over how many years must Veolia be non-compliant before there is a systemic issue? Veolia continually breach conditions (despite not reporting them for many years). It is very clear from this that the impact of fines and notices does nothing to deter Veolia from continuing to breach their license and conditions.

**Rejection 119:** *Veolia’s proposed incinerator must be rejected. Veolia continue to demonstrate a disregard for fines and notices issued to them. Actions by the NSW EPA have no effect on Veolia’s behaviour. Veolia are placing the environment and local community at risk, and the EPA is ineffectual at changing this behaviour. History demonstrates Veolia are likely to disregard licenses and conditions of consent and will endanger the environment and local community.*

Licence Condition number	Type of non-compliance	EPA actions	No. of times occurred
M2.1	Monitoring did not meet the sampling frequency requirements of M2.4	EPA action determined as part of scheduled inspection program	4
M2.1	Monitoring did not meet the sampling frequency requirements of M2.2 for one monitoring point on one occasion	EPA action determined as part of scheduled inspection program	1
R4.2	Veolia did provide all reports required by this condition. Not all were provided within 24 hours	EPA action determined as part of scheduled inspection program	1
O6.28	Treated leachate from the Leachate Treatment Plan (LTP) diverted from Coffey Dam 1 into the outer section of ED1 as an emergency contingency measure to ensure the Premises remains a zero discharge site.	EPA action determined as part of scheduled inspection program	1
O6.4	Leachate dams have exceeded 0.5m freeboard during this reporting period.	EPA action determined as part of scheduled inspection program	3
O5.2	Stormwater from ED3S has been diverted to ED1 during this reporting period	EPA action determined as part of scheduled inspection program	1

**Table 20** List of non-compliances from Veolia's Woodlawn Bioreactor annual return

As a part of these breaches, the Department of Planning and Environment has officially cautioned Veolia in relation to O6.4 (three occurrences)<sup>83</sup>. Although not listed as a non-compliance for EPA purposes, the Department of Planning and Environment has also cautioned Veolia on the unapproved use of Excavated Natural Material (ENM) as cover material during 2019-2020.

**Rejection 120:** *Veolia's proposed incinerator must be rejected. Even in the last twelve months, Veolia has demonstrated they can not comply with license conditions, and will undertake activities that will place the environment at risk. Veolia continue to ignore conditions even during the exhibition period for their proposal. This is not a one off behaviour. This is continuous over many years.*

### Veolia Makes a Mockery of the DPE and the Planning Assessment Commission

During the approvals process for MP 10\_0012, the issue of odour (and other issues) was raised by the local community. Road conditions were raised and traffic impacts were raised. However Veolia has made a mockery of the additional conditions set by the Department. Figure 87

<sup>83</sup> See the complaints section of the following page <https://pp.planningportal.nsw.gov.au/major-projects/projects/woodlawn-bioreactor-expansion>

contains an extract from the Planning Assessment Commissions determination (and approval for the expansion of the Woodlawn Bioreactor).

### **Odour**

Odour was a key issue raised by Goulburn Mulwaree Council and the Community. In particular, concern was raised regarding:

- \* long standing and ongoing odour impacts;
- \* potential increases in odours as a result of the proposed increase in waste to be disposed of on site; and
- \* incident/complaint reporting.

... [content removed]...

The Department recommended a number of conditions to manage odour impacts to a satisfactory standard, including:

- \* compliance with the Section 129 of the POEO Act; and
- \* an independent odour audit every 3 years, which would identify offensive odour sources and propose mitigating measures for its effective control.

... [content removed]...

The Commission has also imposed a new condition (Condition 16 Schedule 3 – Compliance) that requires **the proponent to manage project-related risks to ensure there are no breaches of the criteria and/or the performance measures contained in the approval**. If a breach does occur the condition outlines steps that **the proponent must undertake to remediate and prevent any further breaches to the satisfaction of the Director-General**. Further, the proponent will also be required to report any breach of the limits/performance criteria in this approval to the Department and other relevant agencies (Condition 8 Schedule 7 – Incident Reporting).

... [content removed]...

The Commission is satisfied that increasing the frequency of odour audits, putting in place an effective complaints handling procedure with public reporting and implementing a risk audit, will more effectively manage and control offensive odour emissions from the waste facility to an acceptable standard. **However, the revised conditions will only provide a more effective mechanism for the control of offensive odour from the facility if appropriate regulatory action is undertaken by Government agencies in**

**response to any breaches of the criteria and/or the performance measures contained in the approval.**

**Figure 87** Extract from Planning Assessment Commission for MP 10\_0012 (16 March 2012)<sup>84</sup>

Veolia has made a complete mockery of but the Department and the Planning Assessment Commission. The Department and the EPA have clearly failed to enforce the conditions and license for Veolia, and in doing so have completely failed the local community. Veolia also know they can get away with whatever behaviour they want and that the Department, the EPA and the (now) Independent Planning Commission are toothless tigers.

The reason this community has no faith in the assessment process is that despite claims by agencies previously, the community has not been protected. It does not matter how many conditions are placed on Veolia for their current proposal. For ten years following the updated conditions, they have continued to breach the conditions. The odour is worse than ever. The roads are in appalling condition. The EPA are incapable of undertaking appropriate regulatory action in relation to the license issued. The Department are incapable of enforcing the conditions of consent.

***Rejection 121:** Veolia’s proposed incinerator must not be permitted. Agencies involved in the planning and assessment process and the licensing of Veolia’s facilities have been demonstrated to be incapable of monitoring or enforcing conditions and limits in relation to Veolia. This has resulted in ongoing harm to the local community. Even when the Planning Assessment Commission imposes additional conditions, Veolia fails to comply with those conditions.*

It should also be noted that Condition 8 of Schedule 7 of PA10\_0012 requires Veolia to report exceedences and incidents of material harm to the environment to the Department. On 5 December 2022 we submitted a GIPA request to the Department for a list of any reports Veolia had made under these conditions. At the time of submitting this objection, we had not received any response from the Department.

***Recommendation 109:** The Department must cross check reports of exceedences by Veolia reported to the NSW EPA against the reports made to the Department. They must also cross check reports of pollution incidents around 2016 to ensure Veolia did notify the Department as obligated under their conditions of consent.*

## **Veolia Makes a Mockery of the NSW Government**

According to NSW Government Hansard from 5 December 2003, strict controls were put on Veolia (then known as Collex) in relation to the operation of the Clyde Waste Transfer Terminal.

---

<sup>84</sup> [https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=MP10\\_0012%2120190704T041930.340%20GMT](https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=MP10_0012%2120190704T041930.340%20GMT)

The consent granted by the Minister, after an exhaustive environmental assessment, was subject to 130 stringent conditions. These conditions were imposed by the then Minister after wide consultation with the local community about their concerns regarding the proposal. As a result of negotiations during the Court proceedings, a further 7 conditions were proposed to provide tighter controls on noise and odour.

The 137 conditions tabled with this bill, provide one of the strictest regimes for compliance and monitoring in the country. Compliance with the consent conditions will minimise any adverse environmental impacts, ensure the adoption of best management practices and technology, and provide for continuing environmental monitoring and reporting.

Apart from any conditions, the development incorporates specific engineering controls that not only meet established EPA criteria for odour, noise and dust emissions but are considered international best practice. Conditions have been imposed to ensure the proposed mitigation measures and to ensure that monitoring and reporting of the environmental performance of the facility is carried out and reported. The development complies with all statutory requirements of the EPA and other government agencies.

**Figure 88** Extract from NSW Government Hansard, 5 December 2003, Clyde Waste Transfer Terminal

Despite these supposed strict controls and “extensive monitoring”, in 2016 Veolia was issued a cleanup notice (1541441) by the NSW EPA due to extensive leachate leaking from shipping containers at the Clyde Waste Transfer Terminal<sup>85</sup>.



5. Discoloured, odorous leachate flowing through stormwater pipe under building

**Figure 89** Leaking leachate from Veolia’s shipping containers at Clyde Waste Transfer Terminal

Veolia’s license for the Clyde Waste Transfer Terminal is EPL11763. It is currently rated by the NSW EPA as a level 1 risk – the lowest level of scrutiny applied by the EPA. Despite promises by the NSW Government that this would have the “strictest regimes of monitoring in the country”, the Clyde Terminal is the lowest priority for the NSW EPA.

**Rejection 122:** *Veolia’s proposed incinerator must be rejected. Despite promises that Veolia’s activities would be extensively monitored, the NSW EPA barely takes notice of Veolia’s operations at the Clyde Waste Transfer Terminal – rating the risk at level 1. The NSW Government promised the people of NSW that Veolia (then Collex) would be heavily monitored. The NSW Government has been made a mockery by Veolia and their operations.*

---

<sup>85</sup> <https://apps.epa.nsw.gov.au/prpoeoapp/ViewPOEONotice.aspx?DOCID=-1&SYSUID=1&LICID=11763>

**Recommendation 110:** *The EPA’s risk level for EPL11763 must be updated to the highest level. The NSW Government must ensure the EPA has sufficient funding to ensure extremely high level of monitoring for Veolia’s operations, in particular those related to the Clyde Waste Transfer Terminal.*

**Rejection 123:** *Veolia demonstrates they breach their license conditions at other locations related to waste collection throughout Sydney. Not only have they polluted areas of Tarago and hidden the activity, they have also previously polluted the Clyde Waste Transfer Terminal. The leachate from shipping containers would have also likely leaked all the way to Woodlawn. Veolia’s proposed incinerator must be rejected – they show a long term and wide ranging disregard for the NSW environment.*

As a side note, a quick review of independent audits conducted in relation to EPL11763 also demonstrates extensive compliance issues being detected, and the same disregard for conditions as has been demonstrated by Veolia in relation to EPL11436.

## Summary

Veolia clearly demonstrate they are unable to comply with existing EPA license conditions and development conditions as set out by the Department of Planning and Environment. There also possible indicators of a sampling method designed to provide the “best result” rather than use a scientific method. Veolia demonstrate systemic failures over many years, and a disregard for the Department of Planning and Environment and the NSW EPA. Even when a more competent audit is conducted, Veolia still demonstrates a poor track record of applying the findings – this is despite the audit conclusion that Veolia’s management practices are “generally adequate”.

From this chapter we can extrapolate to future expected behaviour based on Veolia’s historical behaviour:

- Veolia are likely to ignore conditions of consent specified by the Department of Planning and Environment;
- Veolia are likely to ignore conditions placed on them by the NSW Environment Protection Agency (EPA);
- Veolia are likely to breach environmental laws;
- Even when Veolia are informed through an audit of corrective actions being required, they still fail to improve their operations;
- “Independent” audits of Veolia are likely to find they are not too bad, despite including lengthy lists of findings where Veolia are non-compliant.

**Rejection 124:** *This project must be rejected. Veolia demonstrate a disregard for conditions placed on them by the NSW EPA and the NSW Department of Planning and Environment. They also disregard POEO Act requirements. There is no guarantee Veolia will comply with conditions placed on the proposed development or their legal obligations. Veolia is a danger to the environment and to the local community.*

## EPA FAILURES

The NSW EPA plays a crucial role in the approval and monitoring of environmental licenses. This chapter considers the approach taken by the EPA in relation to the existing license being held by Veolia for the Woodlawn bioreactor (EPL license 11436). The history of the EPA’s performance in relation to this (and related licenses) demonstrates their approach, and provides insight into the likely outcomes of license monitoring for the proposed incinerator.

### EPA Does Not Take Action in Rural Areas

The EPA demonstrate they have been ineffectual at enforcing the EPL license (11436) issued to Veolia. Over many years, Veolia continues to demonstrate non-compliances, often on the same conditions. Yet the behaviour continues. In April 2021, the NSW EPA started taking action against Bingo Dial-a-Dump in relation to 350 odour complaints during April and early May 2021. These actions included<sup>86 87</sup>:

- EPA and/or Blacktown City Council undertook 14 odour surveys;
- EPA inspectors visited the premises;
- EPA issued a Clean-Up Notice;
- EPA conducted more odour surveys;
- EPA modified the EPL and imposed additional license requirements;
- EPA installed seven Hydrogen Sulfide Gas monitors in the area for at least 12 months and provide online data to the community<sup>88</sup>.

By comparison, the EPA has taken the following actions against Veolia in relation to odour complaints in and around Tarago in the last two years:

- One Hydrogen Sulfide Sensor installed for six weeks;
- One fine of \$15,000 issued for odour offences in June 2022;
- Required Veolia to come up with a plan to install one Hydrogen Sulfide Gas monitor;
- Required Veolia to produce a report “Hydrogen Sulphide Investigation and Impact Assessment”.

The number of complaints raised in Tarago and surrounding areas is contained in Table 21. Tarago is nowhere near as densely populated as Minchinbury in Sydney.

Location	Population <sup>89</sup>	# of Complaints	Time Period of Complains	As a percentage of population
Tarago	510	302	12 months	59.2%
Minchinbury	5778	800+	3 months (equiv. to 3200/yr)	55.4%

**Table 21** *Odour complaints raised in specific suburbs*

Table 22 contains a comparison based on population of a location and immediately surrounding suburbs.

<sup>86</sup> <https://www.epa.nsw.gov.au/news/media-releases/2021/epamedia210507-epa-takes-action-on-bingo-odours>

<sup>87</sup> <https://apps.epa.nsw.gov.au/prpoeoapp/ViewPOEONotice.aspx?DOCID=-1&SYSUID=1&LICID=13426>

<sup>88</sup> <https://www.epa.nsw.gov.au/working-together/community-engagement/updates-on-issues/odour-investigations/minchinbury-odours>

<sup>89</sup> <https://www.abs.gov.au/census/find-census-data/search-by-area>



Region	Population <sup>90</sup>	# of Complaints	Time Period of Complains	As a percentage of population
Tarago	1571	302	12 months	19.2%
Minchinbury	59,267	800+	3 months (equiv. to 3200/yr)	5.4%

**Table 22** *Odour complaints raised in specific suburb and surrounding suburbs*

If we compare the number of complaints in Tarago to those in Minchinbury (per head of population, extrapolated to take into account a full year of data), it is very clear the level of complaints in Tarago exceeds (59.2%) those in Minchinbury (5.4%). This is even worse if we compare the Tarago region (Tarago, Lake Bathurst, Lower Boro, Boro, Mount Fairy, Lake George and Currawang) to the Minchinbury region (Minchinbury, Mount Druitt, Rooty Hill, Eastern Creek, Colyton and Oxley Park). Tarago region has almost four times as many complaints as Minchinbury region – even when extrapolating the number of complaints in Minchinbury!

As a side note, the physical size of suburbs in a city area is much smaller than those in a rural area. As such a comparison based on physical size would likely demonstrate an even larger disparity between the number of complaints related to rural areas.

The EPA is failing to take action on the complaints raised by residents in and around Tarago. According to the EPA<sup>91</sup>, they “would always fight to protect the community and the environment”. This is clearly not the case – the EPA is failing to protect the rural community of Tarago. The EPA is only interested in protecting people in city based areas.

**Rejection 125:** *The incinerator proposal must be rejected. The EPA are demonstrably failing to take action on breaches to existing licenses held by the proponent – despite the EPA demonstrating the capability to take action against other license holders. The EPA are unlikely to take action against Veolia and thus residents of Tarago and the surrounding area will be subjected to breaches of licenses with no repercussions for the proponent.*

Veolia’s Woodlawn operations have been set as “Level 1” by the EPA for the “Environmental Risk Level” (up until about November 2022). This risk level is derived by assessing multiple criteria (more details can be found on the EPA website<sup>92</sup>). As a level 1 risk, the EPA expend as little energy and resources as possible on monitoring Veolia’s operations. This submission clearly demonstrates Veolia has been exploiting the lack of the EPA’s monitoring and scrutiny. During the process of finalising this submission, it appears the EPA has finally raised the risk level from 1 to 2... however there is no information on what the basis for this was – however it is at least a step in the right direction.

**Rejection 126:** *Veolia’s incinerator must be rejected. Veolia have taken advantage of less scrutiny and monitoring by the EPA when their Environmental Risk Level was set as 1. The EPA’s assessment of Veolia’s operations as a Level 1 Environmental Risk has provided Veolia with a free license to operate however they like with no real repercussions by the EPA.*

90 <https://www.abs.gov.au/census/find-census-data/search-by-area>

91 <https://www.epa.nsw.gov.au/news/media-releases/2022/epamedia220512-epa-prosecutes-bingo-company-over-offensive-odours-in-western-sydney#:~:text=The%20offence%20carries%20a%20maximum,odours%20impacting%20the%20local%20community.>

92 <https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/risk-based-licensing/risk-assessment-process>

**Recommendation 111:** *This submission clearly shows the lack of scrutiny by the EPA has allowed Veolia to get away with poor behaviour, and to ignore the conditions of not only the EPL, but also Department of Planning and Environment’s Conditions of Consent. The EPA must maintain at least an Environmental Risk Level 2 for Veolia’s operations for at least five years (until Veolia can demonstrate significant improvements in compliance).*

Despite years of odour complaints, predominantly during colder months, the EPA choose to install H<sub>2</sub>S sensors during October and November for a six week period. Rather than leave the sensors in place, the EPA removed the sensors. (Compared to Minchinbury, where the sensors were left in place for over 12 months).

**Rejection 127:** *The project must be rejected. The EPA have demonstrated they are unable to effectively monitor a rural community over many years of complaints. The EPA will not be able to effectively ensure the people and environment in Tarago and surround areas are protected from pollution.*

**Recommendation 112:** *In the event the incinerator is approved, the proponent must provide funding to the EPA for permanent air quality sensors are deployed around the new facility. This must include multiple locations in Tarago itself, and environmentally sensitive areas (including Lake George, Lake Bathurst and The Morass). The sensors must be able to detect all potential emissions from the incinerator. The proponent must pay for the design, build, installation and ongoing operational costs of a near real time recording and reporting system. At least two years of baseline data must be collected prior to the operation of the proposed incinerator.*

## Flaws in EPA’s 2019 Audit

In 2019 the NSW EPA conducted a regular 5 yearly audit of EPL 11436. The EPA audit found Veolia was compliant with license condition L6.1 (potentially offensive odour). Under an GIPA request (NSW EPA GIPA request 814), the justification is contained in Figure 90.

Opening Meeting	L6	Potentially offensive odour (Scope: day of audit inspection)			
	L6.1	There must be no offensive odour emitted from the premises, in accordance with Section 129 of the Protection of the Environment Operations Act 1997, nor emissions to the atmosphere from the landfill that may adversely affect the health or amenity of the community.		Yes	<p>Odour was not considered offensive on the day of the audit.</p> <p>Auditors stopped at the site boundary upon exiting the site and odour was not detected.</p> <p>There were times whilst on site that odour could be detected however not beyond the site boundary.</p>

**Figure 90** NSW EPA’s justification for Veolia’s compliance of condition L6.1

Despite being a five yearly audit, the scope for the assessment of odour was the “day of audit inspection”. So in order to be compliant, Veolia only needed to ensure (or be lucky) there is no odour on one day out of 1826 days (0.05% of the time). The scope from the final EPA audit report is contained in Figure 91.

**1.2 Scope of the Audit**

- Geographic: Premises boundaries as assigned in respective EPL's.
- Temporal: Monitoring, reporting and operational conditions for 1 reporting period (from 06 September 2017 to end of audit inspection on 28 March 2019).
- Temporal: Groundwater monitoring for 3 reporting periods (commencing 06 September 2015) to day of audit inspection.

**Figure 91** Scope as defined in the EPA's 2019 audit of EPL 11436

<b>L6</b>	<b>Potential Offensive odour</b>		
L6.1	Yes		
L6.2	This is a statement advising that no condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the Protection of the Environment Operations Act 1997. No assessment of compliance is required.		

**Figure 92** Note the lack of any mention of the scope limitation in the final report for condition L6.1

<b>3</b>	<b>Limit conditions</b>		
<b>L1</b>	<b>Pollution of waters (scope - on the day of the audit inspection)</b>		
L1.1	Yes		
L1.2	Yes	Surface water	

**Figure 93** Note the scope limitations identified on other conditions in the final report

The EPA's scope for the report implies it was based on a five years, yet the assessment for odour was based on the day of the audit (according to the actual assessment). Yet the final report<sup>93</sup> does not state the scope limitation for condition L6.1 (see Figure 92). The final report does however contain a limit on the scope of other compliance assessments (see Figure 93). The scope of the audit is completely inconsistent.

**Rejection 128:** *The proposed incinerator must be rejected. The EPA demonstrate they are incapable of conducting an audit of the license holder Veolia. Rather than assess a five year period for odour reports, the EPA constrained the assessment for condition L6.1 of EPL 11436 to a period of one day (the day of the site visit). This is not a rigorous audit and indicates the license holder only needs to be compliant on one day over a five year period in relation to condition L6.1 (0.05% of the time). This raises questions over the entire five yearly audit process conducted by the EPA.*

Part of the Audit criteria, evidence and findings is contained in Figure 94.

**1.3 Audit criteria, evidence and findings**

The audit criteria (the requirements against which the auditor assesses audit evidence) were:

- Specific conditions attached to Environment Protection Licence 11436; and
- the legislative requirements for Pollution Incident Response Management Plans - Part 5.7A of the Protection of the Environment Operations Act 1997 (POEO) and Chapter 7, Part 3A of the POEO (General) Regulation 2009.

Audit evidence was collected during a site inspection, which included discussions with relevant staff and observations of operational activities, and relevant documentation and records provided by the licensee.

**Figure 94** Section 1.3 of the EPA's 2019 audit of EPL 11436

93 <https://apps.epa.nsw.gov.au/prpoeoapp/ViewPOEONotice.aspx?DOCID=-1&SYSUID=1&LICID=11436>

Not only does the EPA’s audit incorrectly consider the full five year period for condition L6.1, but the audit does not include any evidence collected from records held by the EPA – such as odour complaints. This is far from a rigorous audit and seems ad-hoc at best.

**Rejection 129:** *The NSW EPA limits the evidence collection for the audit to exclude their own records. As such the EPA fail to take into full account the evidence over a five year period for Veolia. The EPA take a “blind eye” in relation to audits of the incinerator proposer Veolia. This poses a significant risk to the local community as Veolia would only need to comply for a short time period of the audit. Any failures to comply between the five year audit intervals are simply ignored by the EPA’s compliance audits.*

The NSW EPAs “Compliance Audit Handbook”<sup>94</sup> contains guidelines on how audits should be conducted, and the collection of evidence. For example the Handbook highlights “Collecting background information” (page 6) include sourcing the information from “internal EPA electronic databases ... other databases or registers ...”. Data obtained under NSW EPA GIPA request 814 clearly show the EPA held database records for odour complaints during at least 2018 and 2019 (see Table 23).

CREF-NO-30474	AIR	31/07/2019 23:50	Caller is reporting of offensive odour coming from their premises which started early this morning. Caller said it is a very strong odour. This offensive odour has been on and off for the last 4 weeks. Caller lives approximately 11 km from their premises. There is no wind outside.
CREF-NO-29163	AIR	18/06/2019 5:39	The caller is affected by a putrid offensive odour coming from a nearby Veolia Environmental services waste facility on 18/6/2019 at 7:45am. The odour was very strong in the air for 2 hour before dissipating. The wind was still.
CREF-NO-10888	AIR	11/06/2019 2:52	Caller affected at their property by a sour, rotten refuse odour. There wasn't much wind, wind direction not noted. The caller notes that a similar odour is often encountered when they drive past the Woodlawn waste facility. The caller indicates that they are about 6-7 km from the waste facility. Caller will report future odour incidents to Environment Line.
CREF-NO-13872	AIR	13/05/2019 10:43	After hours call #EPA100276. Caller advised went outside to collect firewood and had to hurry back inside as could not stand the smell of Very strong smell of rotting garbage. not able to go outside for long periods and unable to open doors and windows as smell enters home. Company Or Industry : Veolia- Woodlawn Bio reactor
CREF-NO-26929	AIR	6/05/2019 12:11	After hours call Event #EPA100134. Caller advised of a very strong smell of rotting garbage from the Woodlawn Bio reactor.

**Table 23** Extract of odour complaints held by the EPA in the RPES database in the months prior to the 2019 audit.

**Rejection 130:** *The incinerator must be rejected. The NSW EPA have demonstrated they are unable to use data contained in their own databases during audits of license conditions for the existing license holder Veolia. The EPA demonstrate they will be unable to suitably audit Veolia, and as*

<sup>94</sup><https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/licensing/17p0457-compliance-audit-handbook.pdf?la=en&hash=95D47B8054A9327FE4B95FFAF63A4F7A1AB65DE6>

*such the incinerator proposal poses a significant risk to the local community.*

The analysis contained in our submission was conducted within very limited timeframes, and focused on only a very small subset of license conditions. However a quick glance through the remaining audit suggest the same fundamental flaws exist within the compliance audit. The audits conducted by the NSW EPA appear to be a “tick and flick” exercise to demonstrate they have “done their duty”. This does not engender any level of confidence in the EPA as a suitable agency to monitor environmental licenses, particularly related to Veolia.

***Recommendation 113:*** *Veolia’s proposed incinerator must not be approved until the EPA can demonstrate they are suitably qualified and competent in the monitoring and compliance of Veolia’s operations in and around Tarago for a period of at least 24 months.*

### **Non-compliances Listed (then removed) on EPA License Website**

The EPA website lists non-compliances on their website for each license<sup>95</sup>. Non-compliances for the 2021 annual return (EPL 11436) by Veolia were added in late June 2022 (eight months after the report was received). Despite years of odour complaints to the EPA, this was only the second year where the EPA has actually listed a non-compliance of license condition L6.1. The only justification for this is mounting community pressure highlighting the inadequacies of the EPA in relation to it’s monitoring of Veolia.

***Rejection 131:*** *Veolia’s proposed incinerator must be rejected. The NSW EPA took years to take any action and has failed to protect the Tarago community and surrounding environment. The NSW EPA can not be relied upon to undertake it’s duties.*

Other more recent non-compliances are indicative of Veolia systemic behaviour issues – not taking their corporate responsibilities (or their legal requirements) seriously. Table 24 contains a list of the non-compliances listed on the EPA website in late June 2022 for EPL 11436.

---

<sup>95</sup> <https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=11436&id=11436&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued>

Year	Condition		EPA Actions	Instances of Non-Compliance
2021	M2.1	Monitoring did not meet the sampling frequency requirements during the reporting period.	N/A	10
2021	L3.3	The amount of maximum annual landfill input rates permitted at the licenced premises was exceeded.	N/A	1
2021	L6.1	Emission of potentially offensive odour impacting on the community.	N/A	302
2021	M8.1	A log was not maintained, for a part of the reporting period, to record the run-times of all mechanical evaporators used at the premises.	N/A	1
2021	R4.2	Within 24 hours of receipt of an odour complaint, the Licensee must provide the EPA with a written report.	N/A	20
2021	U1.2	The leachate treatment plant (LTP) was not able to meet its design capacity for continuously treating at least 4 L/s of leachate.	N/A	1

**Table 24** Non-compliances listed by EPA in late June 2022

Veolia also failed to report odour complaints to the EPA with 24 hours. Another serious breach of their license was the failure of the LTP to meet it’s design capacity. In addition to Veolia’s more recent license breaches, there have been ongoing breaches over many years related to sampling frequencies. How many times can a company breach it’s license over many years without any significant repercussions? Given the lack of repercussions, Veolia are likely to continue to breach license conditions and are not held to account for their actions.

**Rejection 132:** *Veolia continues to breach license conditions over many years. The EPA appears to be focused on singular point in time offences, rather than repeated breaches over longer periods of time. Veolia’s behaviour demonstrates they will continually breach any EPA license conditions. The proposed incinerator must not be permitted.*

**Recommendation 114:** *Veolia must demonstrate they can comply with all license conditions and development conditions for existing licenses and conditions held for the Woodlawn precinct. They must demonstrate this for a period of no less than five years prior to approval of the proposed incinerator.*

**Recommendation 115:** *Prior to any approval of the incinerator, the NSW EPA must be able to demonstrate they can take action on license holders that continuously breach license conditions over many years rather than just “moment in time” breaches for pollution events.*

**Recommendation 116:** *The NSW EPA must explain why in 2021 there was a breach of L6.1 of Veolia’s license, yet for years preceding this there has been no breach of this condition despite Veolia’s own odour logs and annual returns talking about the breaches of this condition. The NSW EPA must demonstrate they can competently monitor Veolia prior to any license being approved for an incinerator.*

The list of non-compliances was removed by the EPA on or about 13 July 2022 (about 1-2 weeks after they were listed). On 16 August 2022 we requested a copy of the non-compliances be updated or provided. The EPA failed to take action and we sent a follow-up email on 26 August 2022 (see Figure 95).

Is the EPA actually doing anything about my inquiry? I have just checked many other licenses, with more recent annual returns, and they have non-compliances listed. So why have the conditions for Veolia’s license not been listed yet?

**Figure 95** Follow-up email sent to NSW EPA on 26 August.

The EPA finally responded on 31 August 2022 to indicate they would update the details by COB Friday 2 September 2022 (see Figure 96).

Dear Mr [removed]

Thank you for your emails and interest in the above information regarding Woodlawn Landfill (EPL Number 11436).

The EPA is working to update these details on the EPA Public Register.

We are expecting this to be completed by COB Friday 2 September 2022.

If there is any change in this timing we will provide a further update.

Kind Regards

[removed]

**Figure 96** Response from NSW EPA in relation to query about changes to non-compliances

When the EPA restored the list of non-compliances for EPL11436 on 2 September 2022, five non-compliances were listed. The non-compliance for condition L3.3 was removed from the list (see Table 25) without any explanation provided anywhere.

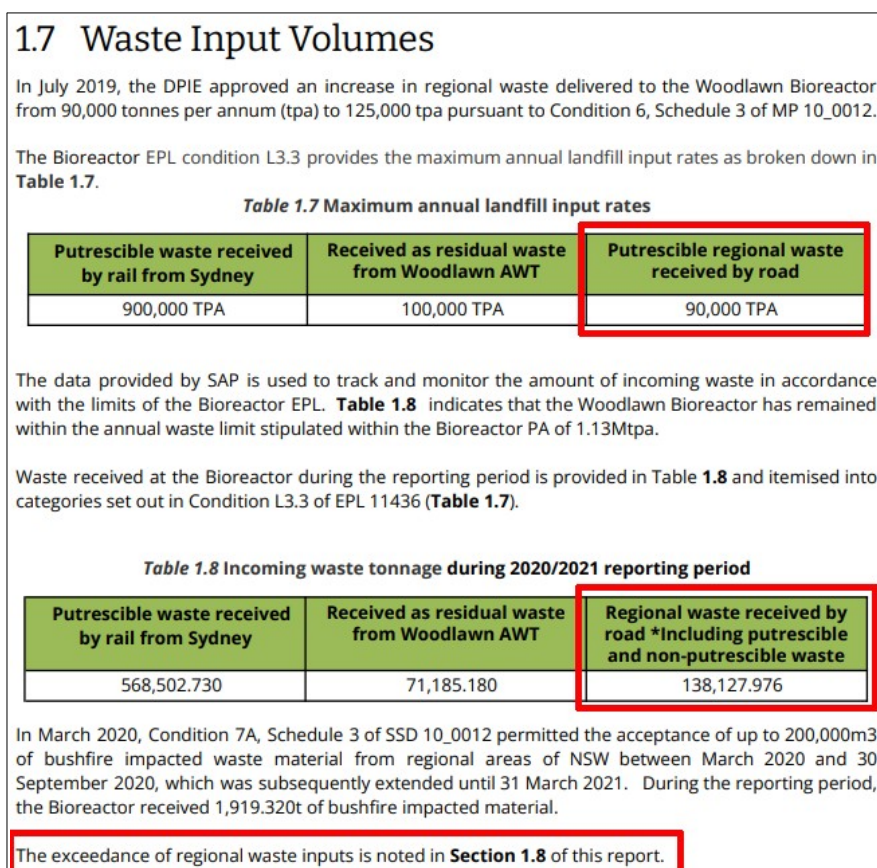
Year	Condition		EPA Actions	Instances of Non-Compliance
2021	L3.3	The amount of maximum annual landfill input rates permitted at the licenced premises was exceeded.	N/A	1

**Table 25** Non-compliance not listed the second time the EPA updated their systems.

**Rejection 133:** The proposed project must be rejected. The EPA demonstrates inconsistent behaviour in relation to non-compliances. The

*EPA took eight months to list non-compliances for the 2021 annual return for EPL 11436. Shortly after listing the compliances (about two weeks), the EPA removed the list of non-compliances. The non-compliances were only listed a second time after we asked the EPA (twice) what had happened. Even then, the EPA had removed the non-compliance against condition L3.3. The EPA’s behaviour in relation to Veolia’s license is erratic. The EPA does not demonstrate the capability to enforce any new license they may issue for the proposed incinerator.*

On 29 September 2022 we requested the EPA provide a reason for why the non-compliance against condition L3.3 was removed. The 2021 AEPR report for Woodlawn<sup>96</sup> (dated 04 November 2021) clearly shows the waste received exceeds the permitted amount for condition L3.3 (shown in the red boxes in Figure 97). Even taking into account the bushfire impacted material, Veolia exceeded the permitted amount by about 47,000t. Veolia even note at the end of section 1.7 that “The exceedance of regional waste inputs is noted in Section 1.8 of this report” (see red box at bottom of Figure 97). Despite this statement, Veolia does not include a non-compliance in section 1.8 of their second (modified) AEMR.



**Figure 97** Section 1.7 of Veolia’s AEPR for 2021 for the Woodlawn facility.

Veolia’s AEMR for 2021 contains mistakes in relation to the reporting of non-compliances. Section 1.7 clearly indicates they are non-compliant on condition L3.3 of their license, and are

<sup>96</sup> <https://www.veolia.com/sites/g/files/dvc2011/files/document/2022/09/EPA%20AEPR%20for%20Woodlawn%20Eco-Precinct%202020-21%20Final%20v2.pdf>



aware of the non-compliance. They claim they have included the non-compliance in section 1.8 of their report, however nothing is included.

As it turns out, Veolia only partially modified their AEMR (see Veolia Removes Content From 2021 Annual Return). Veolia had wrongly included non-putrescible waste in the number. However is pointed out elsewhere, Veolia never report what all the other waste is, and where it has come from.

### **EPA Knew of Groundwater Pollution in October 2016**

On 24 October 2022, the NSW EPA released prevention notice 3503885<sup>97</sup>. Item D from the prevention notice indicates the EPA had requested a Pollution Reduction Program (see Figure 98).

- D. The Premises contains a series of evaporation dams (ED1, ED2 and ED3) which historically captured polluted water from licensed activities. The EPA captured Pollution Reduction Programs (PRP) on the Licence in 2016 and 2018 which required Veolia to

  - i. investigate the integrity of the liners in the evaporation dams
  - ii. assess the nature and extent of any leakage from the evaporation dams
  - iii. detail the control and remediation measures proposed to prevent seepage from ED1 and ED2; and
  - iv. Make good any groundwater or surface water pollution that has already occurred

**Figure 98** Item D from EPL11436, prevention notice 3503885

However it raises the question as to why did the EPA capture a Pollution Reduction Program (PRP) in 2016? According to license variation 1544465<sup>98</sup> (14 October 2016), Veolia had undertaken a study on the suitability of ED1 and ED2 to hold leachate (see Figure 99).

- E. As part of its investigations into the suitability of ED1 for the storage and evaporation of treated leachate, the licensee engaged an independent consultant to undertake an assessment of the physical integrity of the dams liners. The consultant's assessment determined that ED1 and Evaporation Dam 2's (ED2) liners may be compromised with there being evidence of leakage/migration. The consultant recommended additional investigations to assess the full nature and extent of the leaks and determine what remedial works are necessary.

**Figure 99** Item E from EPL11436, prevention notice 1544465

It is clear from the license variation that the EPA was aware that there had likely been seepage from ED1 and/or ED2. The EPA has never (to our knowledge) notified anyone in the local community of groundwater pollution. It was not until November 2022 (six years later) that the EPA released prevention notice 3503885 that the community became aware – and only then because Veolia are proposing an incinerator. If Veolia were not proposing the incinerator, the local community would have been very unlikely to know about the groundwater contamination. This raises the obvious question: how many other pollution events have there been that the EPA has not informed the local community about?

**Rejection 134:** *Veolia’s proposed incinerator must be rejected. The EPA made no effort to inform the community about groundwater contamination, despite demonstrating knowledge of the issue as far back as 2016. The EPA completely fail to protect the environment and the local community.*

---

<sup>97</sup> <https://apps.epa.nsw.gov.au/prpoeoapp/ViewPOEONotice.aspx?DOCID=-1&SYSUID=1&LICID=11436>

<sup>98</sup> <https://apps.epa.nsw.gov.au/prpoeoapp/ViewPOEONotice.aspx?DOCID=-1&SYSUID=1&LICID=11436>

**Recommendation 117:** *Veolia’s license and conditions of consent must undergo a detailed review, including actions by the EPA, the Department of Planning and Environment, Veolia and any sub-contractors. This review must be conducted before any approvals for the proposed incinerator.*

**Recommendation 118:** *Veolia must cease operations at Woodlawn immediately. It is clearly emerging that the EPA are unable to monitor the license. It is clear Veolia have and will continue to breach their conditions of consent. Veolia is unsuitable to undertake any waste disposal activities at Woodlawn.*

## NSW Waste Levy

In NSW the EPA collects a “waste levy” for every ton of waste going to landfill from specified areas in NSW. The levy is designed to encourage recycling. This levy is currently \$151.60/t from metropolitan areas. Given Veolia receive 380,000tpa from Sydney for the woodlawn bioreactor, the EPA will be receiving about \$57.6m per year from Veolia (minus any deductions).

It should also be noted that the NSW Waste Levy is not payable on waste received from outside the designated areas<sup>99</sup>. As such waste trucked into Woodlawn from surrounding areas does not require the levy to be paid. This includes approximately 30,000tpa of waste trucked in from Canberra<sup>100</sup>.

On 12 July 2022 we submitted a query to the NSW EPA on the waste levy and if it was payable for Waste to Energy Facilities. The EPA responded on 15 August with the following:

**Are Waste to Energy facilities required to pay the NSW Waste Levy?**

Under the Protection of the Environment Operations legislative scheme, energy from waste facilities that meet the requirements of the NSW Energy from Waste Policy Statement are not considered waste disposal facilities and therefore are not required to pay the waste levy on the waste they receive for energy recovery. Any waste transported offsite for disposal from an energy recovery facility, such as a residual waste from the thermal treatment process, would incur the waste levy when transported to a facility that may lawfully receive it for disposal.

**Figure 100** EPA response to query on NSW Waste Levy for Waste to Energy facilities.

Based on this response, waste disposed by Veolia in the proposed incinerator will not be subjected to the NSW Waste Levy. By incinerating the waste, Veolia will be making it cheaper and easier for waste disposal – effectively removing the disincentive to generate the waste in the first place, and removing the disincentive to recycle earlier in the waste stream. It will be cheaper not to recycle and simply burn the rubbish for generation of meagre amount of electricity (see later chapter of this submission).

---

<sup>99</sup> <https://www.epa.nsw.gov.au/your-environment/waste/waste-levy/levy-regulated-area-and-levy-rates>

<sup>100</sup> [https://www.planning.act.gov.au/\\_\\_data/assets/pdf\\_file/0011/1730846/SUPP-201700053-s224b-Appendix-S-Response-to-Submissions-alias.pdf](https://www.planning.act.gov.au/__data/assets/pdf_file/0011/1730846/SUPP-201700053-s224b-Appendix-S-Response-to-Submissions-alias.pdf)

**Rejection 135:** *This proposal must be rejected. Veolia will not be required to pay the waste levy on waste received at the incinerator. This removes disincentives to recycle earlier in the waste processing cycle. Rather than do the correct (harder) thing, people (and councils) will find it easier and cheaper to simply burn the waste.*

According to the NSW Auditor General’s report<sup>101</sup> from November 2020, about one third of the waste levy is put back into things such as recycling initiatives and environmental programs. As such, by removing up to \$57.6m from the waste levy revenue, this is less money being spent on trying to transition to a real circular economy. The waste issues in NSW have been known for over twenty years (see Kicking the Can Down the Road for over 20 years!), and yet billions of dollars have been funnelled away from trying to address the problem. Incineration of the rubbish is just another way of “kicking the can down the road” rather than putting in concerted and honest effort into fixing the root cause.

**Rejection 136:** *Veolia’s project must be rejected – the NSW Government must demonstrate it is placing concerted and honest effort into dealing with waste earlier in the waste processing stream – rather than “kicking the can down the road” – leaving it for younger generations to deal with.*

## EPA’s Requirement to Address Climate Change

According to the NSW Land and Environment Court<sup>102</sup>, the NSW EPA has a requirement to protect the environment from climate change (see Figure 101).

### The Court’s findings in a nutshell

- 16 Dealing with BSCA’s primary argument, I find that the duty under s 9(1)(a) of the POEA Act to develop environmental quality objectives, guidelines and policies to ensure environment protection, in the current circumstances, includes a duty to develop instruments of the kind described to ensure the protection of the environment in New South Wales from climate change, although this does not demand that such instruments contain the level of specificity contended for by BSCA, such as regulating sources of greenhouse gas emissions in a way consistent with limiting global temperature rise to 1.5°C above pre-industrial levels. The EPA has a discretion as to the specific content of the instruments it develops under s 9(1)(a) to ensure the protection of the environment from climate change.

**Figure 101** Extract from Land and Environment Court Proceedings

The proposed incinerator generates more emissions affecting climate change than the existing Bioreactor. Veolia rely on the supposed electricity generation to demonstrate the emissions are offset by the extra electricity generated. However this submission demonstrates Veolia has not taken into account the longer term generation capacity of the Bioreactor. There are also other options this submission have demonstrated that generate far more output for lower input costs, and with a lower impact on the environment and climate.

**Rejection 137:** *In the event the proposed incinerator is approved, the NSW EPA would still be required to issue a license for the operation of the incinerator. Issuing this license would result in the EPA being in contravention of the NSW Land and Environment Court, and the EPA’s obligation to “ensure the protection of the environment in New South Wales*

---

101 <https://www.audit.nsw.gov.au/sites/default/files/documents/FINAL%20REPORT%20-%20%20Waste%20levy%20and%20grants%20for%20waste%20infrastructure.pdf>

102 <https://www.caselaw.nsw.gov.au/decision/17b7569b9b3625518b58fd99>

*from climate change”. Veolia’s proposed incinerator must be rejected – the EPA will be unable to issue a license to Veolia to operate the facility.*

The EPA have clearly indicated that waste-to-energy facilities are not required to pay the NSW Waste Levy. According to the NSW EPA on Waste and Recycling 2021<sup>103</sup>, they reference a webpage from the Ellen Macarthur Foundation<sup>104</sup> titled “Completing the picture: How the circular economy tackles climate change”. The EPA clearly understands there is a link between NSW Waste and climate change. The whole purpose of the NSW Waste Levy is to encourage recycling, not to ignore incineration.

***Rejection 138:*** *The proposed incinerator must be rejected. The NSW EPA would be in breach of NSW Land and Environment Court rulings obligating them to address climate change. The NSW Waste Levy (which is not required to be paid on waste-to-energy facilities) is aimed at reducing environmental impact and helping to address climate change. Issuing a license to Veolia and not requiring the NSW Waste Levy is an indirect impact on climate change.*

## Summary

The NSW EPA clearly demonstrates they are either insufficiently resourced, incapable or incompetent in the monitoring of Veolia and the Woodlawn facility. It has only been in the last year due to community pressure that they EPA appears to have started to take some action to try and catch up on years of failing the local community (for example, raising the risk level of Veolia’s operations for EPL11436). The EPA’s processes and procedures appear piecemeal at best (in the limited time this analysis was conducted).

The exclusion of waste incinerators from the NSW Waste Levy will remove the discouragement to recycle earlier in the waste processing cycle. This will make it cheaper for Sydney councils to burn the rubbish rather than place it in landfill. The proposal to incinerate the rubbish is a step backwards in the objectives to tackle waste and climate change. The NSW EPA has been found to have a obligation to address climate change. Licenses issued by the EPA for waste incinerators are contrary to addressing climate change.

---

103 <https://www.soe.epa.nsw.gov.au/all-themes/human-settlement/waste-and-recycling-2021>

104 <https://ellenmacarthurfoundation.org/completing-the-picture>

## FEDERAL ENVIRONMENT POLICIES, STOCKHOLM CONVENTION AND REALISTIC ALTERNATIVES

### Kicking the Can Down the Road for over 20 years!

Waste generation in NSW has been a known issue for over 20 years. According to NSW Government Hansard (5 December 2003)<sup>105</sup>, in 2000 the NSW Government commissioned an independent report on Landfill Capacity, undertaken by Mr Tony Wright. The report was clear that landfill capacity for Sydney was reaching critical capacity. The Hansard entry on this matter makes some important points about dealing with Sydney’s waste (see Figure 102).

Mr Wright's comprehensive report indicated that a significant and chronic landfill capacity shortfall will be encountered after 2006. In 2002, Mr Wright confirmed his 2000 findings remained valid pending the start-up of the Woodlawn landfill to provide supplementary capacity, and/or a considerable further expansion of Eastern Creek landfill.

**Figure 102** Extract from NSW Government Hansard, 5 December 2003

According to Hansard, without political intervention to override the NSW Land and Environment Court, the Clyde Waste Transfer Terminal (to be operated by Collex) would not have gone ahead, and Woodlawn would not have any waste from Sydney. Collex was renamed to Veolia.

**Rejection 139:** *The NSW Government has been “kicking the can down the road” for over twenty years. Without political intervention in 2003, Sydney’s waste problems would have come to a head in 2006. Veolia’s proposal must be rejected – it continues to “kick the can down the road” in the hope someone else will deal with the waste issue. The issue of waste needs to be dealt with NOW, not tomorrow.*

Incinerating Sydney’s waste only delays the inevitable and continues to ignore the fundamental problem – too much waste is going into landfill. Even if the waste is burned, there is still too much waste going to landfill. Even with more landfill solutions, there is still too much waste given the expansion of Sydney.

### National Waste Policy (2018) and National Waste Action Plan (2019)

Section 3.1.2 of the EIS (main document) identifies the National Waste Policy (2018). Veolia claim “the NW Policy supports the development of energy recovery industry nationally”. This claim is based on the waste hierarchy and that energy recovery is a higher priority than disposal to landfill. However in this case, the waste is not being disposed to landfill – it is being sent to the Bioreactor which is already recovering energy from the waste.

Australia’s attitudes about waste and resource management have shifted. The value of resources and embodied energy in waste are now recognised. There is an economic opportunity and growing desire to see our resources recaptured and recirculated within our economy.

**Figure 103** National Waste Policy (2018), page five, first paragraph

---

105 <https://api.parliament.nsw.gov.au/api/hansard/search/daily/pdf/HANSARD-1323879322-61655>

**Target 3: 80% average resource recovery rate from all waste streams following the waste hierarchy by 2030**

Resource recovery means making use of a waste material, including recycling and recovering energy or other resources from waste. If we increase Australia’s resource recovery rate to 80%, an extra 15 million tonnes will be recovered every year. Taking no action would place increasing pressure on our remaining landfill sites, some of which are reaching capacity.

**Figure 104** *National Waste Policy Action Plan (2019), page 12, first paragraphs*

It should be noted that a search of “energy” in both the National Waste Policy and the National Waste Action Plan returns very few references. The National Waste Policy (see Figure 103) talks about embodied energy and the “desire to see our resources recaptured and recirculated within the economy”. Once the waste is incinerated, it is gone. The minuscule amount of electricity generated will be used by consumers to generate more waste. There are other alternatives (see Realistic Alternatives (Bioelektra)) that capture more of the embodied energy.

Figure 104 from the National Waste Policy Action Plan highlights the problem is actually the fact we are running out of landfill sites – not that we need the minimal electricity generation from energy generation. Veolia’s proposal is primarily about waste incineration. Generation of a tiny amount of electricity is a small benefit. The question is this – Is the small benefit of a minuscule amount of electricity generated from waste worth the massive volumes of toxic waste that will be generated and stored in an area know to leak into the groundwater?

## **Environment Ministers Communique – 21 October 2022**

On 21 October 2022, the Commonwealth Minister for the Environment and the environment ministers from Australian states and territories met. Figure 105 contains an extract from the official communique from the meeting<sup>106</sup>.

In recognition of the scale and urgency of environmental challenges, ministers agreed:

1. To work collectively to achieve a national target to protect and conserve **30% of Australia’s landmass and 30% of Australia’s marine areas by 2030.**
2. To note the Commonwealths’ intention to establish a **national nature repair market** and agreed to work together to make nature positive investments easier, focusing on a consistent way to measure and track biodiversity.
3. To work with the private sector to **design out waste and pollution, keep materials in use** and foster markets to achieve a **circular economy by 2030.**

**Figure 105** *Extract from 21 October 22 communique*

It is clear from this communique the political intent from Federal and State levels of government is to “keep materials in use”. Veolia’s proposal is (by design) dependant on waste, generates pollution (ash and emissions from the stack) and destroys materials – prevents them from ever being used again. This is completely contrary to the political intent within Australia.

---

106 <https://www.dcceew.gov.au/sites/default/files/documents/emm-communique-21-oct-2022.pdf>

**Rejection 140:** *Veolia’s incinerator is contradictory to political intent at the Federal and State levels of Australian Government. In a communique from 21 October 2022 the political intent is clear – to keep materials in use. The proposed incinerator must be rejected. It is dependant on waste, generates pollution and destroys materials.*

### **Proposed Incinerator Leaves Environment In Worse State Than We Found It**

The proposed incinerator will leave the environment in a worse state than we found it. As has been highlighted in other parts of this submission, there will be tonnes of toxic emissions from this incinerator – into the air, and contained in the ash from the incinerator. Veolia are not leaving the environment in a better state than they found it.

This is again contrary to Federal Environment policies. According to the ABC<sup>107</sup>, the Federal Environment Minister Tanya Plibersek says overhaul of Australia’s environment laws will reverse the decline of Australia’s environment and “leave it in a better state than we found it”.

**Rejection 141:** *The proposed incinerator must be rejected. Veolia’s plans will leave being toxic ash, and will distribute toxic pollutants across a wide area – leaving the environment in a worst state than it is in right now. This is contrary to Federal Government policy directions.*

### **Stockholm Convention on Persistent Organic Pollutants**

The Stockholm Convention was adopted in 2001 and entered into force on 17 May 2004<sup>108</sup>. Australia ratified the Convention on 20 May 2004<sup>109</sup>. The Stockholm Convention is best described by the Introduction on the pops.int website.

The Stockholm Convention on Persistent Organic Pollutants is a global treaty to protect human health and the environment from chemicals that remain intact in the environment for long periods, become widely distributed geographically, accumulate in the fatty tissue of humans and wildlife, and have harmful impacts on human health or on the environment.

Exposure to Persistent Organic Pollutants (POPs) can lead to serious health effects including certain cancers, birth defects, dysfunctional immune and reproductive systems, greater susceptibility to disease and damages to the central and peripheral nervous systems.

Given their long range transport, no one government acting alone can protect its citizens or its environment from POPs.

---

107 <https://www.abc.net.au/news/2022-12-08/australia-environment-laws-federal-epa/101744044>

108 <http://www.pops.int/TheConvention/Overview/tabid/3351/Default.aspx>

109 <https://www.agriculture.gov.au/agriculture-land/farm-food-drought/ag-vet-chemicals/international/stockholm>



In response to this global problem, the Stockholm Convention, which was adopted in 2001 and entered into force in 2004, requires its parties to take measures to eliminate or reduce the release of POPs into the environment.

**Figure 106** Extract from <http://www.pops.int/TheConvention/Overview/tabid/3351/Default.aspx>

The original “dirty dozen” POPs declared under the Stockholm Convention included (among other chemicals) dioxins and furans. Another example of chemicals added later includes PFAS – and Australia is currently doing all it can to deal with PFAS contamination that has occurred over many years<sup>110</sup>.

Veolia’s proposed incinerator generates dioxins and furans during the incineration process. This is also confirmed in annual reports from the Staffordshire Reference facility. In fact the list of air emissions is somewhat disturbing (Figure 107). Not only are dioxins and furans listed, but PCBs and a multitude of other highly toxic chemicals. While these levels may be below the NSW limits, they are banned by the Stockholm Convention for a reason.

**Rejection 142:** *Veolia’s proposal must be rejected. The proposed incinerator will generate large numbers of chemicals banned under the Stockholm Convention – no matter what level of generation. This project would breach Australia’s obligations under the Stockholm Convention.*

**Recommendation 119:** *Veolia must have written approval from the Australian Federal Government acknowledging the generation of banned Persistent Organic Pollutants (banned under the Stockholm Convention) will be permitted to be generated in Australia, and that by doing so Veolia is not breaching the Stockholm Convention.*

---

110 <https://www.pfas.gov.au/government-action/international-cooperation>



10 11	Substance	Ref. Period	Emission Limit Value					Average	
				A1 (Q1/2)	A2 (Q1/2)	A1 (Q3/4)	A2 (Q3/4)	A1	A2
12	Hydrogen fluoride	1 hr	2 mg/m <sup>3</sup>	0.07	0.04	0.01	0.07	0.04	0.055
13	Cd and Th and their compounds	6-8hrs	0.05 mg/m <sup>3</sup>	0.00056	0.00053	0.00056	0.00051	0.00056	0.00052
14	Hg and its compounds	6-8hrs	0.05 mg/m <sup>3</sup>	0.00082	0.0022	0.00056	0.0006	0.00069	0.0014
15	Sb, As, Pb, Cr, Co, Cu, Mn, Ni, V and their compounds	6-8hrs	0.5 mg/m <sup>3</sup>	0.018	0.014	0.03	0.02	0.024	0.017
16	Dioxins & Furans (I-TEQ)	6-8hrs	0.1 ng/m <sup>3</sup>	0.022	0.012	0.005	0.0064	0.0135	0.0092
17	PCBs (WHO-TEQ Humans / Mammals)	6-8hrs	None set ng/m <sup>3</sup>	0.0046	0.0026	0.0016	0.0023	0.0031	0.00245
18	PCBs (WHO-TEQ Fish)	6-8hrs	None set ng/m <sup>3</sup>	0.00025	0.00014	0.000089	0.00012	0.00017	0.00013
19	PCBs (WHO-TEQ Birds)	6-8hrs	None set ng/m <sup>3</sup>	0.012	0.0066	0.006	0.0051	0.009	0.00585
20	Dioxins & Furans (WHO-TEQ Humans / Mammals)	6-8hrs	None set ng/m <sup>3</sup>	0.025	0.014	0.0052	0.0073	0.0151	0.01065
21	Dioxins & Furans (WHO-TEQ Fish)	6-8hrs	None set ng/m <sup>3</sup>	0.024	0.013	0.0048	0.0071	0.0144	0.01005
22	Dioxins & Furans (WHO-TEQ Birds)	6-8hrs	None set ng/m <sup>3</sup>	0.034	0.019	0.0074	0.0094	0.0207	0.0142
23	Nitrous Oxide (N <sub>2</sub> O)	1hr	None set ng/m <sup>3</sup>	0.22	0.21	0.23	0.94	0.225	0.575
24	Total PAH	6-8hrs	None set ng/m <sup>3</sup>	0.11	0.15	0.09	0.09	0.1	0.12
25	Anthracene	6-8hrs	None set ug/m <sup>3</sup>	0.0013	0.0013	0.0013	0.0013	0.0013	0.0013
26	Benzo(a)anthracene	6-8hrs	None set ug/m <sup>3</sup>	0.0013	0.0013	0.0013	0.0013	0.0013	0.0013
27	Benzo(a)pyrene	6-8hrs	None set ug/m <sup>3</sup>	0.0013	0.0013	0.0013	0.0013	0.0013	0.0013
28	Benzo(b)fluoranthene	6-8hrs	None set ug/m <sup>3</sup>	0.0013	0.0013	0.0013	0.0013	0.0013	0.0013
29	Benzo(b)naphtho(2,1-d)thiophene	6-8hrs	None set ug/m <sup>3</sup>	0.0022	0.0013	0.0013	0.0013	0.00175	0.0013
30	Benzo(c)phenanthrene	6-8hrs	None set ug/m <sup>3</sup>	0.0013	0.0013	0.0013	0.0013	0.0013	0.0013
31	Benzo(ghi)perylene	6-8hrs	None set ug/m <sup>3</sup>	0.0075	0.022	0.0015	0.003	0.0045	0.0125
32	Benzo(k)fluoranthene	6-8hrs	None set ug/m <sup>3</sup>	0.0013	0.0013	0.0013	0.0013	0.0013	0.0013
33	Cholanthrene	6-8hrs	None set ug/m <sup>3</sup>	0.0013	0.0013	0.0013	0.0013	0.0013	0.0013
34	Chrysene	6-8hrs	None set ug/m <sup>3</sup>	0.0013	0.0013	0.0013	0.0013	0.0013	0.0013
35	Cyclopenta(cd)pyrene	6-8hrs	None set ug/m <sup>3</sup>	0.0013	0.0013	0.0013	0.0013	0.0013	0.0013
36	Dibenzo(a)pyrene	6-8hrs	None set ug/m <sup>3</sup>	0.0013	0.0013	0.0013	0.0013	0.0013	0.0013
37	Dibenzo(ah)anthracene	6-8hrs	None set ug/m <sup>3</sup>	0.0013	0.0013	0.0013	0.0013	0.0013	0.0013
38	Fluoranthene	6-8hrs	None set ug/m <sup>3</sup>	0.027	0.022	0.018	0.0099	0.0225	0.01595
39	Indeno(123-cd) pyrene	6-8hrs	None set ug/m <sup>3</sup>	0.0013	0.0032	0.0013	0.0013	0.0013	0.00225
40	Naphthalene	6-8hrs	None set ug/m <sup>3</sup>	0.057	0.086	0.055	0.057	0.056	0.0715

**Figure 107** Extract of air pollutants from reference facility's Staffordshire Annual Report (2021).

The EIS contains two references to the Stockholm Convention (see Figure 108) - the exact same text is also contained in Appendix P – the Human Health Risk Assessment. This is despite the HHRA containing over 200 references to dioxins.

Concerns regarding this group of chemicals were raised internationally around the year 2000. A number of chemicals in this group have since been included on the list of chemicals regulated by the Stockholm Convention – an international treaty to which Australia is a party that requires uses of listed chemicals (long lived/persistent ones) to be reduced or eliminated.

Since 2000 many uses of these chemicals have been phased out. Such reductions are expected to continue given the listing of these chemicals on the Stockholm Convention. As a result, the presence of these chemicals in current and future waste fuel would be expected to continue to decrease and to already be much lower than the levels currently discussed in the scientific literature relating to waste materials.

**Figure 108** Extract from EIS, main document, p166 – the same text is used in the Human Health Risk Assessment (Appendix P)

Veolia imply these banned POPs will reduce over time because they will be found less and less in the waste feedstock. Veolia's submission demonstrates absolutely no understanding of where the dioxins and furans come from – they are generated in the incineration process, not contained in the waste feedstock!

**Rejection 143:** *Veolia's proposed incinerator generates new Persistent Organic Pollutants (such as dioxins and furans). The Stockholm Convention bans the generation of these pollutants. Australia, being a signatory to the Stockholm Convention would be in breach of the convention in the event the proposed incinerator is approved and operational.*

## Stockholm Convention and the Best Available Techniques

The Stockholm Convention is clear on Best Available Techniques for waste incinerators. From Figure 109 (in the Introduction to the Guidelines), it is clear other alternatives should be considered first.

When considering proposals to construct new waste disposal facilities, the Stockholm Convention advises Parties to give priority consideration to:

- Alternatives such as activities to minimize the generation of municipal waste, including resource recovery, reuse, recycling, waste separation and promoting products that generate less waste, when considering proposals to construct new waste disposal facilities (Stockholm Convention, Annex C, Part V, section A, subparagraph (f)), and to;
- Approaches that will prevent the formation and release of chemicals listed in Annex C.

**Figure 109** Extract from BAT and Provisional Guidance on BEP (Article 5 and Annex C of the Stockholm Convention on POPs<sup>111</sup>).

---

111 [http://toolkit.pops.int/publish/Downloads/ENG\\_02-Waste%20incinerators.pdf](http://toolkit.pops.int/publish/Downloads/ENG_02-Waste%20incinerators.pdf)

Part 4 of Section V.A of the Guidelines are also very clear (see Figure )

#### 4. Alternatives to the incineration of municipal solid waste, hazardous waste and sewage sludge

For an overview of waste management considerations see section III.C (ii) of the present guidelines.

In addition to urging Parties to give priority to approaches that promote recycling and recovery of waste and minimize waste generation, the Stockholm Convention stresses the importance of considering alternative disposal and treatment options that may avoid the formation and release of chemicals listed in Annex C. Examples of such alternatives, including emerging technologies, are listed below.

For municipal waste, possible alternatives to incineration are:

- Zero waste management strategies, which aim to eliminate the generation of waste through the application of a variety of measures, including legislative and economic instruments;
- Waste minimization, source separation and recycling to reduce the waste volume requiring final disposal;
- Composting, which reduces waste volume by biological decomposition;
- Mechanical biological treatment, which reduces waste volume by mechanical and biological means and generates residues requiring further management;
- High-temperature melting, which uses thermal means to reduce waste volume and encapsulates residues requiring further management.
- Specially engineered landfill, which contains and isolates wastes (including effective capturing and burning of formed methane with energy recovery or at least flaring if the latter technique is not applicable);

**Figure 110** Section V.A, Part (4) from the Stockholm Convention Guidelines on Waste Incinerators

Veolia’s EIS must be considered by the NSW Department of Planning and Environment in the context of the Stockholm Convention. There are alternatives to the incineration of this waste (see Realistic Alternatives (Bioelektra)) – as such there is no need for waste incineration in this case.

**Recommendation 120:** *The Department must take into account the Stockholm Convention on Persistent Organic Pollutants. This includes if Veolia’s proposal is compliant with the Convention and the context of guidelines on incinerators.*

**Rejection 144:** *Veolia’s proposal must be rejected. There has been no consideration of alternatives as required by the Stockholm Convention. As such, approval of Veolia’s incinerator would place Australia in breach of the Convention. The NSW Department of Planning and Environment would be responsible for the environmental damage, breach of the convention and increasing the risk to human health.*

Many other alternatives are not considered by Veolia in their submission. The “alternatives” considered in the EIS are alternative technologies used in the process of incineration, not alternatives to the process of incineration itself.

**Recommendation 121:** *Veolia must update their EIS to demonstrate waste incineration is the best process. This must take into account alternatives highlighted in the guidelines of the Stockholm Convention, and demonstrate that incineration is the best solution.*

## Stockholm Convention and the Best Environmental Processes

Under the Stockholm Convention, guidelines for incinerators include “Best Environmental Practices”. Section 5.2 contains “Incinerator operating and management practices”.

BEP	Veolia’s demonstrated behaviour (as highlighted in this submission)	Can Veolia Comply?
5.2.1 Ensuring good combustion	Nil – there is no demonstrated behaviour to base this on	N/A
5.2.2 Avoiding cold starts, upsets and shutdowns	Nil	N/A
5.2.3 Regular facility inspections and maintenance	Examples from Veolia’s international operations demonstrates Veolia regularly fails to inspect vehicles and equipment in multiple countries over years of operations.	No
5.2.4 Monitoring	International examples demonstrate monitoring failures. EPL11436 also demonstrates multiple non-compliances for monitoring conditions. The monitoring undertaken also demonstrates Veolia could select the best result in a time period rather than pursue a scientific method.	No
5.2.5 Handling of residues	Veolia has demonstrate it is incapable of handling the leachate in ED1 and ED2. EPA Prevention Notice 3503885 also demonstrates Veolia willingly places the environment at risk in relation to handling leachate. ED1 is where Veolia plan on storing the most toxic waste from the incinerator.	No
5.2.6 Operator training	International examples demonstrate Veolia sometimes has failures resulting from operator training – including release of large volumes of sewerage for example.	No
5.2.7 Maintaining public awareness and communication	Chapters of this submission demonstrate Veolia hides environmental contamination from the community and fails to engage the community.	No

**Table 26** *Comparison of BEP for Incinerators under the Stockholm Convention to Veolia’s demonstrate behaviour.*

It is clear from Table 26 that Veolia’s proposed incinerator does not comply with the BEP from the Stockholm Convention guidelines on incinerators.

**Rejection 145:** *The proposed incinerator must be rejected. Veolia fails to demonstrate their ability to competently manage and operate the incinerator*

*(based on demonstrated behaviour for existing operations at Woodlawn and international examples of their corporate behaviour). Veolia are unable to apply Best Environmental Practice. Approval of the proposed incinerator would place Australia in breach of it's international obligations under the Stockholm Convention.*

### Realistic Alternatives (Bioelektra)

Veolia attempt to make the point in their submission there are no alternatives to their solution. However Bioelektra<sup>112</sup> are in the process of building a facility at West Nowra (SSD-9887)<sup>113</sup>. The facility is designed to use an autoclave to sterilise the waste and reduce odours prior to processing Municipal Solid Waste. Table 27 contains a comparison between the incinerator and the Bioelektra solution.

Category	Units	Veolia Incinerator	Bioelektra
Cost	\$millions	\$600m	\$100m
Power Imported/Required	MW	3.1	5
Power Exported	MW	25.3	nil
Waste Processed	tpa	380,000	130,000
Recyclable Material	tpa	0	123,500
Incinerated Material	tpa	380,000	0
Residual Waste (landfill)	tpa	76,000	6,500
Toxic Waste Generated	tpa	15,200	0
Generates POPs	Yes/No	Yes	No
Risk to groundwater	high/med/low	high	low
Greenhouse Gas emissions	tCO <sub>2</sub> -e/yr	74,611 <sup>114</sup> to 800,000	18,081
Cost Per tonne processed	\$/ton for one yr	\$1579	\$769
GHG / tonne processed	tCO <sub>2</sub> -e/yr/t	0.196 to 2.105	0.139
Transport to Processing	kms	Over 200kms	Almost in-situ
Acceptable to community	yes/no	No Multiple objections	Yes Zero objections!

**Table 27** Comparison of some alternatives to Veolia's incinerator.

There are other significant advantages of the Bioelektra technology. Waste can be processed closer to the source – the autoclaving technology reduces the issue of odour. Odour emissions and incinerator emissions are often a major problem for locating waste processing facilities near more densely populated areas. Without the need to burn the waste and reduction of the odour issue, the Bioelektra technology can be located close to the source of the waste. This means there is no

112 <http://bioelektra.com.au/>

113 <https://www.planningportal.nsw.gov.au/major-projects/projects/west-nowra-resource-recovery-park-stage-2>

114 Note: The generated GHG emissions from Veolia are questionable. See the chapter on Greenhouse Gas Assessment (EIS Appendix Q)

requirement to transport the waste by rail over 200kms. This reduces greenhouse gas emissions, and leads to a localised industry where the waste is generated.

The recyclable products can be available in industrial areas near the cities – promoting the circular economy – rather than destroying it (Veolia’s proposed incinerator destroys the waste). There is no need to transport the waste (generating additional greenhouse emissions).

The only real benefit of the proposed incinerator (compared to the Bioelektra solution) is the export of 25MW of electricity. However 25MW of electricity is a small fraction of the electricity generated in NSW. As such 25MW of exported power is not substantial in the scheme of things. The aspect of electricity generation from the proposed incinerator is covered in the chapter “Power supply and output”.

The Bioelektra technology already exists and is in operation. The first Australian facility is being built in NSW (in the Shoalhaven) and is due to commence operations in 2023. The Australian facility has already been approved by the NSW EPA and received no objections from the community.

***Rejection 146:*** Bioelektra offer a substantially more suitable alternative to Veolia’s incinerator. It is more cost effective, it processes waste earlier in the waste stream and provides valuable opportunities for increased recycling. It does not generate new toxic waste including persistent organic pollutants and would not require transportation of waste over 200kms from the source. Approval of Veolia’s incinerator would be in breach of the Stockholm Convention on Persistent Organic Pollutants as there are other alternatives for processing the waste stream prior to incineration as a technology.

There are several key advantages of the Bioelektra solution<sup>115</sup>:

- No need for multiple kerbside bins – single collection system reducing the need for multiple trucks and multiple bins. The sorting is done at the facility. This dramatically reduces collection costs.
- Odour issues are reduced dramatically through the autoclaving process.
- Very low percentage of the waste is sent to landfill.
- No need to transport the waste vast distances – it can be processes near the collection areas – thus promoting local circular economy development.

---

115 <https://www.governmentnews.com.au/australia-first-waste-solution-sparks-interest-from-councils/>



## VEOLIA’S INTERNATIONAL APPROACH AND CORPORATE BEHAVIOUR

Veolia’s operations at Woodlawn are part of an international company – the French company Veolia Group. The behaviour and approach of Veolia at Woodlawn could be considered isolated. However consideration of the incinerator must take into account the broader international approach Veolia takes and Veolia’s corporate behaviour demonstrated over years. There are two questions to ask. Firstly - is Veolia a good international / corporate citizen? And secondly – is Veolia a company that can be trusted to build and operate an incinerator near Tarago?

In this chapter, we include examples of Veolia’s broader operations in other countries across more than just waste management. Note: Many of these examples are based on media reporting. We are not claiming Veolia has undertaken specific actions (or failed to) – we are simply providing a summary of the referenced report. In some cases we have used quotes from the report to represent the content. Due to time constraints on the EIS exhibition, we have been unable to undertake an extensive analysis of each event.

### China

16 April 2014 – China blames France’s Veolia for tap water pollution<sup>116</sup>

According to Reuters, a cancer inducing chemical (benzene) was found in tap water in Lanzhou at 20 times national safety levels. The city of 3.6 million people had to stop using tap water. Investigators found “there were supervision problems with Veolia Water Company related to water quality and safety” (according to China National Radio’s website).

2016 – Persistent Organic Pollutants in Chicken Eggs from Hot Spots in China<sup>117 118</sup>

A report by Arnika (Toxics and Waste Programme in the Czech Republic) documents Persistent Organic Pollutants (POPs) and their hotspots within China. A hotspot was identified near Likeng waste incinerator (and waste to energy facility). Operations commenced in 2006. There was a negative community response to the incinerator, which dramatically reflected the change in health statistics after the incinerator began operations.

Between 1989 and 2006, only nine people died of cancer in a nearby village of 8,000 people. In contrast, from 2005 to 2009 (after the incinerator began operation, 42 people died of cancer. Common ailments included nasopharyngeal cancers and asthma. An analysis of health records from three villages near the incinerator found zero cases of respiratory cancer between 1993 and 2005. However, three years after the incinerator began operating, 13 respiratory cancer cases were found.

Local government officials and Veolia insisted that the incinerator operated according to EU standards and that the high temperature used in the facility would destroy all pollutants, including dioxins. However, a 2009 news

---

116 <https://www.reuters.com/article/china-water-veolia-idINKBN0D20CA20140416>

117 <https://ipen.org/sites/default/files/documents/China-egg-report-final-EN-June-2016.pdf>

118 <https://ipen.org/sites/default/files/documents/Case%20Study%20Report%20Likeng%202015r.pdf>

investigation of the ashes surprisingly found intact rope, cloth, red plastic bags, and shoes, indicating incomplete combustion (News.sina.com 2009).

**Figure 111** *Extract from the first IPEN report*

Local government officials and Veolia insisted that the incinerator operated according to EU standards and that the high temperature used in the facility would destroy all pollutants including dioxins and furans. However, a 2009 news investigation of the ashes surprisingly found intact rope, cloth, red plastic bags, and shoes, indicating incomplete combustion.

...

Credibility about the safety claims of the Likeng incinerator suffered further in 2010 when a pipeline exploded, seriously injuring five workers. Veolia quickly stated that the accident was not an indicator of faulty technology and claimed that, “This garbage incinerator has been operating very well since 2005. It was designed as an environmental-friendly project.”<sup>26</sup> A frustrated community responded predictably. “We don’t trust the so-called state-of-the-art facilities for garbage incinerators... No one can ensure the incinerator’s safety in operation, let alone the great damage it poses to people’s health and the environment.”

**Figure 112** *Quote from second IPEN report – sounds familiar to what Veolia are saying about their proposed incinerator.*

## New Zealand

3 April 2021 – Porirua wastewater plant’s second UV system failure in as many months<sup>119</sup>

Veolia failed to notify Wellington Water about the failure of a UV treatment system for 36 hours on 20 January 2021. Then on 22 March 2021, the UV treatment system failed again leading to thousands of cubic meters of “undisinfected wastewater” into Titahi Bay. The local lifesaving club held a children’s training session near a discharge point – and had not known about the discharge.

3 February 2022 – Veolia keeps \$17m wastewater contract despite multiple failures<sup>120</sup>

Wellington Water commissioned a review into Veolia in October 2021 after issuing 10 warnings, infringement and abatement notices over 18 months. Veolia allowed contaminated sludge to spill into Porirua’s Titahi Bay in August 2021 – Veolia failed to notify anyone. The review found the breaches and non-compliances were “avoidable”. The reviewers concluded terminating the contract and finding a replacement would take too long and would not guarantee it would “run any better than the poor implementation of the current contract”.

---

<sup>119</sup> <https://www.stuff.co.nz/dominion-post/news/porirua/124709358/porirua-wastewater-plants-second-uv-system-failure-in-as-many-months>

<sup>120</sup> <https://wellington.scoop.co.nz/?p=142320>



Note: There are multiple other media reports about Veolia’s significant (and recent) failures in New Zealand. A copy of the review into Veolia’s action can be found at the following URL:

<https://www.wellingtonwater.co.nz/assets/DMSDocuments/Regional-Wastewater-Treatment-Plant-Review-Report.pdf>

21 October 2016 – Veolia’s trucks not maintained – results in death of teenager<sup>121</sup>

In August 2015, a teenager died when the rubbish truck she was working in careened 125m down a road in Auckland’s Birkenhead. It then plummeted into a bush-clad gully. The truck crushed the teenager who was standing on the cab, causing fatal injuries. In a summary of the facts, the Judge heard that the truck’s brakes had failed and that it was well overdue for major servicing. The Crown Prosecution said Veolia was inadequately overseeing the fleet of trucks it was using and had no records or knowledge of truck maintenance. The maintenance company hired did not carry out its duties or communicate sufficiently. The teenager was described as a “bubbly, happy-go-lucky girl who will always be like that”.

## **United Kingdom**

4 Feb 2019 – Council to debate “Failure of Veolia” at extraordinary meeting<sup>122</sup>

Merton Council was set to discuss the “disastrous decision to put Veolia in charge of street cleaning” at a council meeting in February 2019. Veolia was failing to collect 1,250 bins each month – more than 16 times higher than a target of 75. In a related story, Veolia claimed all new garbage bins had been delivered to people, however large numbers of people were reporting this as incorrect. Veolia claimed they had completed the work but there had been a small number of delivery errors.

25 February 2022 – SW London boroughs slam inaction of Veolia<sup>123</sup>

Veolia was served with a formal Service Improvement Notice after years of pressure from the community. In 2017, Veolia was awarded a contract for waste collection and street cleaning. The contract states sub-standard roads must be cleaned within 24 hours of notification. Council figures indicate compliance has fallen from 97% to 39%. According to one Councillor “Over a sustained period of time, Veolia have consistently failed to meet their contractual obligations, and we are not afraid to take action to drive much needed improvement”. There were also issues in Croyden.

---

121 <https://www.stuff.co.nz/business/industries/85591949/auckland-council-sentenced-over-rubbish-truck-workers-death>

122 <https://www.yourlocalguardian.co.uk/news/17406863.council-debate-failure-veolia-extraordinary-meeting/>

123 <https://www.swlondoner.co.uk/news/25022022-south-west-london-boroughs-slam-inaction-of-private-waste-collection-firm>

15 September 2021 – Veolia use Brexit as excuse to incinerate recycling<sup>124</sup>

Croydon Council has confirmed the recycling waste collected by Veolia has been sent straight to the Beddington Lane incinerator (owned by Viridor) to be burned. Veolia have blamed a lack of trained drivers due to Brexit as their excuse. Residents across south London also suspect that the driver shortage is simply the latest excuse behind rapidly declining rates of recycling, as the Viridor-operated Beddington incinerator demands ever-more waste to keep its furnaces at full throttle.

Since the polluting incinerator was first fired up as operational, lorry-loads of what was supposed to go for recycling have been diverted to the gates of the incinerator after being deemed to be in some way “contaminated”.

Meanwhile, residents have frequently observed their carefully sorted plastic recycling being lobbed in with general waste, destined for incineration, when the Veolia bin men have visited their streets.

**Figure 113** Quote from inside Croydon report from 15 September 2021

24 July 2017 – Leaked Emails Prove Veolia Diverting Recycling Waste to Incinerator<sup>125</sup>

The GMB Britain General Union stated it has received emails indicating Steel City residents recycling was being diverted to Veolia’s Sheffield incinerator. The decision appears to have been made in 2011 divert the waste. The Sheffield incinerator had previously struggled to source fuel to keep the generator running. According to Peter Davies (GMB Senior Organiser) stated “The people of Sheffield need to know when they bring their waste it is recycled in the main – not deliberately diverted and burned to boost Veolia’s profits”. Veolia denied and refuted the allegations.

13 June 2016 – Veolia Fined After Worker Crushed to Death<sup>126</sup>

Veolia ES Sheffield was fined 750,000 pounds after a worker was crushed to death while working on refuse collection vehicle. A control switch was turned the wrong way and the tailgate on the truck started to close. Hydraulic props had not been secured and a safety limiting switch had failed in the open position. An investigation into the rest of the fleet by the Health and Safety Executive found that Veolia had failed to carry out routine inspections. Four other vehicles were also found to have faulty safety-limiting switches. Veolia admitted to a charge where they had breached their requirement to ensure the safety of persons not in the company’s employment.

18 October 2013 – Serial offender Veolia convicted over worker death<sup>127</sup>

A Veolia ES employee suffered fatal injuries when he was run over by a reversing refuse collection vehicle (RCV) as he was walking across the Waste Transfer Station yard. Investigations by the UK’s Health and Safety Executive found that multiple vehicles were manoeuvring around the yard

---

124 <https://insidecroydon.com/2021/09/15/veolia-use-brexit-excuse-as-rubbish-service-goes-up-in-smoke/>

125 <https://www.marketscreener.com/news/latest/GMB-Britain-General-Union-Leaked-Emails-Prove-Veolia-Diverting-Recycling-Waste-To-incinerator--24809172/>

126 <https://resource.co/article/veolia-fined-after-worker-crushed-death-11166>

127 [https://www.ohsrep.org.au/prosecutions\\_sn\\_473](https://www.ohsrep.org.au/prosecutions_sn_473)

with no specific controls. Veolia failed to adequately assess the risks involved in the yard and did not implement industry recognised control measures. Veolia was found guilty after a trial of a criminal safety offence, fined and ordered to pay costs. Veolia was also fined in October 2010 when a worker was killed in a vehicle collision while collecting litter from a busy road. In February 2010, Veolia was also fined for another workplace death.

## Ireland

18 August 2020 – EPA site visit report – Failure of disinfection of drinking water, Rathangan<sup>128</sup>

On 14 July 2020, a potable water treatment plant in Rathangan failed to disinfect the drinking water. The treatment plant is usually visited 3 times a week, but was not visited between Monday 13 July and Thursday 16 July because Veolia’s plant manager was on annual leave. As a result no-one noticed the chlorine was spilling into the bund from a corroded split in the dosing line. If the plant had been visited, the problem could have been spotted sooner and suitable actions taken. Veolia was unable to confirm if the dosing pumps were being serviced in accordance with the manufacturer’s instructions. The alarm system also failed as a result in a fault in the analogue card in the Programmable Logic Controller. Veolia carried out maintenance on 12 July, however this action reset the Chlorine low level alarm from 0.5mg/L to zero. The failure of the alarm could have been avoided if Veolia staff had confirmed the critical plant alarms were verified in proper working order after servicing one month earlier.

Also see EPA report SV22836 for another example.<sup>129</sup>

## United States

20 July 2022 – Multiple services in multiple locations – one common factor: Veolia<sup>130</sup>

In Heavener the problem was the brown, dirty water that no one would drink, water that stained clothes and was too polluted to use. In Moore, the problem was arsenic; there was so much arsenic in the water that it violated federal and state health guidelines numerous times. In El Reno, the problem was wastewater; specifically, whether the city’s wastewater had been properly treated for E. coli bacteria before being discharged into a nearby river. ... At first glance, the water problem in each town seemed unique, but underneath there was a common thread: a private water company called Veolia North America.

**Figure 114** Extract of report detailing problems in locations in the US State of Oklahoma

---

128 <https://www.epa.ie/publications/compliance--enforcement/drinking-water/audit-reports/kildare/Rathangan-Audit-Report.pdf>

129 <https://www.epa.ie/publications/compliance--enforcement/drinking-water/audit-reports/kildare/Srowland-WTP-Audit-Report.pdf>

130 <https://www.heavenerledger.com/2022/07/20/problems-continue-for-veolia/>

26 October 2016 – Pittsburg’s drinking water was fine. Then came Veolia<sup>131</sup>

During the summer of 2016, 81,000 homes in Pittsburg received letters saying 17% of tap water samples contained high levels of lead. This was surprising to one Virginia Tech professor – because the lead levels had always been normal until 2016. In 2015, Veolia had laid off or fired 23 people – including safety and water quality managers. Lab staff (responsible for testing water quality) were cut in half.

Following the staff layoffs, major changes were made to water treatment systems. Rather than using soda ash to prevent old lead pipes from corroding, it was replaced with cheaper caustic soda. Two years later (following the drinking water issues in Flint), Pittsburg was switched back to soda ash. It is unclear who was ultimately responsible... but Pittsburg terminated the contract with Veolia in December 2015. In early October 2016, Pittsburg Water announced it was suing Veolia.

In many cases, critics point to a pattern of Veolia saving utilities money through quick fixes—while ignoring bigger problems. In a phone interview, Kevin Acklin, the chief of staff for Pittsburgh’s Mayor Bill Peduto, pointed out that Veolia’s earnings are directly tied to the utility’s short-term savings.

**Figure 115** *Extract from article on drinking water in Pittsburgh*

10 April 2018 – Veolia to Pay US\$1.6 million for massive sewage spills<sup>132</sup>

Veolia agreed to pay US\$1.6 million for allegedly failing to properly maintain and operate the Town of Plymouth’s wastewater treatment plant and collection system, discharging thousands of gallons of contaminated wastewater into Plymouth Harbor and 10 million gallons of raw sewage at certain locations in the Town, as well as causing the temporary closure of shellfish beds, Attorney General Maura Healey announced.

...

According to the AG’s complaint, filed in April 2016, Veolia failed to properly maintain the system of pipes that collect and carry wastewater from homes and businesses to the Town’s wastewater treatment facility, resulting in discharges from an extensively corroded force main in December 2015 and January 2016 of over ten million gallons of raw, untreated sewage to wooded lands and other locations around Plymouth, including a tract of land owned by the state.

19 February 2007 – Problems plague another water plant<sup>133</sup>

In March 2000, Veolia was hired by Tampa Bay Water to build a desalination plant – to be operational by September 2002. It took Veolia four months after the operational date to get the facility working. In October 2002, the first of many reports detailing issues, indicated the plant’s

---

131 <https://www.motherjones.com/environment/2016/10/private-water-pittsburgh-veolia/>

132 <https://www.mass.gov/news/veolia-to-pay-16-million-for-massive-sewage-spills-discharges-causing-shellfish-bed-closures-in-plymouth-harbor>

133 <https://www.tampabay.com/archive/2007/02/19/problems-plague-another-water-plant/>

treatment processes was “clearly exceeding” the limits of sulfate and chloride. Between 2003 and 2004 the plant repeatedly violated standards for sulfacte, chloride and hardness. Tampa Bay Water had to dilute the water from the desalination plant with other water sources.

The plant’s eight filters clogged twice as fast as they were supposed to, and as a result it failed to reach the production target of 66-million gallons of water a day. In April 2004, Veolia claimed it found the problem – Veolia’s vaunted treatment process was actually making things worse. In February 2005, the plant had been out of compliance for 18 of the 25 months of operation.

#### 31 March 2018 – Veolia Water fined for permit violations<sup>134</sup>

Errors by employees of Veolia Water Milwaukee caused excessive amounts of chlorine and suspended solids to be discharged from a sewerage treatment plant into Lake Michigan following heavy rainfall. Investigations identified that two key Veolia staff did not have current operator certifications. Veolia stated they were taking several corrective actions.

#### Multiple Claims – Veolia Falsify Water Quality Data

There are multiple media reports in relation to Veolia falsifying water quality reports over a number of years in the United States:

- 2010<sup>135</sup> – A supervisor at Indianapolis Water told state regulators the private operator (Veolia) of the city-owned utility falsified records to earn performance bonuses. The supervisor stated: “I have personal knowledge of false record-keeping by US Filter (Veolia). Several Indianapolis Water employees told me that they were asked by (Veolia) personnnel to alter records to make it appear that (the company) had earned an incentive payment when in fact the unchanged records would not have supported the claim for the incentive payment”. He alleged Veolia earned US\$294,000 in 2003 because it met a one-hour response criteria for 106 water emergencies, despite there being over 600 water-main breaks that year.
- El Reno<sup>136</sup> – “Kiger said the Veolia employee who treated the water in El Reno stated she did so at the direction of a Veolia supervisor.” (In this case, Bleach was apparently added to the water samples in an effort to remove E. Coli bacteria).
- Heavener<sup>137</sup> – Veolia was fined \$3m - “Kiger said he wants to reiterate to the public and state officials that additional fines should be levied on Veolia, in addition to the \$3 million already assessed for the company’s misconduct in Heavener related to falsification of data on reports for multiple years.”

#### September 2010 – A Closer Look: Veolia Environmental<sup>138</sup>

Veolia signed a contract worth US\$1.5 billion to provide water services to more than 1 million people in Indianapolis. Since then, the following problems have occurred:

- Non-union employees claimed Veolia cut their retirement plans, health care and other benefits;
- Consumer complaints more than doubled in the first 10 months of the contract;

---

134 <https://www.pressreader.com/usa/milwaukee-journal-sentinel/20180331/281578061219606>

135 <https://www.ibj.com/articles/24263-water-employee-veolia-falsified-records-to-get-bonuses>

136 <https://okwnews.com/news/whatzup/veolia-falsifies-water-data-at-another-oklahoma-community>

137 <https://okwnews.com/news/whatzup/veolia-falsifies-water-data-at-another-oklahoma-community>

138 [https://www.inthepublicinterest.org/wp-content/uploads/veolia\\_a-closer-look\\_sep2010.pdf](https://www.inthepublicinterest.org/wp-content/uploads/veolia_a-closer-look_sep2010.pdf)

- A typo by a Veolia employee resulted in a “boil-water” alert for more than 1 million people, closing local businesses and canceling school for 40,000 students;
- A class-action was filed claiming the company overcharged them;
- An independent review uncovered lax oversight of the contract.

Also in the same report, an electrical fire in 2001 at one treatment plant in New Orleans caused operators to divert raw sewage into the Mississippi River for two hours. During 2001 and 2002, raw sewerage was released into the river more than 50 times. Between December 2000 and April 2003 the Sewerage and Water Board withheld US\$2.5 million due to poor performance. Veolia was accused of neglecting routine maintenance and failing to properly staff the plant.

Figure 116 contains more examples from the same report.

### Other Notable Failures

**Puerto Rico** – In 2002, Puerto Rico decided against renewing a \$145 million annual contract with a subsidiary of Veolia (then Vivendi), which had operated the water and sewer systems since 1995.<sup>29</sup> A government commission found the company had raked up \$695 million in operational losses, \$6.2 million in fines, and more than 3,000 operational, maintenance and administrative deficiencies.<sup>30</sup>

**Rockland, MA** – In 2004, the town canceled a contract with Veolia for the operation of the sewage plant after state officials found the agreement may have been illegally tailored to Veolia.<sup>31</sup> That same year, a Veolia employee and town official pleaded guilty to stealing \$166,000 from the city by submitting phony invoices and intercepting reimbursement checks.<sup>32</sup> In 2007, a U.S. District Court found that the Veolia subsidiary acted “unfairly and deceptively” to win the contract, and fined the corporation more than \$230,000, doubling the amount of actual damages because of its “willful misconduct.”<sup>33</sup>

**Angleton, TX** – In 2004, Angleton terminated its contract with Veolia, accusing the company of breaching its contract by failing to maintain adequate staffing levels, providing inadequate service, and overcharging for maintenance and repair work.<sup>34</sup>

**Lynn, MA** – In 2004, the city ended a wastewater overflow plant contract with Veolia because the company failed to stay adequately bonded for the project. After a six-year legal battle, the company agreed to pay the city \$7.25 million to settle contract disagreements.<sup>35</sup>

**Novato, CA** – In 2010, consumers sought to prevent Veolia from taking over their wastewater treatment plant, but the company narrowly won a public vote on the issue after spending \$240,000 on an aggressive election campaign.<sup>36</sup>

**Petaluma, CA** – In 2007, after nearly 30 years of privatization, the city council unanimously voted to take back its wastewater treatment system from Veolia, expecting to save 10 percent, or \$1.6 million in the first three years, with public operation.<sup>37</sup>

**Burley, ID** – In 2009, after cancelling its wastewater contract with Veolia, the city had to make thousands of dollars in repairs to the treatment plant blaming the company’s neglect and poor maintenance.<sup>38</sup>

*Figure 116 Extract from report containing other failures related to Veolia*

### Veolia and Vivendi Environmental

Veolia was previously known as Vivendi Environmental (2000) and was later renamed to Veolia Environment in 2003<sup>139</sup>. Reporting from 2005 on the history of Vivendi and its poor corporate behaviour is documented extensively in a report from 2005<sup>140</sup>. Figure 117 contains an extract of the report, which is based on an article from The Center for Public Integrity.

139 <https://www.veolia.com/en/veolia-group/profile/history/2000-2010>

140 <https://www.citizen.org/wp-content/uploads/vivendi-usfilter.pdf>

Australia

Vivendi’s subsidiary in Australia and New Zealand, United Water, is a joint venture with Thames Water (47.5%) and Kinhill Engineers (5%). United Water holds a US\$1.5 billion wastewater contract in Adelaide. In one year United Water managed to turn Adelaide into a sewerage smelling outlet which became known as “the big pong” with odors so strong that they affected resident health. A subsequent investigation found that the stench occurred due to inadequate monitoring and equipment failure which allowed sewerage overflow to run directly to settling lagoons. Vivendi was attempting to cut costs. The state subsequently funded a \$72 million (US\$43.8 million) upgrade. United Water won the secret contracts after submitting the bids late, apparently dropping its price at the last minute to beat North West Water. While inflation remained at 11% United Water managed to increase water tariffs by 59% in seven years. Meanwhile the company has shed almost 1,000 jobs.

**Figure 117** Extract of 2005 report, based on report contained on *The Centre for Public Integrity*<sup>141</sup>.

There is also extensive reporting related to Vivendi and Veolia in the following webpage:

<https://www.e-flux.com/architecture/liquid-utility/259654/stopping-veolia-a-report-from-seattle/>

### **World Bank – IFC divests from Veolia**<sup>142</sup>

In April 2015, the World Bank’s International Finance Corporation divested from global water privatizer Veolia. In cities where Veolia controls water utilities, people struggle with skyrocketing rates and poor water quality – that is, if the tap hasn’t run dry... Many of Veolia’s projects fail to deliver on commitments to expand infrastructure, focusing on increasing profit margins instead.

### **World Bank – Debarment of Veolia Water Technologies Brasil**

29 May 2019 – World Bank Group Disbars French and Brazilian Subsidiaries of Veolia Water Technologies<sup>143</sup>

The World Bank disbarred two Veolia subsidiaries (two years in one case, one year in the other case) – preventing them from participating in any World Bank-financed projects. Veolia settled with the World Bank for a shorter disbarment after acknowledging responsibility for failing to disclose fees paid to commercial agents during tender prequalification and bidding processes. These agents assisted the company in obtaining confidential information. Veolia worked with one of these agents in an attempt to improperly influence the tendering requirements, engaging in collusive practices.

---

141 <https://publicintegrity.org/environment/the-big-pong-down-under/>

142 <https://www.corporateaccountability.org/blog/world-banks-ifc-divests-veolia/>

143 <https://www.worldbank.org/en/news/press-release/2019/05/29/world-bank-group-announces-debarment-of-french-and-brazilian-subsidiaries-of-veolia-water-technologies>

## Summary

The examples provided in this chapter clearly demonstrate Veolia has over many years demonstrated failures. There appear to be some common themes in the reporting of Veolia’s failures:

- Failure to maintain vehicles and equipment – in some cases resulting in deaths, in other cases resulting in polluting the environment;
- Failures to ensure staff are trained, inadequate staffing levels;
- Failures to monitor and maintain safety and monitoring systems;
- Damaging the environment with chemicals or sewerage releases;
- Excessive fee increases and poor management of bills and account for people’s usage of services;
- Failures that directly impact people and the environment.

These problems appear to be broadly across all areas of the company (waste management, water treatment, rubbish collection etc) and have persisted over a period of many years (dating back at least 20 years). As such it appears there is an ongoing systemic cultural issue within Veolia. This issue appears to be still prevalent in the last three years.

It should be noted these examples are based on predominantly media reporting, and extensive research into each instance has not been undertaken. However the sheer number of examples that can be easily found over many years does indicate a pattern of behaviour. If there were only a half dozen issues over ten years, they could be considered “outliers”. We quickly identified around thirty (30) examples spread across almost a dozen countries. Based on these examples, we can certainly answer the original questions.

***Rejection 147:*** *Veolia has over a period of at least 20 years demonstrated in it’s international operations a clear pattern of disregard of the environment and public health. There are examples of not reporting breaches and other behaviours that demonstrate Veolia is not a good international / corporate citizen. Veolia should not be permitted to build an incinerator at Woodlawn.*

As has been found on closer inspection of Veolia’s operations at Woodlawn, closer inspection of all of Veolia’s operations (in Australian and overseas) may reveal an even larger pattern and trend of breaches of conditions? For example the Heavener (United States) water treatment assessment<sup>144</sup> identified multiple deficiencies including equipment calibration issues which could produce unreliable results.

***Rejection 148:*** *Veolia can not be trusted to build and operate an incinerator near Tarago without harming the environment or the local community. Veolia have demonstrated through their current operations at Woodlawn and other operations (such as Heavener in the United States) that Veolia has regular operational issues and failures. The incinerator must be rejected.*

---

144 <https://nondoc-wpengine.netdna-ssl.com/wp-content/uploads/2020/01/Heavener-WTP-Assessment-Final-Report.pdf>



## VEOLIA’S APPROACH IN AUSTRALIA

This chapter contains some example behaviours of Veolia within Australia. The purpose of this chapter is to determine if the demonstrated international behaviours of Veolia are carried over into Veolia within Australia.

### Clyde Waste Transfer Terminal (New South Wales)

On 10 June 2016, Veolia was issued with a clean up notice from the NSW EPA (1541441)<sup>145</sup>. During a site visit on 8 June 2016, EPA officers had identified waste containers at the Clyde Waste Transfer Terminal were leaking leachate into local waterways. At least 25% of containers were identified as leaking.

It should be noted, these waste containers are transported to the Crisps Creek Waste Transfer Terminal before being moved to Woodlawn. As such if there were containers leaking at Clyde, they would have also likely been leaking on the railway lines on the way to Crisps Creek.

**Rejection 149:** *Veolia’s failures to protect the environment extend beyond Tarago and can be traced all the way back to Sydney. If there are shipping containers leaking in Tarago (we just reported container 375 was leaking in November 2022), then they have likely been leaking from Veolia’s Transfer Terminals in Sydney and along 200kms of railway line. Veolia fail to protect the environment and their proposed incinerator must be rejected.*

### Horsley Park (New South Wales)

On 7 October 2022, the NSW EPA released details of Veolia’s use of Asbestos for cover material at its Horsley Park Waste Management Facility<sup>146</sup>. According to the EPA, Veolia had used Asbestos as a cover material from 2017 to 2021. The EPA issued an enforceable undertaking to Veolia requiring the payment of \$590,000. Veolia permanently shut down the landfill at Horsley Park. According to Veolia<sup>147</sup>, Horsely Park was licensed to receive up to 430,000 tonnes of general solid non-putrescible waste per annum.

Removal of Horsley Park landfill effectively creates pressure on Sydney to find alternative landfill sites (in this case for non-putrescible waste). While this may be a “slap in the face” for Veolia, it may also work in their benefit – the waste going to Horsley Park must go somewhere else – and who better to be able to solve this problem than Veolia!

**Rejection 150:** *Veolia’s proposed incinerator must be rejected. Veolia behaves in a way that results in other landfill sites being shut down – forcing Sydney to become more dependant on the Woodlawn site.*

This is not the first time asbestos has been found at a Veolia waste facility in Australia that has not been approved to be used for waste disposal. According to NSW EPA data for license EPL 5303 (Banksmeadow transfer station), there was a non-compliance between 05 Jan 2005 and 04 Jan 2006 on license condition L5.3.

---

145 <https://apps.epa.nsw.gov.au/prpoeoapp/ViewPOEONotice.aspx?DOCID=-1&SYSUID=1&LICID=11763>

146 [https://www.epa.nsw.gov.au/news/media-releases/2022/epamedia221007-\\$590000-financial-undertaking-secured-after-asbestos-find](https://www.epa.nsw.gov.au/news/media-releases/2022/epamedia221007-$590000-financial-undertaking-secured-after-asbestos-find)

147 <https://www.veolia.com/anz/our-services/our-facilities/landfills/horsley-park-facility-nsw>

Licence Condition number	Type of non-compliance	EPA actions	No. of times occurred
L5.3	During a site inspection on 19 April 2005, inspecting DEC and WorkCover NSW officers observed fibre cement sheeting in one of the stockpiles at the facility. Sampling results verified the presence of asbestos in the material.	Penalty Notice issued	1

**Figure 118** Non-compliance listed against EPL 5303 annual return (received 03 March 2006)

Despite this non-compliance stating a Penalty Notice was issued to Veolia, there is no record of the Penalty Notice on the EPA website for license EPL 5303. This license was surrendered in August 2007. Veolia are currently operating the Banksmeadow Transfer Terminal under EPL 20581 (commencing in 2015) – which does not exclude the transfer of asbestos.

**Recommendation 122:** *NSW EPA must update the license details for EPL 5303 to ensure all penalty notices are documented in the register. Despite non-compliances listed for the annual return (March 2006) showing a penalty notice was issued, there is no record of the penalty notice in the license details for EPL 5303. The NSW EPA must review all of Veolia’s licenses (included no longer current licenses) to ensure the accurately reflect penalty notices that have been issued.*

**Rejection 151:** *The proposed incinerator must be rejected. EPA records for Veolia’s licenses appear to be missing information. In at least one case, a penalty notice has not been recorded against a license held by Veolia for Horsley Park (EPL 5303).*

## Tugan Desalination Plant (Queensland)

On 2 July 2009, media reporting from The Brisbane Times<sup>148</sup> and The Sydney Morning Herald<sup>149</sup> identified the Tugan Desalination Plant being constructed by Veolia and John Holland was plagued by multiple problems. The plant was supposed to deliver 125 megalitres of water by January 2009. However the plant had been shutdown after corrosion in pipe couplings and excessive vibration in parts of the plant. Stainless steel piping needed replacing and changing the wrongly installed high-pressure pumps. The plant has largely been unused due to sufficient rainfall.

## Veolia Environmental Services fails to declare donations on NSW planning applications

According to a report by “The Guardian” on 7 October 2019, multiple large corporations have failed to declare political donations on NSW planning applications<sup>150</sup>. The Guardian reported “Political donations hidden from NSW planning authorities by big corporations” contains details that Veolia Environmental Services has been involved in this activity. Veolia stated the matter was

148 <https://www.brisbanetimes.com.au/national/queensland/gold-coast-desal-plant-a-lemon-20090702-d5lf.html>

149 <https://www.smh.com.au/national/desal-plant-builders-threatened-with-legal-action-20090702-d5zu.html>

150 <https://www.theguardian.com/australia-news/2019/oct/07/political-donations-hidden-from-nsw-planning-authorities-by-big-corporations>

under review, but had no further comments. It is a criminal offence in NSW to hide political donations from planning authorities.

***Recommendation 123:*** *Veolia’s proposed incinerator must be closely checked for any related donations that may have been used to influence or manipulate the NSW Department of Planning and Environment’s process.*

### **Gladstone worker’s death**

On 27 October 2015, a Veolia project manager at Gladstone was killed<sup>151</sup> following an explosion in a gas kiln. WHS Queensland said: “an unnamed environmental services company (Veolia) was prosecuted for failing to engage competent persons to design and install a gas system in the kiln; failing to engage competent persons to ensure operation and maintenance of the kiln were safe; and failing to provide adequate training to workers operating the kiln by gas”<sup>152</sup>. The killed worker left behind a fiancé and son.

### **Launceston – Fatal Explosion Blew Power Tool 70 Meters<sup>153</sup>**

On 7 December 2005, two subcontractors were killed when the oil silo they were fitting a new sensor to exploded. An extract of the coronial investigation is contained in Figure 119.

It was clear upon the evidence that Veolia, despite developing Occupational Health & Safety procedures, site management and contractor management processes, had either not formally implemented these or had not ensured that they had been “rolled out” and applied at various work places. The impression that I was left with was that more attention was being given to developing formal documents rather than action being taken on the ground to ensure that risks were identified and action taken to address those risks. This was so especially in relation to work performed by contractors on behalf of Veolia.

***Figure 119*** *Extract of coronial investigation in death of two workers in 2005.*

### **Gillman, South Australia – Veolia: Here today – Gone tomorrow**

In September 2017, Veolia was awarded the tender to develop a parcel of land at Gillman in South Australia<sup>154</sup>. The site was to include a solar farm of 70-100 MW output backed up with battery storage. They also planned on building new Australian headquarters, and a “waste to energy” incinerator. The claimed output of the incinerator was 50MW (this would make it twice as big as the 25MW exported energy from the Woodlawn proposal).

However in July 2021, Veolia cancelled plans for developing the site. Their reasoning was “In light of global events and unforeseen changes to market conditions...”. Renewable SA stated Veolia had not met the milestones set in the agreement. No more solar farm, no more battery

---

151 <https://www.couriermail.com.au/news/queensland/gladstone/firm-charged-over-gladstone-workers-death/news-story/11b41fdb7633e1a72a35d2dadb20f635>

152 [https://legal.thomsonreuters.com.au/product/AU/files/720504161/OHN\\_1239.htm](https://legal.thomsonreuters.com.au/product/AU/files/720504161/OHN_1239.htm)

153 [http://www.magistratescourt.tas.gov.au/\\_\\_data/assets/pdf\\_file/0006/130893/Chugg\\_Adrian\\_and\\_Beamish\\_Bruce.pdf](http://www.magistratescourt.tas.gov.au/__data/assets/pdf_file/0006/130893/Chugg_Adrian_and_Beamish_Bruce.pdf)

154 <https://renewalsa.sa.gov.au/news/waste-energy-industrial-land-adelaide/>

storage, no more headquarters. Veolia demonstrated they are unable to follow-through on their proposed developments.

**Rejection 152:** *Veolia demonstrates it is not committed to renewable energy such as solar power (combined with batteries). In July 2021 Veolia withdrew from development of Gillman in South Australia – killing off a solar project with an output of 70-100MW (more than the proposed incinerator at Woodlawn). The proposed incinerator must be rejected.*

### **Goulburn NSW – Veolia Withdraws \$2.5m for Performing Arts Centre**

In October 2021, while the Goulburn Performing Arts Centre was under construction, Veolia withdraw a grant of \$2.5 million.

Veolia are not on the community's side. In a petulant reaction to a council motion opposing the incinerator, Veolia decided to withdraw its previously promised \$2.5 million grant for the local performing arts centre, currently under construction and which the council had already borrowed against. They're absolutely not dealing in good faith with the community, not only imposing their will without adequate protection for the health of the community but using their power to destabilise the local economy and walking away from a commitment to benefit those who are interested in the performing arts. This is an appalling type of corporate citizenship and a sign of just how little this company regards that local community.

**Figure 120** *Quote from Deborah O'Neill, Senate debates, 24 November 2021*<sup>155</sup>

### **Longer Term Trend of Non-Compliance**

Data was retrieved from the NSW EPA’s license register<sup>156</sup>, including lists of reported non-compliances related to “VEOLIA ENVIRONMENTAL SERVICES (AUSTRALIA) PTY LTD”. Non compliances were then counted for each year against each license listed in Table 28. The non-compliances were then plotted on a graph (see Figure 121).

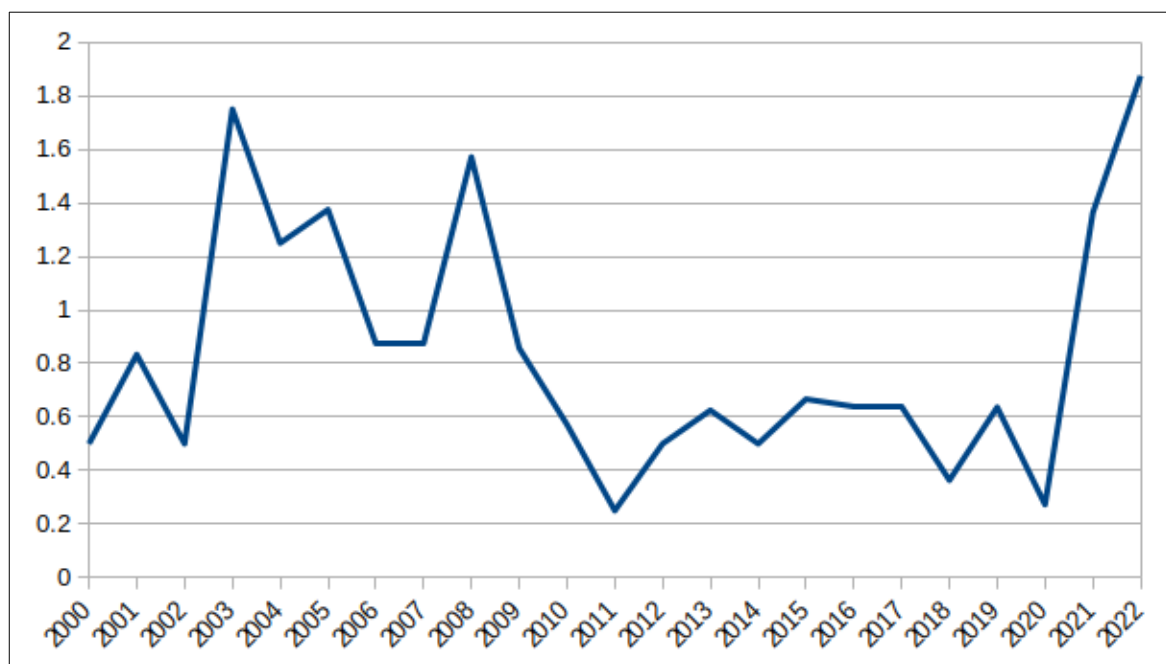
<b>EPL #</b>	<b>Facility</b>
11584	Horsely Park Waste Management Facility
20339	Horsely Park Resource Recovery Facility
11436	Woodlawn Bioreactor
11455	Crisps Creek Inter-modal Waste Transfer
20476	Woodlawn MBT
5303	Banksmeadow Waste Transfer Station (2000-2007)
20581	Banksmeadow Waste Transfer Station (2015-current)

**Table 28** *List of licenses used to collect non-compliance information from the NSW EPA website.*

---

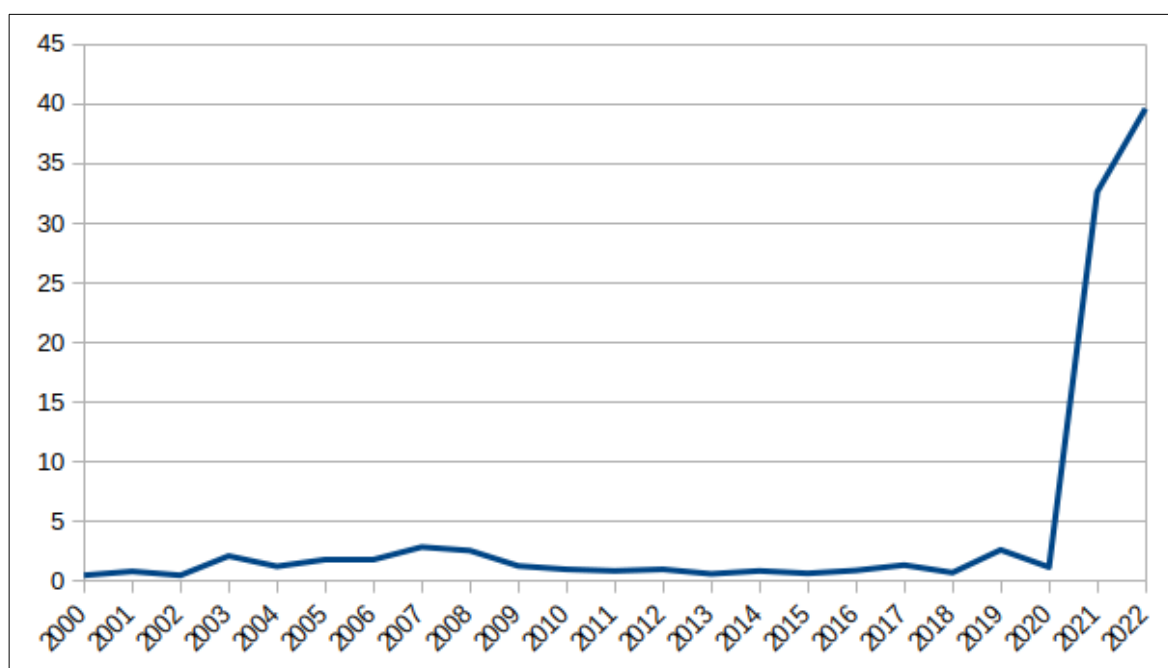
155 <https://www.openaustralia.org.au/senate/?gid=2021-11-24.67.2>

156 <https://apps.epa.nsw.gov.au/prpoeoapp/>

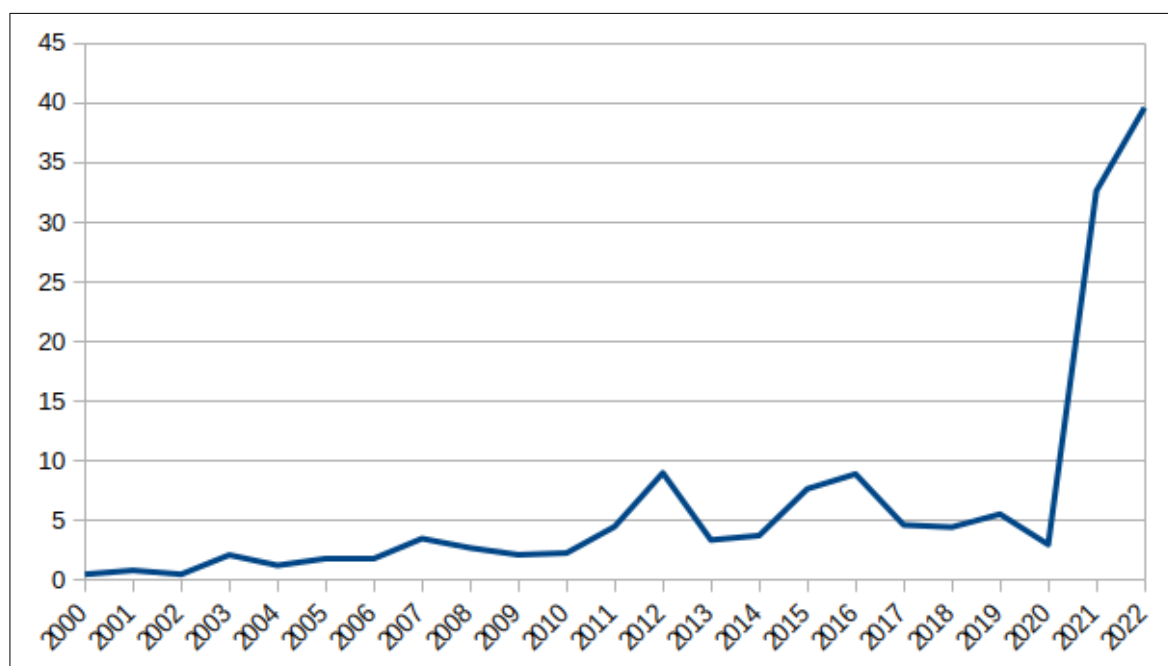


**Figure 121** Graph of non-compliances per year per active license for NSW EPLs

However the graph of the non-compliances is not the full story. The number of instances for each non-compliance is contained in Figure 122. It should be noted that for license 11436 (Veolia’s Woodlawn Bioreactor), the license has only this year (2022) included the non-compliances for odour emissions. Reviewing all of Veolia’s annual returns available for the Woodlawn Bioreactor, the reported number of instances of non-compliance related to odour complaints has been included in Figure 123.



**Figure 122** Instance count of non-compliances per active license



**Figure 123** Instance count of non-compliances per active license (including additional odour reports from Veolia’s AEMR for the Woodlawn Bioreactor)

There is an upward trend in the number and instances of non-compliances for Veolia in NSW. This suggests Veolia is increasingly likely to be non-compliant in future operations. This includes the proposed incinerator. Given the remote location of the proposed incinerator, Veolia will also be more likely to get away with non-compliances – the EPA will not be on site every day of operation and can not respond rapidly if there are issues.

**Rejection 153:** *Veolia’s proposed incinerator must be rejected. There is clear evidence from EPA license databases of an increasing trend of non-compliance with license conditions – particularly in relation to waste related activity. Conditions set-out by the NSW Department of Planning and Environment and the EPA are likely to be breached on a regular basis.*

## POWER SUPPLY AND OUTPUT

Veolia claim the output of this incinerator will be 30MW. This chapter provides more context around Veolia’s claim – in order to improve perspective. In this chapter we compare the output of the proposed incinerator to electricity consumption in NSW and the scale of energy providers in the market.

### Proposed Incinerator Output and Impact on Existing Bioreactor Output

Veolia’s original request for SEARs stated the incinerator output would be 39MW<sup>157</sup>. The SEARs also quote the under-construction Kwinana facility that will generate 36MW from 400,000tpa of waste. Yet they claim the Woodlawn facility will produce more (39MW) from 380,000tpa. While the waste fed to the incinerator can vary in energy content, Veolia make no effort to justify in the SEARs how they will be generating more electricity from less input. However 39MW certainly sounds a lot better than the actual exported electricity.

Within the EIS, Veolia state they will generate 28.4MW of output from the facility. However they do not point out up front that this is the gross output. 3.1MW of the output is parasitic load – used by the incinerator to continue operations. In other words the actual (net) output from the generator is 25.3MW. This fact is buried in Appendix D – Woodlawn ARC Process Overview.

**Recommendation 124:** *Veolia must update the main EIS document to reflect the power exported, rather than continually claim the output of the incinerator will be 30MW. Veolia attempt to deceive the public by only presenting optimistic view in the main EIS document. The exported power of 25MW is 17% lower than Veolia claim in the main EIS document.*

The current output of the Bioreactor is approximately 8MW<sup>158</sup>. So Veolia are wanting to divert the waste for a net export gain of 17MW (note: as per elsewhere in this submission, it appears as though the current Bioreactor output is being limited). At an investment of \$600m, this equates to an investment of \$35m per MW of output that has been gained. Rather than spend \$600m on a new facility, Veolia should put more resources into fixing the issues with their existing operations (such as odour issues and contamination of groundwater).

**Rejection 154:** *Veolia should focus on investing in fixing their existing operations at Woodlawn before investing an estimated \$600m for a tiny gain of just 17MW by building the new incinerator. The proposed incinerator should be rejected – Veolia need to demonstrate they are willing to invest in fixing the existing problems and can resolve existing issues prior to undertaking an even larger risk that generates toxic emissions.*

### Incinerator Power Output vs. NSW and NEM Power Consumption

NSW consumes around 70 terra-watt-hours a year (70,000,000 MWh)<sup>159</sup>. The National Electricity Market (excluding Western Australia) consumes about 190 terra-watt-hours a year. The

---

157 <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-21184278%2120210623T002051.410%20GMT>

158 <https://www.energymagazine.com.au/from-mega-waste-to-megawatts/>

159 <https://www.aer.gov.au/wholesale-markets/wholesale-statistics/annual-electricity-consumption-nem>

EIS clearly states the incinerator will export 25.3MW – 219,000 MWh per year. Table 29 clearly demonstrates the power output of the proposed incinerator is a tiny 0.115% of the power required by the NEM, and barely any better at 0.313% for power required by NSW.

	Output	Exports	% of cold winter night NSW	% of NSW	% of NEM
	MWh/yr	MW	10,183MW	70,000,000 MWh/yr	190,000,000 MWh/yr
<b>Proposed Incinerator</b>	219,000	25.3	0.246%	0.313%	0.115%
<b>Blind Creek Solar Farm (Solar)</b>	735,000	350	n/a	1.05%	0.387%
<b>Blind Creed Solar Farm (Battery)</b>		300	2.95%	n/a	n/a

**Table 29** Comparison of the output of the proposed incinerator to generation in NSW and the NEM

The Blind Creek Solar Farm (see SSD-13166280) has a cost estimate of \$500m (\$100m less than Veolia’s proposed incinerator), yet has three times the impact on the electricity market. Veolia’s proposed incinerator simply does not add up to a wise infrastructure development for NSW.

**Rejection 155:** *Veolia’s proposed incinerator must be rejected. The export of electricity to the National Electricity Market represents a tiny 0.115% over a period of a year. Compared to other renewable electricity generation projects, Veolia’s incinerator is not a competitive solution for energy generation.*

## Comparison to Other Power Generators – “Green Washing” at Best

Veolia’s solution to energy generation barely comes close to that required for closure of coal fired power stations (for example Mt Piper has 2 x 700MW turbines – Veolia’s incinerator equates to 4.286% of one turbine)<sup>160</sup>. In other words, to replace one 700MW turbine at one power station, Veolia would need:

- 28 times as much rubbish
- 28 times more facilities and about \$16.8bn to build them;
- 28 times as many trains transporting rubbish around.

In other words: Veolia’s proposed facility is completely unrealistic as a form of energy production. Proposing this solution as an “renewable energy generation facility” in order to replace non-renewable sources is simply “green washing” the proposal.

**Rejection 156:** *Veolia’s proposed incinerator is a green washed proposal. Claiming the energy exported as renewable is misleading. Realistically the output of the proposed incinerator is a minuscule 0.115% of the National Electricity Market. In order to replace just one 700MW turbine at Mt Piper would take 28 times as much rubbish and \$16.8bn. Veolia’s proposed incinerator is simply not a realistic “renewable” energy source.*

<sup>160</sup> [https://en.wikipedia.org/wiki/List\\_of\\_coal-fired\\_power\\_stations\\_in\\_Australia](https://en.wikipedia.org/wiki/List_of_coal-fired_power_stations_in_Australia)

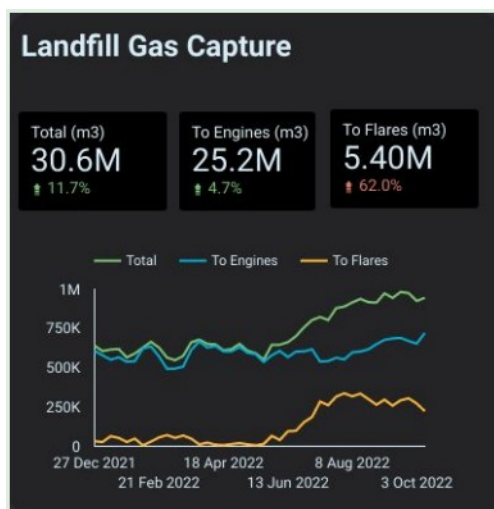


## OTHER ISSUES

This chapter contains other issues that do not generally fit into any other chapter of this submission.

### Output of Bioreactor being Limited?

Veolia’s September 2022 Newsletter<sup>161</sup> contains a graph related to the gas capture from the Bioreactor. This graph clearly shows around June 2022 there was a dramatic increase in the gas capture being sent to flares.



**Figure 124** Graph from Veolia’s Woodlawn Newsletter, September 2022

According to Veolia’s June 2022 Newsletter, Veolia installed 36 new gas wells – an increase of 28% in gas wells. According EPL11436 notice number 1617130 (license variation related to hydrogen sulfide gas issues)<sup>162</sup>, Veolia had also installed a third gas flare without notification of the EPA. It appears Veolia would rather burn the gas being generated than waste money installing more engines. This would effectively “stunt” the output of the Bioreactor, and make it appear as though the Bioreactor is not able to produce as much electricity at this point in its development.

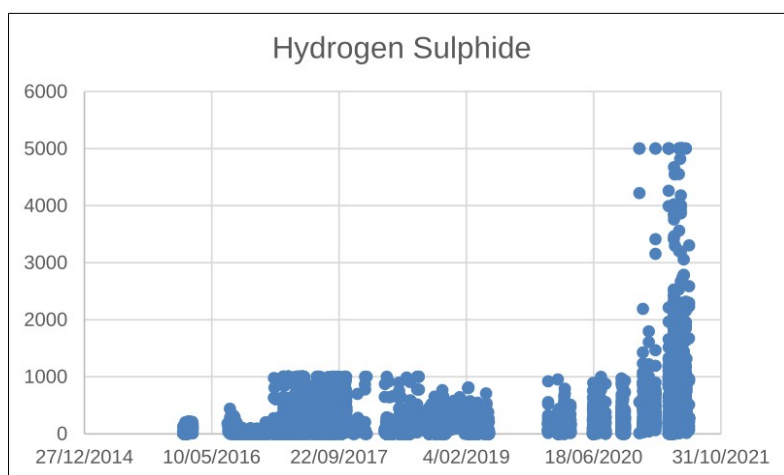
**Recommendation 125:** *Veolia must explain why it is installing more flares rather than engines to capture the energy from the gas of the Bioreactor. It appears Veolia are deliberately limiting the output of the Bioreactor – possibly an attempt to skew the analysis of the benefits of the proposed waste incinerator.*

According to the “Environmental Investigation and Assessment of H2 Gas Emissions at the Woodlawn Bioreactor<sup>163</sup>” Veolia were using a LFG analyser with a limit of 1,000ppm prior to December 2022 and 5,000ppm after December 2020.

161 <https://www.veolia.com/anz/WoodlawnEcoPrecinct>

162 <https://apps.epa.nsw.gov.au/prpoeoapp/ViewPOEONotice.aspx?DOCID=-1&SYSUID=1&LICID=11436>

163 NSW EPA GIPA Request 802



**Figure 125** Extract from Hydrogen Sulfid Gas Emissions from Woodlawn

The graph from the report (see Figure 125) clearly shows the limit of the sensor up to December 2020. It should also be noted that the new sensor has already been regularly hitting the upper limit of the sensor. This again suggests Veolia should be extracting far more gas than they currently are from the existing Bioreactor.

**Recommendation 126:** *Veolia must explain as a part of the proposed incinerator EIS why they are not maximising the output of the existing Bioreactor. The need to explain why additional flares are being installed rather than engines to generate electricity.*

**Recommendation 127:** *Independent modelling must be undertaken to demonstrate how many engines are needed now to handle the current gas output. The modelling must also show how and when (with existing waste feedstock) then number of engines is likely to increase.*

**Rejection 157:** *Veolia’s proposed incinerator must be rejected. The baseline they use for the Bioreactor is based on a stunted system which appears to be capable of generating far more output. However lack of investment appears to be limiting the growth. It is also possible Veolia are deliberately burning the gas rather than generating electricity as this would skew modelling of electrical output of the proposed incinerator vs. the Bioreactor towards the proposed incinerator.*

## **Veolia Betting on Failure to Recycle**

Veolia are betting on the Sydney population failing to recycle more in the future. They are betting on Australian governments failing to reach environmental targets. They are betting on the failure to protect our planet. Veolia’s proposal is not about protecting the environment and providing “green” energy. Veolia’s proposal relies on the failure to protect the environment. If they are serious about this proposal, it would also include early exit plans. Their proposal would document they have no need to lock in contracts to provide waste for long time periods.

**Rejection 158:** *Veolia’s waste incinerator must be rejected – Veolia are betting on the failure of people and governments to achieve improved recycling targets and waste reduction.*

**Recommendation 128:** *The Veolia proposal must include early exit plans to account for the reduction in waste as people and the government improve their ability to recycle. There should be no penalty for councils for early exit clauses to ensure there is no impediments imposed by Veolia to reduce waste volumes.*

In 2017, Sheffield Council in the UK voted to cancel their waste contract with Veolia 19 years early. The contract was originally 35 years long.

A report submitted to the cabinet explained that setting up waste services with seven-year contracts, with extensions of up to three years and a requirement for the bidders to set out how they would introduce greater efficiencies would provide a more flexible option.

**Figure 126** Media reporting related to the Sheffield Council waste contract with Veolia<sup>164</sup>

Long term “locked in” contracts are not suitable given the shifting environmental landscape. As such this presents a risk related to the proposed incinerator. Veolia want an operational lifespan of 30 years, and would need to ensure they are supplying sufficient waste over that time period. This is at a point in history when we are desperately trying to reduce waste to zero.

**Rejection 159:** *Veolia’s proposed incinerator must be rejected. It is based on the premise that over the next 30 years the input waste stream will remain consistent. This is clearly impossible given the current urgency to address climate change and waste generation.*

## Net Job Gain or Loss?

Veolia claim there will be 40 jobs created during the operation of the incinerator, along with diversion of the waste stream from the existing Woodlawn Bioreactor (landfill). This raises an obvious question – if the waste is being diverted from the mine void, there will less work for employees of the existing operations. While there may be 40 new jobs created, the EIS does not state how many jobs will be lost or amalgamated from elsewhere.

**Recommendation 129:** *Veolia need to clarify what will happen to the existing employees of extant operations. How many of these employees are intended to be reassigned to the new incinerator (under Australian National Employment Standards (NES), employees must be reassigned where possible rather than made redundant)? What will be the net gain or loss of jobs?*

**Rejection 160:** *The incinerator proposal must be rejected. Veolia hide important information (such as potential job losses) to make the incinerator appear to be a better proposal than it actually is.*

---

164 <https://resource.co/article/sheffield-votes-rip-35-year-veolia-contract-11620>

## Ammonia Input Requirements and Supply Constraints

Veolia’s SNCR process relies on the input of ammonia in order to abate nitrous oxides (NOx)<sup>165</sup> in the exhaust stack. Ammonia comes in many forms, but is also used in a large variety of other areas. For example, ammonia is used in:

- Agriculture for fertilizer;
- Diesel Exhaust Fluid (DEF) – also known as AdBlue;
- Explosives.

Although the most recent event to impact on ammonia supply is the Russia-Ukraine war, there have been ongoing supply issues related to ammonia for some time. The prices of ammonia are going up, and some industries are stopping production of ammonia based products due to high costs of energy<sup>166</sup>.

As another example, Australia suffered supply chain issues for the supply of DEF (commonly known as AdBlue) – due to a shutdown of manufacturing in Australia. In late 2021, it became apparent there was going to be a shortage of DEF within Australia – such a shortage can have critical impacts on transport. Pivot Incitec agreed to keep a manufacturing facility open in order to keep product levels up – however it was only after a \$29m injection from the Federal Government. In mid-2022, Pivot Incitec have again indicated they will shut down local production, with high gas prices being a part of the problem for production costs<sup>167</sup>.

Veolia’s facility requires aqueous ammonia for the SNCR process. However the EIS does not include any comments on the volume required. More importantly, given supply issues with ammonia, Veolia make no effort to either identify these issues, or how it may affect the proposed incinerator. They make no effort to identify if the facility will shut down or continue operating and polluting the environment if there is a suitable supply of ammonia.

***Recommendation 130:*** *Veolia’s EIS must be updated to include details on the volumes of ammonia required for operations. They must also include a discussion on what actions will take place in the event of more shortages of ammonia, including any conditions where the incinerator continues to operate without ammonia involved in the SNCR process.*

***Rejection 161:*** *Veolia’s proposed incinerator must be rejected. World-wide supplies of ammonia are low, and there are more critical areas in which ammonia is required (such as agriculture). Electricity can be generated from multiple sources that do not require ammonia. The incinerator is an un-required drain on ammonia supplies in a resources constrained context.*

## Ownership and Profits – Veolia – Driven by Profit

We are living in a time of high inflation and the cost of living of individuals going up substantially over the next few years. A portion of the cost of living going up is driven by corporate greed to achieve profits above all else. Veolia’s Q3 results are a prime example of a company driven

---

<sup>165</sup> Appendix L (ii), section 4.2.3

<sup>166</sup> <https://www.orbichem.com/blog/ammonia-shortage-triggers-supply-chain-ripple-effect>

<sup>167</sup> <https://www.afr.com/companies/transport/truckies-sweat-on-labor-plan-to-avoid-another-adblue-christmas-debacle-20220704-p5ayyl>

by the strong desire to create ever increasing profits<sup>168</sup>. It is also well known that many corporations in Australia shift profits offshore and in many cases they pay little or no taxes in Australia.

**Recommendation 131:** *Veolia must demonstrate in their EIS where the profits related to the operation of the proposed incinerator will be going. They must also provide indications on how much tax they are likely to pay – using examples from existing activities undertaken NSW and Australia. Veolia must demonstrate they are a good corporate citizen and live up to the expectations of the Australian community that large corporations comply with the intent of the Australian Tax Laws, and not just bypass those laws by shifting profits overseas.*

As an example, the Kwinana facility in Western Australia is owned by Avertas Energy and is a joint development between Macquarie Capital and the Dutch Infrastructure Fund<sup>169</sup>. However Acciona and Keppel Seghers are also involved. This clearly is an example where it is unclear where the profits of the project and operations will end up.

### The ACT Does Not Want It’s Waste Incinerated

Veolia’s proposal refers to collection of waste from the surrounding areas. While not explicitly contained in the wording, this could include waste from the ACT. This would offer a significant volume of waste that could be incinerated.

However the ACT Government position on “Waste to Energy” is very clear (see Figure 127). One of the key outcomes of the policy is “Thermal treatment of waste is prohibited”. The ACT also make it clear that “The waste hierarchy is respected and recycling is not undermined”.

<p>A key insight from the 2018 engagement process was that the ACT waste-to-energy policy should be outcomes focused. Through consultation with relevant stakeholders and the context of the National Waste Policy, key outcomes of a waste-to-energy policy were identified.</p> <p>The key outcomes of the policy are:</p> <ul style="list-style-type: none"> <li>&gt; Thermal treatment of waste is prohibited</li> <li>&gt; Anaerobic digestion of waste is permitted and encouraged</li> <li>&gt; Production of, but not burning of RDF is permitted</li> </ul>	<ul style="list-style-type: none"> <li>&gt; The waste hierarchy is respected and recycling is not undermined</li> <li>&gt; The health of the community and the environment are protected, and the impacts of climate change are minimised</li> <li>&gt; The importation of waste into the ACT and surrounding regions for energy recovery is minimised</li> <li>&gt; Improved resource recovery rates</li> <li>&gt; Existing waste-to-energy operations are not negatively impacted</li> </ul>
--	--

**Figure 127** Extract from ACT Waste to Energy Policy<sup>170</sup>

The issue also comes up in the ACT Standing Committee on the Environment, Climate Change and Biodiversity. According to the ACT Minister for the Environment (then Ms Vassarotti): “we (the ACT) have a really clear policy that we do not support incineration as a waste management strategy”.

168 [https://www.veolia.com/sites/g/files/dvc4206/files/document/2022/11/Q3\\_2022\\_Results.pdf](https://www.veolia.com/sites/g/files/dvc4206/files/document/2022/11/Q3_2022_Results.pdf)

169 <https://avertas.com.au/about/>

170 <https://yoursayconversations.act.gov.au/waste-energy>

**MS CASTLEY:** I understand. I know that one of the Greens’ principles listed on your website is that clean air is a universal right. I suppose I am concerned, from an environment perspective, and I am wondering what your thoughts on this are.

**Ms Vassarotti:** As I said, within the territory we have a really clear policy that we do not support incineration as a waste management strategy. That is something that is very clear. Within my portfolio responsibility, air quality is something that we are absolutely focused on, and doing significant work on, in relation to how we support clean air. I absolutely understand the concerns; we would share them. That is why we have a really clear policy, particularly around the incineration of waste within the territory. There is a very clear ACT government policy on that issue.

**Figure 128** ACT Hansard extract in relation to waste incineration<sup>171</sup> - page 22, 3<sup>rd</sup> paragraph

The ACT Government make it very clear they do not want their waste to be incinerated. They see incineration as being in conflict with the waste hierarchy and would have an impact on the health of the community and environment. This places a constraint on regional waste that can be received by Woodlawn for incineration.

**Recommendation 132:** *Veolia’s EIS needs to be updated to include a constraint that if regional waste is to be received from the ACT, it will not be sent to the incinerator. They must also document how they will ensure the separate waste streams are maintained to ensure the intent of the waste source is not used for the wrong purpose.*

However, according to the ACT Energy from Waste policy and FAQ<sup>172</sup>, “This means that goods produced in one state or territory cannot have restrictions placed on them by another state or territory before they are sold”.

As such the ACT can only ban waste to energy facilities within the ACT. Further to this, the ACT cannot place restrictions on waste exported to Woodlawn. As such any waste the ACT does export to Woodlawn can be incinerated rather than go into the bioreactor. Given the ACT’s policy in relation to waste-to-energy, the ACT would have to either stop exporting waste to Woodlawn, or accept a position contradictory to their policy aims.

**Rejection 162:** *The ACT Energy from Waste policy clearly states that thermal treatment of waste will not be permitted in the ACT. The ACT is unable to place restrictions on it’s rubbish once it leaves the ACT jurisdiction. As such Veolia will be permitted to incinerate the ACT’s rubbish – contrary to the intent of the ACT’s policies. Veolia’s proposal to incinerate waste is contrary to the ACT’s policy. Veolia must not be permitted to incinerate waste from the ACT. This proposal must be rejected.*

Commercial and Industrial waste appears to be being transported to Woodlawn – however this is not clear. Given a portion of the feedstock for the proposed to be Commercial and Industrial waste, some waste from the ACT may very well be burned in the proposed incinerator.

**Recommendation 133:** *Veolia must clarify if they are receiving commercial and industrial waste from Canberra. Their proposed incinerator EIS must document where the waste feedstock is coming from, and demonstrate support from those communities for that waste feedstock to be incinerated.*

---

171 <https://www.hansard.act.gov.au/hansard/2021/comms/eccb10a.pd>

172 <https://yoursayconversations.act.gov.au/waste-energy>



## ACT Is Pursuing the “Right to Clean Air”

According to the ACT Government, in 2023 they will be looking to enshrine the Right to a Healthy Environment into the Human Rights Act (ACT) 2004<sup>173</sup>. This would likely include a right to clean air. Modelling from non-Veolia sources indicates the emissions from Veolia’s proposed incinerator would reach the ACT<sup>174</sup>.

**Rejection 163:** *Veolia’s proposed incinerator must be rejected. Operations would likely result in toxic particles being deposited in Canberra – even if only in a small quantity. This would infringe on planned legislative changes by the ACT Government to enshrine the Right to a Healthy Environment into the Human Rights Act (ACT) 2004.*

## Even the City of Sydney Does Not Want To Incinerate Waste!

According to the City of Sydney council, there is no intent to allow waste incineration. Figure 129 and Figure 130 are from council minutes, clearly indicating the City of Sydney views waste incineration treats waste as a “single use commodity” and that emissions are not renewable.

- (D) Council endorse that:

  - (i) waste to energy technology is not a sustainable waste management option as it treats waste as a single use commodity;
  - (ii) the City of Sydney will pursue an effective circular economy strategy, prioritising the reduction of waste and, where not possible, a recycling strategy that effectively re-uses waste wherever possible;
  - (iii) waste to energy plants contribute to emissions and are not renewable as they depend on single use waste for fuel; and
  - (iv) waste to energy technology should only be used to meet our targets set out in the City’s ‘Leave Nothing to Waste Strategy and Action Plan’ once all options for reducing waste and recycling waste have been thoroughly examined and exhausted; and

**Figure 129** City of Sydney – extract from meetings<sup>175</sup>.

---

173 <https://greens.org.au/act/news/media-release/act-greens-welcome-commitment-right-healthy-environment>

174 <https://plumeplotter.com/tarago/>

175 <https://meetings.cityofsydney.nsw.gov.au/mgIssueHistoryHome.aspx?IId=15105&Opt=0>

- (A) Council note:
- (i) in July, the City of Sydney Council operations will be powered by 100 per cent renewable energy. This new commitment helps the City meet its Sustainable Sydney 2030 target;
  - (ii) the City’s position on waste to energy plants is that they should only be used for treating materials that cannot be reused or recycled, and that they should be used only as a last resort waste management option once all other options further up the waste hierarchy have been exhausted;
  - (iii) all other options have not been exhausted, Australia needs to implement wide ranging policy reform in waste management, as outlined in the Commonwealth Government’s 2018 Senate Enquiry into the waste and recycling industry in Australia;
  - (iv) waste to energy plants can undermine the economic case for waste avoidance and recycling programs and infrastructure, that is why in submissions to the NSW Government the City has advocated for stronger legislation that drives better upstream recycling (e.g. mandatory recycling targets) before considering approving waste to energy plants;

**Figure 130** City of Sydney – extract from meetings<sup>176</sup>.

**Rejection 164:** *Veolia are proposing to incinerate rubbish from people who do not want it incinerated, and burn it in a rural area with people who do not want it burnt at all. This proposal is completely contradictory to what people want in Sydney and Tarago and is out of touch with the community. The proposed incinerator must be rejected.*

**Recommendation 134:** *Approval for the incinerator must only be granted if more than 80% of councils in the broader Sydney Basin agree that “burning waste is the best approach to dealing with their waste issue”.*

**Recommendation 135:** *Veolia must have fixed contracts in place to supply at least 80% of the waste requirements for the incinerator prior to approval being granted. The contracts must be for the lifespan of the incinerator (at least 30 years). The contracts must not have any penalties in place should the waste supply be diverted earlier in the waste processing stream, or in the event insufficient waste is being generated.*

## Has Anyone Actually Asked an Australian Expert?

Veolia does not appear to have actually asked an Australian Expert on recycling<sup>177</sup>. For example Professor Veena Sahajwalla from the University of New South Wales<sup>178</sup> has experience in recycling and waste. Yet there is no input from this expert in Veolia’s EIS.

**Recommendation 136:** *The NSW Department of Planning and Environment should seek independent input from Australian experts on recycling such as those from the University of New South Wales’s centre for Sustainable Materials Research and Technology (SmaRT).*

---

176 <https://meetings.cityofsydney.nsw.gov.au/mgDecisionDetails.aspx?IId=17148&Opt=1>

177 <https://www.theguardian.com/environment/2019/mar/06/nothing-should-be-classified-waste-veena-sahajwalla-sees-crisis-as-opportunity>

178 <https://research.unsw.edu.au/people/scientia-professor-veena-sahajwalla>



## APPENDIX A – REASONS FOR REJECTION

### Reasons for Rejection

Rejection 1: Veolia’s proposed incinerator must be rejected. The NSW Department of Planning and Environment ignores community issues over the very short exhibition period of six weeks. There are 37 documents in the EIS and over 3,400 pages. It is not possible for those making submissions (including over agencies and organisations) to reasonably undertake a review of the content and make a fair submission. The NSW Department of Planning and Environment has already biased the project in favour of the proponent.....8

Rejection 2: Veolia’s proposed incinerator should be rejected. Despite their sub-contractors developing the EIS proposal acknowledgements to Country, Veolia itself has made no effort to recognise Country.....8

Rejection 3: Veolia’s project completely fails to consider feasible alternatives. The proposed alternatives are the limited alternatives to a waste incinerator. They are not alternatives to the process of waste incineration. For example, Bioelektra a building a facility in NSW right now that is a viable alternative. The proposed incinerator must be rejected – it is not needed and better alternatives are available (see elsewhere in this submission).....11

Rejection 4: Veolia’s proposed incinerator must be rejected. Rather than provide the results of calorific values of the proposed waste feedstock, Veolia want us to rely on information in the public domain. Veolia want the local community to trust they have done the analysis. This is hardly open and transparent communications, and Veolia refuses to engage with us on matters that concern us in relation to the EIS.....13

Rejection 5: Veolia’s proposed incinerator is questionable in terms of ability to exceed the threshold for efficiency set in the NSW Energy From Waste Policy Statement. Veolia must be able to prove conclusively they are capable of exceeding the 25% threshold. The proposed incinerator must be rejected.....15

Rejection 6: Veolia’s proposed incinerator must be rejected. Veolia propose to weather the Incinerator Bottom Ash (IBA) on an exposed concrete pad for months. Veolia also propose to use the IBA as an alternative cover for the existing landfill. The proposed facility is in an area subjected to very high winds (hence the wind farms in close proximity to the incinerator). Exposed ash is lightweight and likely to be picked up in strong winds and distributed over a wide area – exposing the local community and farming areas to toxic bi-products of the incineration process.....15

Rejection 7: Veolia’s proposed incinerator is a toxic time-bomb. They are proposing to dispose of 456,000 tonnes of toxic APCr by stabilisation within a Portland cement mix. Over time cement is well known to degrade – leaving behind a large scale environmental disaster. Veolia’s proposal must be rejected – it will leave behind toxic waste on an enormous scale.....16

Rejection 8: The proposed incinerator must be rejected. Groundwater around ED1 has already been contaminated by Veolia. ED1 is known to leak to surrounding groundwater. The coffer dam in ED1 has also recently failed, leading to Veolia placing the environment at risk (NSW EPA prevention notice 3503885). Veolia are proposing to store the most toxic ash output (APCr) in an encapsulation cell within ED1. Given ED1 is known to leak, and given Veolia’s demonstrated behaviour putting the environment at risk, the APCr from the proposed incinerator is likely to lead to environmental contamination.....17

Rejection 9: Veolia’s proposed incinerator must be rejected. Veolia claim there are no technically and financially viable recovery pathways for the residual waste stream. However NSW State Significant Development 9887 (Bioelektra facility in the Shoalhaven) demonstrates their claim is incorrect. The SSD has been approved and the project is already under construction. Bioelektra is already operating facilities overseas.....18

Rejection 10: The social impact analysis is partially based on a survey of 1041 people in the local area. Of the 18 survey responses, only 8 responded they were in the local area. This is not statistically significant enough to represent the views of the population. This is not rigorous. Veolia’s proposed incinerator is based on a flawed social impact analysis with insufficient data points to accurately to represent the local community.....22

Rejection 11: Veolia’s social impact analysis does not identify what types of “service providers” were contacted about the survey. They do not indicate how many people were emailed for the survey. Survey results are possibly skewed towards less important issues. Veolia’s proposed incinerator must be rejected as the social impact analysis does not demonstrate rigour.....23

Rejection 12: Veolia’s incinerator must be rejected. The social impact analysis plays down the complete and under lack of confidence the community has in Veolia and the NSW Government decision making processes that affect the local community. There is also a complete lack of confidence in the ability of NSW Government and agencies in their ability to enforce compliance of conditions and licenses.....23

Rejection 13: The proposed incinerator must be rejected. Veolia imply the local community “acknowledges and accepts the development” and that we just do not want it in our backyard. Veolia demonstrate they are completely out of touch with the local community, antagonising the local community by referring to those against the project as NIMBYs.....24

Rejection 14: The proposed incinerator must be rejected. The economic impact assessment (Appendix DD) does not demonstrate any actual economic benefit for the local community. Veolia fail to demonstrate the project has a “dollar figure” economic benefit to the local community. The proposed EIS does not meet the SEARs in relation to economic impacts.....26

Rejection 15: Veolia’s proposed incinerator must be rejected. They fail to even remotely consider the danger to the local community in the event of a spill of the dangerous chemicals being transported to the proposed incinerator (including aqueous ammonia, a class-8 or corrosive material). Veolia dismiss the safety of road users and the local community.....28

Rejection 16: Veolia’s proposed incinerator must be rejected. Global emissions are going to exceed the Paris Agreement to ultimately limit temperature rises to 1.5-2.0 degrees C. Every single emission is going to count. Veolia’s GHG Impact Assessment demonstrates the proposed incinerator

will just be another nail in the coffin for the environment. Veolia make no comparison to other technologies that are less polluting.....29

Rejection 17: The proposed incinerator must be rejected. Appendix Q shows a clear discrepancy in the reporting of waste transported from Sydney to Woodlawn. Either the numbers are incorrect and the EIS an not be trusted, or Veolia are failing to report (and deceiving the local community) volumes of non-putrescible waste being disposed of at Woodlawn.....31

Rejection 18: The proposed incinerator must be rejected. Veolia have either misled the community and the Department in the original MP 10\_0012 submission, or they are misleading the community and the Department in the current EIS submission. MP 10\_0012 and the LEMP for Woodlawn clearly show the Bioreactor would peak at 24MW output. However the proposed incinerator claims it will have a maximum output of 12.9MW.....31

Rejection 19: Veolia’s proposed incinerator must be rejected. Calculations used in the Greenhouse Gas assessment used from the BAT Reference Document suggest the CO<sub>2</sub> emissions should be between 266,000 and 646,000 tonnes CO<sub>2</sub> / year. This is vastly different from Veolia’s claimed 146,891 tonnes CO<sub>2</sub> / year.....33

Rejection 20: Veolia’s proposed incinerator must be rejected. They dismiss out of hand GHG emissions as “not considered significant”. This is poor wording and represents an inappropriate attitude towards emissions.....34

Rejection 21: Veolia’s proposal must be rejected. Their proposal claims to have an insignificant GHG emissions, however they fail to highlight the electrical power exported to the grid is also insignificant. Veolia’s proposed incinerator represents an enormous cost for minimal gain – all the while generating toxic waste and generating additional GHG.....34

Rejection 22: Veolia’s proposed incinerator must be rejected. A quick check of CO<sub>2</sub> modelling from their reference facility clearly shows inaccuracies between original planning submissions and actual outputs. Veolia’s proposals and modelling are inaccurate and understate the actual impact of CO<sub>2</sub> emissions.....36

Rejection 23: Veolia’s proposed incinerator must be rejected. The GHG emissions have been biased towards the proposed incinerator by using lower values of CO<sub>2</sub> emissions (compared to Staffordshire) and lower output of the Bioreactor (compared to Veolia’s own output predictions)...38

Rejection 24: Veolia’s proposed incinerator must be rejected. The integrity of the survey conducted for the Traffic Impact Assessment is questionable. A survey conducted does not appear to have identified school buses in use. This raises the question as to how many other things were not identified during the survey period.....40

Rejection 25: Veolia demonstrate they are completely disconnected from the local community. They do not even demonstrate knowledge of the local school bus services. Veolia fails to take into account the increased risks to school aged children as a result of increased traffic volumes during construction and operation of the proposed incinerator. Veolia’s proposed incinerator must be rejected.....41

Rejection 26: The proposed incinerator must be rejected. Veolia’s documentation shows inconsistencies between different documents, raising questions over the accuracy of their submission.....42

- Rejection 27: Veolia’s proposed incinerator must be rejected. Veolia’s Construction Traffic Management Plan will result in damage to yet another road in the local area. While Veolia claim it will be fixed, the simple fact is Veolia fails to live up to promises (such as fixing the odour issues). .....43
- Rejection 28: Veolia’s odour modelling is based on flawed calculations of population density. Veolia has made no effort to explain the population density, and later modelling demonstrates they have not taken into account population increases in the Tarago area. Veolia’s modelling of odour is flawed, and demonstrates Veolia’s modelling in the proposed incinerator is also likely flawed. The proposed incinerator must be rejected unless Veolia can demonstrate accurate modelling.....47
- Rejection 29: Veolia’s incinerator must be rejected – modelling conducted for Veolia based on “worst case” scenarios in 2011 indicated minor impact on five local sensitive receptors near Woodlawn. In 2021-2022 there are weeks of significant odour emissions at multiple receptors well outside the receptors used for modelling purposes.....48
- Rejection 30: Veolia’s submissions to planning processes are inaccurate and underplay the impact on the local community. Veolia’s simulations for existing projects are fictitious. Any simulations and modelling undertaken by Veolia for the proposed incinerator are (based on history) likely to be inaccurate. The proposed incinerator must be rejected.....49
- Rejection 31: The proposed incinerator must be rejected. Veolia demonstrate with their current operations they are unable to model worst case scenarios for airborne emissions. Multiple modelling and simulations have been undertaken and the latest 2021 modelling indicates there is an “unquantifiable impact ... from high rainfall events”.....50
- Rejection 32: The incinerator proposal must be rejected. Veolia demonstrate through previous submissions that modelling and simulations are invalid. The local community has lost trust after years of odour issues when we were promised there would be little to no impact. Veolia have no social license to operate in the Tarago region. All modelling and simulations for the proposed incinerator must be assumed to be highly optimistic and are likely to understate the impact on the community and environment.....50
- Rejection 33: Veolia’s proposed incinerator must be rejected. The AQIA is based on values that will no longer be relevant for when the incinerator is operational (post 2025). Currently legislated values for PM<sub>2.5</sub> (among other limits) set in the current NEPM are set to change in 2025. Veolia’s AQIA is already out-of-date.....52
- Rejection 34: By using out-of-date limits in EPA documentation, Veolia can show the background levels are not too high. However Veolia should be using the legislated NEPM values for 2025 onwards at the very least (and should be using the WHO guidelines given these are the latest world-wide recognised limits). Veolia use the incorrect values when comparing the background air emissions. Veolia’s AQIA is deceptive and the proposed incinerator must be rejected.....53
- Rejection 35: Veolia’s proposed incinerator must be rejected. The AQIA makes basic and obvious mistakes including missing residences on Boro Road, and only counting one church when there are at least three. Veolia is underplaying the Assessment Locations / Sensitive Receivers in the EIS....55
- Rejection 36: Veolia’s proposed incinerator must be rejected. The modelling undertaken by Veolia for existing operations over the last 20+ years has been demonstrated (with factual data of odour

emissions) to be completely inaccurate. Veolia have been shown to understate the impact on the local community for air based emissions.....56

Rejection 37: Veolia have demonstrated over many years as a company that they fail to undertake equipment maintenance. They propose good equipment maintenance in the AQIA is a reason the proposed incinerator will be less likely to suffer from OTNOC. The proposed incinerator must be rejected – Veolia demonstrate their business practices worldwide suffer from good equipment maintenance – often to the detriment of the environment.....57

Rejection 38: Australian Bureau of Statistics (ABS) data from the 2021 Census indicates Tarago and surrounding suburbs already present with a higher level of health conditions often connected with air quality. The long term emissions from an incinerator will impact on the local community – placing them at an even higher risk of lung conditions. The proposed incinerator must be rejected. ....58

Rejection 39: Veolia’s proposed incinerator must be rejected. While the annual emissions may not exceed the relevant standards (this is debatable), Veolia’s incinerator will dump almost 2.5 tonnes of highly toxic pollutants on the surrounding land over the operational life of the incinerator. This includes 55kg of Mercury, 25kg of Arsenic, 120kg of Lead and 1115kg of Hydrogen Fluoride.....59

Rejection 40: Veolia’s incinerator disperses toxic airborne pollutants over a wide area of farmland, rural residential properties and ecologically sensitive areas such as Lake George. Compared to the Bioreactor, which does not emit these pollutants. The proposed incinerator must be rejected.....60

Rejection 41: Veolia’s propose incinerator must be rejected. They rely on lies about the impact of ground water not being affected. Veolia have already polluted groundwater at the site and have hidden this from the local community. Veolia’s Biodiversity report for the project completely ignores the groundwater impact.....61

Rejection 42: Veolia’s proposed incinerator must be rejected. Emissions of persistent organic pollutants such as dioxins and furians are likely to affect the Large Bent-Wing Bat population. The species is listed as “Vulnerable” in NSW, and a cave used by this species is about 14.3kms to the south of the incinerator. Bats are sensitive to environmental changes, and are under threat from climate change. While this incinerator is no direct threat to the species – pollutants will over time have an impact on the population.....63

Rejection 43: Veolia’s incinerator must be rejected. The Department of Planning and Environment has already highlighted (SSD-6277) industrial developments of this sort (while approved within the zone they are located) are incompatible with the environmental values across the E3 zone itself. The incinerator would undermine the integrity of the E3 zone as a whole.....64

Rejection 44: Veolia’s proposed incinerator must be rejected. The Biodiversity analysis has not taken into account data from previous studies contained in earlier SSDs, including the Capital Wind Farm.....64

Rejection 45: The proposed incinerator must be rejected. There are large numbers of Frog species in the area and bat species – both of which are known to be highly sensitive to environmental toxins. Veolia’s proposed incinerator will have an impact on far more species in the surrounding area – not just on the area immediately next to the incinerator.....64

- Rejection 46: Veolia’s proposed incinerator must be rejected. The HHRA highlights the importance of considering more than just disease or infirmity. However at no point in the EIS does Veolia address the mental health of the local community.....67
- Rejection 47: The proposed incinerator must be rejected. Veolia demonstrates they are not open and transparent in their communications – they announced the EIS exhibition, but failed to use other communication mediums such as letterbox drops to the surrounding community.....69
- Rejection 48: The proposed incinerator must be rejected. Veolia does not even bother to keep the community informed during the exhibition period. How can the local community expect Veolia to keep them informed about toxic emissions in near real time?.....70
- Rejection 49: Veolia have lied about the consultation process, claiming they would release environmental reports prior to the release of the EIS. They have not presented any of the environmental studies prior to the release of the EIS. This is not effective or genuine consultation. It is also not open or transparent. Veolia did not allow the community to interact with them about the impact assessments prior to the release of the EIS. The project must be rejected due to the failure to consult with the community.....73
- Rejection 50: Veolia’s consultation with the local community limited local people to Saturday mornings. This excludes large portions of the population who go shopping on Saturday mornings – simply due to the fact most shops in Goulburn and Bungendore are closed on Saturday afternoons and on Sundays. Veolia failed to undertake genuine consultation and as such the proposed incinerator must be rejected.....74
- Rejection 51: Veolia attempted to prevent and delay access to information about their existing operations – they demonstrate through their behaviour they are not actively engaging the community or being open on issues of concern. They actively demonstrate they are preventing the community from accessing issues of concern. The proposed incinerator must be rejected as Veolia actively prevent access to information about their failures of current operations.....74
- Rejection 52: Veolia’s proposed incinerator must be rejected. Third parties do everything they can to delay or prevent the release of information related to Veolia’s environmental license and actions they are undertaking at Woodlawn. Either Veolia or a third party are attempting to cover up information about Veolia’s activities.....75
- Rejection 53: The proposed incinerator must be rejected. Veolia only briefly discuss the Independent Odour Report in the Community Liaison Committee. Veolia never discussed the findings of the hydrogen sulphide report within the CLC. Veolia demonstrate through their actions they will undertake deceptive behaviour.....76
- Rejection 54: Veolia’s proposed incinerator must be rejected. Despite a serious pollution issue being raised in the Community Liaison Committee (CLC) on 17 May 2017, Veolia made no effort to inform the community of the seepage. There is a complete failure to conduct open and transparent communications.....76
- Rejection 55: Veolia’s proposal must be rejected. Veolia has lost the connection with the local community through the CLC. Veolia’s is not successfully engaging with the local community. The resignation of community representatives is indicative of a dysfunctional engagement.....77

Rejection 56: Veolia’s proposal must be rejected. They clearly failed to inform the community about groundwater contamination in their annual reports. Veolia can not be trusted to accurately report information about environmental failures.....	77
Rejection 57: Veolia’s proposed incinerator must be rejected. Veolia avoids keeping the community informed about the whole truth – trying to put a positive spin on their actions highlighted in EPA Prevention Notice 3503885 – and avoiding raising the fact groundwater was already polluted in 2016.....	78
Rejection 58: Veolia apply a “spin” to the information they release to the community. They imply they are actively engaged in addressing the odour issue, when in actual fact they are being directed by the EPA to fix the problem. Veolia do not engage in open and honest communication in relation to addressing the odour issues in the community. The incinerator proposal must be rejected as Veolia are not open or transparent in their community engagement.....	79
Rejection 59: Veolia fails to keep the community informed and hides environmental reports from the community. Veolia’s proposal must be rejected. They are not even remotely a “good neighbour”. .....	79
Rejection 60: Veolia has achieved less community consultation than EPYC achieved on the Jupiter Wind Farm. Veolia’s efforts at community consultation have been minimalistic and limited to a very small subsection of the community affected by this proposal. This proposal must be rejected – Veolia completely failed to undertake sufficient community consultation.....	80
Rejection 61: Veolia’s proposal must be rejected. They failed to provide the community with a list of all previous communications such that people who are only just becoming aware of the project can update themselves on historical information. This includes email releases and articles published in the Tarago Times.....	81
Rejection 62: Veolia fail to mention the proposed incinerator in the “newsletters” published on the Woodlawn website. Veolia’s approach to consultation is not comprehensive or open. The proposed incinerator must be rejected.....	81
Rejection 63: Veolia are unable to effectively communicate. The Woodlawn Community Newsletter for September 2022 was not released on Veolia’s website until sometime around 23 November – two months after it was supposedly published. Veolia’s proposed incinerator must be rejected – they simply are unable to communicate with the local community.....	81
Rejection 64: Veolia’s proposed incinerator must be rejected. They appear to have been in the position to inform the community long before the SEARs were requested. This does not not constitute open or honest communications.....	82
Rejection 65: Veolia’s proposed incinerator must be rejected. Veolia continually torments the local community over many months stating they are about to submit the EIS – but never do. This is not genuine or transparent communications.....	83
Rejection 66: Veolia’s proposal must be rejected. Veolia has excluded affected properties from consultation including those along Boro Road. Veolia has failed to undertake open and transparent communications.....	84

- Rejection 67: Veolia’s proposed incinerator must be completely rejected. The have failed to demonstrate the good neighbour principle (NSW EfW Policy Statement) and failed to meet the SEARs. These are not one off minor failures. There are examples of ongoing failures to communicate with the local community for years.....85
- Rejection 68: Veolia’s proposed incinerator must not continue past the existing process until they can demonstrate for a period of five years that they have been a good neighbour and can communicate effectively.....86
- Rejection 69: The proposed incinerator must be rejected. The community clearly indicates it is not engaged with Veolia and the EPA. Some parts of the community have developed a “learned helplessness”. Veolia must rectify this situation and should not be permitted to proceed with the incinerator.....87
- Rejection 70: Veolia’s proposed incinerator must be rejected. Veolia has made efforts to explain their justification for withdrawing \$2.5m from the Goulburn Performing Arts Centre. This was done just after the Goulburn Mulwaree Council announced it’s opposition to the proposed incinerator. Veolia’s behaviour is not that of a good community member.....87
- Rejection 71: Veolia are unable to prevent toxins emitted from the proposed facility. These toxins will end up being collected in our water supply and enter our houses through taps, showers, washing machines etc. This proposal must be rejected due to the risk to the local community.....88
- Rejection 72: Veolia’s proposed incinerator must be rejected. There is no consideration in the EIS in relation to cumulative psychological impact on the local community from years of issues – including the extant activities by Veolia.....89
- Rejection 73: Tarago and surround areas have been subjected to significant cumulative psychological stress over many years, with Veolia Woodlawn operations a contributor to that stress. This project must be rejected on the basis of cumulative psychological stress on the local community.....91
- Rejection 74: The proposed incinerator must be rejected. Sydney needs to start pulling it’s weight in reducing waste generation in the first place. The proposed incinerator allows Sydney residents to ignore the problem and “kick the can down the road” so to speak.....91
- Rejection 75: Veolia’s proposed incinerator must be rejected. The Tarago community has been subjected to continual failures by Transport NSW and the NSW EPA in relation to the ongoing failure to remediate lead contaminated land in the middle of the town. These failures have a significant impact on the local community. Veolia’s proposed incinerator is yet another impost on the community.....92
- Rejection 76: History has taught the Tarago and local community that it is not until many years later that we find out about things that may affect out health. For example, lead contamination within the town was identified in 2015. It was not considered urgent until 2019 when the extent of the problem came to light after more detailed testing. And the problem has still not been resolved in 2022 – seven years after the initial detection. Veolia have also failed to inform the community for six years about groundwater contamination in 2016. Veolia’s proposed incinerator must be rejected – Tarago residents are likely to be kept in the dark about issues that affect us and our health for many years. ....92



- Rejection 77: Veolia’s proposed incinerator must be rejected. The local Tarago Community has had projects thrust upon them with no community consultation. The role of approvals and justifications in the Tarago Passing Loop Extension is an example where the local community has not been consulted. This has a cumulative effect on the community.....92
- Rejection 78: The Woodlawn Bioreactor is likely to see H<sub>2</sub>S gas generation increase up to 12 years after the site is closed. Tarago and surrounding areas are likely to be subjected to fugitive emissions for many years to come. This will have a cumulative impact on the psychological health of the community.....93
- Rejection 79: The incinerator must be rejected. Veolia does not currently have any documented long term plan for dealing with an increasing level of H<sub>2</sub>S generation. Veolia’s approach to date has been reactive in nature to NSW EPA directions rather than a proactive long term plan with appropriate resourcing and finance.....93
- Rejection 80: Veolia’s proposed incinerator must be rejected. Their EIS does not contain any longer term plan on dealing with increasing emissions for the average 12 years after the existing facility is closed. Veolia’s EIS has not been informed by independent research Veolia had to pay for!.....93
- Rejection 81: Who is ultimately held responsible in 50 years time when there is a statistically significant increase in health issues in this region? This proposal must be rejected – without existing longitudinal studies of more than 30 years, there is insufficient data to justify this proposal is safe for human health or the environment.....94
- Rejection 82: Veolia’s waste incinerator should be rejected – the odour issues from existing facilities have been getting worse over many years, affecting local people’s lives. We choose to purchase in a healthier environment without significant industrial development. Veolia’s proposal is being forced upon us.....94
- Rejection 83: The waste incinerator proposed by Veolia must be rejected. The impact of failures of the current facility can be detected by the human nose. Failures of the proposed facility are only detectable with specialised equipment.....94
- Rejection 84: If burning Sydney’s waste is so safe for people and the environment, then there is no reason (other than political policy) to transport the waste to Tarago. This proposal should be rejected and Sydney should take responsibility of it’s own waste.....95
- Rejection 85: Veolia’s proposal should be rejected. The cumulative stress caused on families in this region as a result of many factors (including Veolia’s existing facility). Veolia’s submission does not take into account the psychological harm they are causing this community.....95
- Rejection 86: The Veolia incinerator proposal must be rejected. Similar incinerators have been rejected in higher population density areas near Sydney. While Tarago may be lower density, the population is dependant on a stronger connection to Country: rainwater from roof collection, fruit and vegetables grown on the land, eggs from poultry etc.....95
- Rejection 87: Veolia’s drivers show disrespect of the environment and community. They have been witnessed pouring liquids out of the cab of trucks onto the road rather than dispose of waste correctly. Veolia’s proposed incinerator must be rejected. They have no social license to operate given their poor behaviour in and around the community.....97

Rejection 88: Veolia has no social license to operate within the community. Veolia waste collection trucks are often driving far too close to the vehicle in front – failing to drive without due care. The proposed incinerator must be rejected – Veolia places the lives of the local community at risk.....97

Rejection 89: Veolia’s drivers undertake illegal driving manoeuvres. Rather than wait, they drive through red lights at roadworks. Veolia’s proposal must be rejected – they have no social license to operate, particularly given their poor driving behaviour.....97

Rejection 90: Veolia claims they are minimising the impact on the community. This submission clearly demonstrates the impact on the community has been increasing over time. Veolia claims one thing, but the reality is actually different. The proposed incinerator must be rejected – Veolia can not be trusted to do what is best for Tarago and surrounding rural areas.....98

Rejection 91: Veolia (and potentially other third parties) regularly block information about Veolia’s operations at Woodlawn. In some cases they block information that should have already been published. This is not socially responsible behaviour and also does not follow community expectations. Veolia has no social license to operate in this community and their proposed incinerator must be rejected.....99

Rejection 92: Veolia has lost it’s social license to operate. The local community demonstrate they have lost all confidence in Veolia and it’s ability to act on odour issues. The proposed incinerator must be rejected – Veolia has no social license to operation in the local community.....99

Rejection 93: The local NSW MP Wendy Tuckerman clearly indicates the community does not want the incinerator in Tarago. She at least appears to be listening to the community. This is another indicator that Veolia does not hold a social license to operate in Tarago. Veolia’s proposed incinerator must be rejected.....100

Rejection 94: Veolia’s proposed incinerator must be rejected. Their social license to operate any facility in the Tarago NSW region has been lost. The majority of the local community does not support this proposal.....100

Rejection 95: The proposed facility should be rejected. Veolia demonstrate they are unable to comply with time-frames for reporting over a period of years and demonstrate a lack of respect of the community in relation to complaints lodged. There is a lack of transparency in their operations. ....103

Rejection 96: The proposed incinerator must be rejected. Not only is Veolia obligated under their license and conditions to upload odour complaints to their website, they also claim in their own processes (the Air Quality and Greenhouse Gas Management Plan) that they will upload complaints within 7 days of receipt. Veolia fail to follow their own processes.....104

Rejection 97: Veolia are also in breach of reporting requirements within the AEMR in relation to timeframes to publish a complaint on their website. The proposed facility must be rejected as Veolia demonstrate a complete failure to comply with departmental requirements for earlier projects at the same site.....104

Rejection 98: Veolia’s proposal must be rejected. They demonstrate knowledge of the Department of Planning and Environment’s conditions of consent, but make no effort between 2007 and 2021 (all available AEMRs) to report to the secretary on timeframes of complaints being reported on their

website. Veolia are unable to comply with basic reporting requirements and have likely been in breach of this requirement since it was put in place.....105

Rejection 99: Veolia failed to protect personal data and has breached the Privacy Act 1988 when they published personal information in their complaints register on 25 May. Veolia demonstrates through their behaviour a lack of respect for Australian laws. The proposed incinerator must be rejected.....105

Rejection 100: This project should not go ahead. The EPA clearly show a disregard for breaches of Australian laws (Privacy Act 1997) in relation to de-identification of personal data. The EPA was not proactive in taking action to ensure Veolia was notified. The EPA does not care if a license holder is breaching the law and is unlikely to take action in the future in the event Veolia are breaking the law.....105

Rejection 101: Veolia’s fails to show due diligence in publication of personal information. The 2021 Independent Odour Report (published on their website) contains obfuscation of personal information of EPA individuals. However the method used is insufficient and easy to bypass. Veolia’s proposed incinerator must be rejected until Veolia can demonstrate for a period of at least two years they can suitably protect personal information.....106

Rejection 102: Veolia’s proposed facility must be rejected. Veolia fails to respond to complaints as required within their license and conditions of consent. They also claim in some odour complaint registers they have sent letters to people registering complaints, however then number of “letters” (in this case emails) we have received has been 14% of the number of complaints. Veolia lie in their reporting and cannot be trusted.....107

Rejection 103: Veolia’s proposal must be rejected. Their conditions (MP10\_0012) requires the publication of any environmental or odour reports. Veolia’s license (EPL11436, license variation notice 1607978) required the production of an independent odour report (the Hydrogen Sulfide Investigation and Impact Assessment) which was not released on their website. Veolia demonstrate they are unable to comply with conditions from the Department of Planning and Environment, or with their license.....109

Rejection 104: Veolia’s proposed incinerator must be rejected. Veolia fails to publish their responses to environmental reports as required under Schedule 7, paragraph 10 of MP10\_0012. Even when requested from the NSW EPA through a GIPA request (EPA842), a third party still delays access to the response to environmental reports.....109

Rejection 105: The incinerator proposal must be rejected. Veolia have failed to publish their response to the independent report required under EPL 11436 variation notice 1607978. The response is required to be published under Schedule 7 of MP10\_0012, paragraph 10. Veolia demonstrate they will ignore their license requirements and conditions of consent.....109

Rejection 106: Veolia’s proposed incinerator must be rejected. Veolia deliberately delay the release of the 2022 AEPR for Woodlawn and Crisps Creek while the EIS is on exhibition.....109

Rejection 107: Veolia’s proposed incinerator must be rejected. Veolia has delayed the publication of the 2022 Independent Odour Report for about six months. The June 2022 CLC meeting minutes indicates the report had been finalised and was being reviewed. Three months later the September 2022 CLC meeting minutes indicate Veolia has not received a copy of the report. Veolia are clearly

misleading the community, and deliberately delaying the release of audit data while the EIS is on exhibition.....	110
Rejection 108: Veolia fails to publish multiple environmental reports related to operations at Woodlawn, and their responses to those reports. This is not a one off recent behaviour but has been demonstrated since at least 2017. The proposed incinerator must be rejected. Veolia hides information from the public despite being required to publish this information as a result of their conditions of consent.....	111
Rejection 109: Veolia’s proposed incinerator must be rejected – they demonstrate a disregard for their obligations under the POEO Act 1997 over a number of years. Veolia fails to publish monitoring results within the 14 day requirements. Veolia demonstrate through behaviour a disregard for Australian laws.....	114
Rejection 110: Veolia’s proposal must be rejected – they do not demonstrate a rigorous scientific method in their monitoring requirements for existing licenses. Veolia never report on why sampling dates for monitoring vary dramatically during each period – as would be expected in a scientific method.....	116
Rejection 111: Veolia can not be trusted to provide accurate information on reporting information to the public. Publication dates for their website vary from the actual date the information is actually available. Veolia’s website contains false information. This project must be reject as Veolia are unable to demonstrate accurate publication information to the public.....	117
Rejection 112: Veolia’s proposed incinerator must be rejected. For years they failed to comply with PA10_0012 condition 138. Veolia are required to report on compliance with license conditions and failed to do so until the 2021 Annual Report. This is despite years of odour complaints which demonstrate they were non compliant, and Veolia chose not to report this non-compliance for years. ....	118
Rejection 113: The incinerator must be rejected. Veolia demonstrate either deceptive behaviour or failure to follow document change control processes in their 2021 Annual Return to the EPA for EPL11436. Content was removed from section 1.8 of their annual return after publication. This demonstrates Veolia can not be trusted in relation to the proposed incinerator.....	118
Rejection 114: Veolia’s proposed incinerator must be rejected. Veolia have never openly informed the community about the volumes of asbestos and waste tyres that have been received at Woodlawn. Veolia have demonstrated they will deceive the local community – avoiding telling them about risks such as local transportation of asbestos.....	119
Rejection 115: Veolia’s proposed incinerator must be rejected until Veolia release detailed reporting for the last seven years on how much non-putrescible waste has been received, broken down into the categories of waste as defined in the table for condition L3.1 of EPL11436.....	120
Rejection 116: The proposal must be rejected. Veolia are undertaking work that affect the licenses. They are failing to notify the appropriate authorities of these changes. In this case Veolia installed a third gas flare and until the license variation was not require to report on the additional monitoring points.....	120
Rejection 117: Veolia treat’s audits as a “tick-and-flick” exercise. Once the audit is completed and they have responded, there appears to be no real follow-up. Despite numerous non-compliances,	

appropriate agencies such as the NSW EPA and the NSW Department of Planning and Environment do not appear to take further steps to ensure the non-compliances are really followed up and dealt with. Veolia’s proposed incinerator must be rejected. Despite audits highlighting many issues, Veolia continues to breach conditions and limits. They are likely to continue this behaviour under any conditions or license issued for the proposed incinerator.....121

Rejection 118: Veolia’s proposed incinerator must be rejected. They demonstrate through their behaviour they willingly breach conditions of their environmental license, including contamination of groundwater. They also demonstrate they are failing to undertake activities in a competent manner. Veolia are unlikely to comply with license conditions of a license for the proposed incinerator.....122

Rejection 119: Veolia’s proposed incinerator must be rejected. Veolia continue to demonstrate a disregard for fines and notices issued to them. Actions by the NSW EPA have no effect on Veolia’s behaviour. Veolia are placing the environment and local community at risk, and the EPA is ineffectual at changing this behaviour. History demonstrates Veolia are likely to disregard licenses and conditions of consent and will endanger the environment and local community.....122

Rejection 120: Veolia’s proposed incinerator must be rejected. Even in the last twelve months, Veolia has demonstrated they can not comply with license conditions, and will undertake activities that will place the environment at risk. Veolia continue to ignore conditions even during the exhibition period for their proposal. This is not a one off behaviour. This is continuous over many years.....123

Rejection 121: Veolia’s proposed incinerator must not be permitted. Agencies involved in the planning and assessment process and the licensing of Veolia’s facilities have been demonstrated to be incapable of monitoring or enforcing conditions and limits in relation to Veolia. This has resulted in ongoing harm to the local community. Even when the Planning Assessment Commission imposes additional conditions, Veolia fails to comply with those conditions.....125

Rejection 122: Veolia’s proposed incinerator must be rejected. Despite promises that Veolia’s activities would be extensively monitored, the NSW EPA barely takes notice of Veolia’s operations at the Clyde Waste Transfer Terminal – rating the risk at level 1. The NSW Government promised the people of NSW that Veolia (then Collex) would be heavily monitored. The NSW Government has been made a mockery by Veolia and their operations.....126

Rejection 123: Veolia demonstrates they breach their license conditions at other locations related to waste collection throughout Sydney. Not only have they polluted areas of Tarago and hidden the activity, they have also previously polluted the Clyde Waste Transfer Terminal. The leachate from shipping containers would have also likely leaked all the way to Woodlawn. Veolia’s proposed incinerator must be rejected – they show a long term and wide ranging disregard for the NSW environment.....127

Rejection 124: This project must be rejected. Veolia demonstrate a disregard for conditions placed on them by the NSW EPA and the NSW Department of Planning and Environment. They also disregard POEO Act requirements. There is no guarantee Veolia will comply with conditions placed on the proposed development or their legal obligations. Veolia is a danger to the environment and to the local community.....127

- Rejection 125: The incinerator proposal must be rejected. The EPA are demonstrably failing to take action on breaches to existing licenses held by the proponent – despite the EPA demonstrating the capability to take action against other license holders. The EPA are unlikely to take action against Veolia and thus residents of Tarago and the surrounding area will be subjected to breaches of licenses with no repercussions for the proponent.....129
- Rejection 126: Veolia’s incinerator must be rejected. Veolia have taken advantage of less scrutiny and monitoring by the EPA when their Environmental Risk Level was set as 1. The EPA’s assessment of Veolia’s operations as a Level 1 Environmental Risk has provided Veolia with a free license to operate however they like with no real repercussions by the EPA.....129
- Rejection 127: The project must be rejected. The EPA have demonstrated they are unable to effectively monitor a rural community over many years of complaints. The EPA will not be able to effectively ensure the people and environment in Tarago and surround areas are protected from pollution.....130
- Rejection 128: The proposed incinerator must be rejected. The EPA demonstrate they are incapable of conducting an audit of the license holder Veolia. Rather than assess a five year period for odour reports, the EPA constrained the assessment for condition L6.1 of EPL 11436 to a period of one day (the day of the site visit). This is not a rigorous audit and indicates the license holder only needs to be compliant on one day over a five year period in relation to condition L6.1 (0.05% of the time). This raises questions over the entire five yearly audit process conducted by the EPA.....131
- Rejection 129: The NSW EPA limits the evidence collection for the audit to exclude their own records. As such the EPA fail to take into full account the evidence over a five year period for Veolia. The EPA take a “blind eye” in relation to audits of the incinerator proposer Veolia. This poses a significant risk to the local community as Veolia would only need to comply for a short time period of the audit. Any failures to comply between the five year audit intervals are simply ignored by the EPA’s compliance audits.....132
- Rejection 130: The incinerator must be rejected. The NSW EPA have demonstrated they are unable to use data contained in their own databases during audits of license conditions for the existing license holder Veolia. The EPA demonstrate they will be unable to suitably audit Veolia, and as such the incinerator proposal poses a significant risk to the local community.....132
- Rejection 131: Veolia’s proposed incinerator must be rejected. The NSW EPA took years to take any action and has failed to protect the Tarago community and surrounding environment. The NSW EPA can not be relied upon to undertake its duties.....133
- Rejection 132: Veolia continues to breach license conditions over many years. The EPA appears to be focused on singular point in time offences, rather than repeated breaches over longer periods of time. Veolia’s behaviour demonstrates they will continually breach any EPA license conditions. The proposed incinerator must not be permitted.....134
- Rejection 133: The proposed project must be rejected. The EPA demonstrates inconsistent behaviour in relation to non-compliances. The EPA took eight months to list non-compliances for the 2021 annual return for EPL 11436. Shortly after listing the compliances (about two weeks), the EPA removed the list of non-compliances. The non-compliances were only listed a second time after we asked the EPA (twice) what had happened. Even then, the EPA had removed the non-compliance against condition L3.3. The EPA’s behaviour in relation to Veolia’s license is erratic.

The EPA does not demonstrate the capability to enforce any new license they may issue for the proposed incinerator.....135

Rejection 134: Veolia’s proposed incinerator must be rejected. The EPA made no effort to inform the community about groundwater contamination, despite demonstrating knowledge of the issue as far back as 2016. The EPA completely fail to protect the environment and the local community...137

Rejection 135: This proposal must be rejected. Veolia will not be required to pay the waste levy on waste received at the incinerator. This removes disincentives to recycle earlier in the waste processing cycle. Rather than do the correct (harder) thing, people (and councils) will find it easier and cheaper to simply burn the waste.....139

Rejection 136: Veolia’s project must be rejected – the NSW Government must demonstrate it is placing concerted and honest effort into dealing with waste earlier in the waste processing stream – rather than “kicking the can down the road” – leaving it for younger generations to deal with.....139

Rejection 137: In the event the proposed incinerator is approved, the NSW EPA would still be required to issue a license for the operation of the incinerator. Issuing this license would result in the EPA being in contravention of the NSW Land and Environment Court, and the EPA’s obligation to “ensure the protection of the environment in New South Wales from climate change”. Veolia’s proposed incinerator must be rejected – the EPA will be unable to issue a license to Veolia to operate the facility.....139

Rejection 138: The proposed incinerator must be rejected. The NSW EPA would be in breach of NSW Land and Environment Court rulings obligating them to address climate change. The NSW Waste Levy (which is not required to be paid on waste-to-energy facilities) is aimed at reducing environmental impact and helping to address climate change. Issuing a license to Veolia and not requiring the NSW Waste Levy is an indirect impact on climate change.....140

Rejection 139: The NSW Government has been “kicking the can down the road” for over twenty years. Without political intervention in 2003, Sydney’s waste problems would have come to a head in 2006. Veolia’s proposal must be rejected – it continues to “kick the can down the road” in the hope someone else will deal with the waste issue. The issue of waste needs to be dealt with NOW, not tomorrow.....141

Rejection 140: Veolia’s incinerator is contradictory to political intent at the Federal and State levels of Australian Government. In a communique from 21 October 2022 the political intent is clear – to keep materials in use. The proposed incinerator must be rejected. It is dependant on waste, generates pollution and destroys materials.....143

Rejection 141: The proposed incinerator must be rejected. Veolia’s plans will leave being toxic ash, and will distribute toxic pollutants across a wide area – leaving the environment in a worst state than it is in right now. This is contrary to Federal Government policy directions.....143

Rejection 142: Veolia’s proposal must be rejected. The proposed incinerator will generated large numbers of chemicals banned under the Stockholm Convention – no mater what level of generation. This project would breach Australia’s obligations under the Stockholm Convention.....144

Rejection 143: Veolia’s proposed incinerator generates new Persistent Organic Pollutants (such as dioxins and furans). The Stockholm Convention bans the generation of these pollutants. Australia,

being a signatory to the Stockholm Convention would be in breach of the convention in the event the proposed incinerator is approved and operational.....146

Rejection 144: Veolia’s proposal must be rejected. There has been no consideration of alternatives as required by the Stockholm Convention. As such, approval of Veolia’s incinerator would place Australia in breach of the Convention. The NSW Department of Planning and Environment would be responsible for the environmental damage, breach of the convention and increasing the risk to human health.....147

Rejection 145: The proposed incinerator must be rejected. Veolia fails to demonstrate their ability to competently manage and operate the incinerator (based on demonstrated behaviour for existing operations at Woodlawn and international examples of their corporate behaviour). Veolia are unable to apply Best Environmental Practice. Approval of the proposed incinerator would place Australia in breach of it’s international obligations under the Stockholm Convention.....148

Rejection 146: Bioelektra offer a substantially more suitable alternative to Veolia’s incinerator. It is more cost effective, it processes waste earlier in the waste stream and provides valuable opportunities for increased recycling. It does not generate new toxic waste including persistent organic pollutants and would not require transportation of waste over 200kms from the source. Approval of Veolia’s incinerator would be in breach of the Stockholm Convention on Persistent Organic Pollutants as there are other alternatives for processing the waste stream prior to incineration as a technology.....150

Rejection 147: Veolia has over a period of at least 20 years demonstrated in it’s international operations a clear pattern of disregard of the environment and public health. There are examples of not reporting breaches and other behaviours that demonstrate Veolia is not a good international / corporate citizen. Veolia should not be permitted to build an incinerator at Woodlawn.....160

Rejection 148: Veolia can not be trusted to build and operate an incinerator near Tarago without harming the environment or the local community. Veolia have demonstrated through their current operations at Woodlawn and other operations (such as Heavener in the United States) that Veolia has regular operational issues and failures. The incinerator must be rejected.....160

Rejection 149: Veolia’s failures to protect the environment extend beyond Tarago and can be traced all the way back to Sydney. If there are shipping containers leaking in Tarago (we just reported container 375 was leaking in November 2022), then they have likely been leaking from Veolia’s Transfer Terminals in Sydney and along 200kms of railway line. Veolia fail to protect the environment and their proposed incinerator must be rejected.....161

Rejection 150: Veolia’s proposed incinerator must be rejected. Veolia behaves in a way that results in other landfill sites being shut down – forcing Sydney to become more dependant on the Woodlawn site.....161

Rejection 151: The proposed incinerator must be rejected. EPA records for Veolia’s licenses appear to be missing information. In at least one case, a penalty notice has not been recorded against a license held by Veolia for Horsley Park (EPL 5303).....162

Rejection 152: Veolia demonstrates it is not committed to renewable energy such as solar power (combined with batteries). In July 2021 Veolia withdrew from development of Gillman in South



- Australia – killing off a solar project with an output of 70-100MW (more than the proposed incinerator at Woodlawn). The proposed incinerator must be rejected.....164
- Rejection 153: Veolia’s proposed incinerator must be rejected. There is clear evidence from EPA license databases of an increasing trend of non-compliance with license conditions – particularly in relation to waste related activity. Conditions set-out by the NSW Department of Planning and Environment and the EPA are likely to be breached on a regular basis.....166
- Rejection 154: Veolia should focus on investing in fixing their existing operations at Woodlawn before investing an estimated \$600m for a tiny gain of just 17MW by building the new incinerator. The proposed incinerator should be rejected – Veolia need to demonstrate they are willing to invest in fixing the existing problems and can resolve existing issues prior to undertaking an even larger risk that generates toxic emissions.....167
- Rejection 155: Veolia’s proposed incinerator must be rejected. The export of electricity to the National Electricity Market represents a tiny 0.115% over a period of a year. Compared to other renewable electricity generation projects, Veolia’s incinerator is not a competitive solution for energy generation.....168
- Rejection 156: Veolia’s proposed incinerator is a green washed proposal. Claiming the energy exported as renewable is misleading. Realistically the output of the proposed incinerator is a minuscule 0.115% of the National Electricity Market. In order to replace just one 700MW turbine at Mt Piper would take 28 times as much rubbish and \$16.8bn. Veolia’s proposed incinerator is simply not a realistic “renewable” energy source.....168
- Rejection 157: Veolia’s proposed incinerator must be rejected. The baseline they use for the Bioreactor is based on a stunted system which appears to be capable of generating far more output. However lack of investment appears to be limiting the growth. It is also possible Veolia are deliberately burning the gas rather than generating electricity as this would skew modelling of electrical output of the proposed incinerator vs. the Bioreactor towards the proposed incinerator. 170
- Rejection 158: Veolia’s waste incinerator must be rejected – Veolia are betting on the failure of people and governments to achieve improved recycling targets and waste reduction.....171
- Rejection 159: Veolia’s proposed incinerator must be rejected. It is based on the premise that over the next 30 years the input waste stream will remain consistent. This is clearly impossible given the current urgency to address climate change and waste generation.....171
- Rejection 160: The incinerator proposal must be rejected. Veolia hide important information (such as potential job losses) to make the incinerator appear to be a better proposal than it actually is..171
- Rejection 161: Veolia’s proposed incinerator must be rejected. World-wide supplies of ammonia are low, and there are more critical areas in which ammonia is required (such as agriculture). Electricity can be generated from multiple sources that do not require ammonia. The incinerator is an un-required drain on ammonia supplies in a resources constrained context.....172
- Rejection 162: The ACT Energy from Waste policy clearly states that thermal treatment of waste will not be permitted in the ACT. The ACT is unable to place restrictions on it’s rubbish once it leaves the ACT jurisdiction. As such Veolia will be permitted to incinerate the ACT’s rubbish – contrary to the intent of the ACT’s policies. Veolia’s proposal to incinerate waste is contrary to the

ACT’s policy. Veolia must not be permitted to incinerate waste from the ACT. This proposal must be rejected.....174

Rejection 163: Veolia’s proposed incinerator must be rejected. Operations would likely result in toxic particles being deposited in Canberra – even if only in a small quantity. This would infringe on planned legislative changes by the ACT Government to enshrine the Right to a Healthy Environment into the Human Rights Act (ACT) 2004.....175

Rejection 164: Veolia are proposing to incinerate rubbish from people who do not want it incinerated, and burn it in a rural area with people who do not want it burnt at all. This proposal is completely contradictory to what people want in Sydney and Tarago and is out of touch with the community. The proposed incinerator must be rejected.....176

## APPENDIX B – RECOMMENDATIONS IF APPROVED

### Recommendations if Approved

- Recommendation 1: The NSW Department of Planning and Environment must take into account the issues raised within the short exhibition timeframe as a sample/subset of the issues in Veolia’s proposal. As such they should extrapolate from the issues submitted to make an informed decision on the quality of the submission.....8
- Recommendation 2: Veolia must update references to diversion from landfill to diversion from the Bioreactor. This project is a tradeoff between a longer term energy generation solution in the Bioreactor, and an instant and slightly higher net generation capacity of 25 MW (exported energy). Once the waste is incinerated, there is no further energy generation.....9
- Recommendation 3: The EIS must be updated to correctly reflect the actual exported energy. Veolia’s EIS consistently refers to an output of up to 30 MW. However the actual export is 25 MW. Veolia consistently misrepresent the incinerator as generating more electricity than it will export to the grid.....10
- Recommendation 4: Veolia must update their EIS to remove an inaccurate over-estimation of the electricity output from the project. They appear to base their current calculation on the total output of the incinerator (30MW) rather than on the exported electricity (about 25MW). This creates an overly optimistic view of the benefit from the exported electricity. Veolia attempts to make the project look more beneficial than it actually is.....10
- Recommendation 5: Veolia mislead the public by claiming the “do-nothing” is a negative result – misrepresenting this option as waste going to landfill. Veolia must update their EIS to correctly represent the “do-nothing” option will lead to waste continuing to be sent to the Bioreactor and resulting in energy generation.....11
- Recommendation 6: Veolia must update the EIS to include specific compliance to requirements set out by other agencies in Attachment 2 of the SEARs.....11
- Recommendation 7: Veolia’s proposal must be updated to include a large number of recharging points for electric vehicles. An increasing use of electric vehicles will result in the need for more charging points in areas such as workplaces – particularly for people who may drive longer distances from places such as Goulburn.....11
- Recommendation 8: Veolia must provide results of laboratory analysis of waste feedstock to demonstrate the calorific values are as per what is claimed in the EIS. This information plays a critical role in the calculation of the efficiency of the incinerator. Without an accurate basis for the calorific values and the thermal and electrical output of the proposed incinerator, the efficiency of the incinerator is unlikely to meet the required 25%.....13
- Recommendation 9: Veolia must provide laboratory based analysis of Staffordshire waste feedstock and calorific values to compare with values from the waste feedstock for the proposed incinerator. They must be able to backup the calorific values for Staffordshire with real data.....14

- Recommendation 10: Veolia must clarify what proportion of the gross energy produced (MWe) is used in applying best practice techniques. They must also clarify their calculations on the efficiency of the plant if the Electrical Power Output (MWe) varies from that used in the calculations in Appendix D.....14
- Recommendation 11: Veolia’s proposed incinerator must contain far more certainty over the treatment and disposal of the toxic ash (IBA and APCr) generated by the facility. The wording in Appendix E on Ash Management is far too loose and open to interpretation. The local community require far more certainty in this proposal.....16
- Recommendation 12: Veolia’s proposal must be updated to contain data collected over multiple years for multiple facilities. It is entirely possible 2016 data has been used as this presents the least toxic “picture” from reference facilities. Veolia must include data from relevant facilities for the last five years and use values based on the worst year as the basis for their assessments.....16
- Recommendation 13: Veolia must undertake further studies related to the ground water contamination near ED1. Recent rainfall has changed the groundwater levels and the level of contamination near ED1 must be re-assessed to provide more accurate input into the risks associated with the containment cell to be placed within ED1.....17
- Recommendation 14: Veolia must update Appendix L(ii) to include referencing for values and calculations used within the report. The report currently contains virtually no referencing and is based purely on what the author claims. This report is not up to the standard expected by the local community.....18
- Recommendation 15: Veolia’s EIS must be updated to indicate all existing transmission lines in close proximity to the Woodlawn location. Their EIS must indicate if they sought permission from the owner of those transmission lines and if permission was granted. Veolia must also indicate what upgrades would have been required for each transmission line (and substations), and why a particular option was dismissed.....19
- Recommendation 16: Approval for SSD-41991 (Veolia’s incinerator) must not be granted until Veolia has all approvals to ensure connection to the grid is possible. There is no point approving the proposed incinerator if it can not export electricity to the grid. Approval for the transmission line would be forced through the NSW Department of Planning and Environment if the incinerator has already been approved.....19
- Recommendation 17: Veolia’s Life cycle analysis must be updated. It needs to take into account transport of the waste from households and business to the transfer stations. It also needs to include the costs of encasing the APCr within Portland cement (as Veolia’s preferred solution) and the costs associated with the Portland cement generation and transport. Finally they must also adjust the Life cycle analysis to ensure the “Avoiding landfilling” is corrected – Veolia’s proposal takes waste away from a Bioreactor, not from landfill.....20
- Recommendation 18: Veolia’s Life Cycle Analysis must be updated to include the loss of embodied energy contained within the incinerated waste. There is a significant loss of embodied energy as a result of burning residual waste.....20
- Recommendation 19: Veolia’s EIS for the proposed incinerator must be rewritten to ensure it is clear the incinerator is destroying waste – once the waste feedstock is gone as a fuel source, it has

been lost forever. Veolia’s proposed incinerator is more related to a coal fired power station than it is to a wind farm or a solar farm. Veolia’s proposed incinerator is not a form of “renewable energy” and as such does not require a Life Cycle Analysis.....21

Recommendation 20: Veolia must confirm the date of the site visit for the Historical Archaeological Assessment was actually 2 June 2021. If this is correct, Veolia’s submission must include confirmation the site visit was conducted prior to knowing the SEARs (and explain why this was done).....21

Recommendation 21: Veolia must ensure the Social impact assessment is updated to include the latest available data including the 2021 Census data relevant to each section. This will represent a more accurate picture of the social context for the EIS.....22

Recommendation 22: Veolia must update their EIS (Appendix CC) to backup claims made in relation to stakeholders being NIMBYs with statistically significant empirical evidence. If they are unable to do so, they must remove references to NIMBYs and apologise for the inference.....24

Recommendation 23: The economic assessment must be updated to include negative impacts of the project. There are no negative impacts included in the assessment – presenting the project as purely positive. This dismisses the impact on the local community. For example, the economic assessment fails to consider road conditions in relation to damage to vehicles and reduced productivity.....26

Recommendation 24: Veolia’s economic assessment must be updated to demonstrate the number of jobs that will be lost or moved from the Bioreactor to the incinerator. As such while the proposed incinerator claims 40 additional jobs will be created, however it is not clear what the net loss or gain of jobs will be, and what the economic impact will be.....26

Recommendation 25: Veolia must specifically address in their EIS the expected change in the NSW waste levy payments that will be made to the NSW Government (they must include the dollar values). The economic assessment must address the likely impact this will have on the NSW Government and the programs this money is used to fund.....27

Recommendation 26: Veolia must update the Preliminary hazard assessment of the EIS. It was written without any knowledge of the school buses used by children in the local community.....27

Recommendation 27: Veolia must update their EIS to take into account the risks associated with transport of all materials to/from Woodlawn (including, but not limited to the aqueous ammonia). They must include the transport route to be used, and any restrictions on what time this material will be transported in order to reduce the risks to the local community and the environment. Veolia must also include a response plan and take into account the timeframes for emergency services to reach Tarago to deal with a large scale spill of transported materials.....27

Recommendation 28: Veolia must update the EIS to include analysis of operational data for Staffordshire over an eight year period (2014 to present). While Appendix L does perform analysis of the process and technologies used, there is no analysis of inputs and outputs over a period of years. Veolia use a single year (2017) as a reference, rather than demonstrate the range and characteristics of inputs and outputs.....28

Recommendation 29: Veolia’s existing Bioreactor must also be shut down as soon as reasonable. Veolia’s analysis in Appendix Q demonstrates the Bioreactor generates excessive GHG emissions – even compared to the proposed waste incinerator. Given the need to reduce GHG emissions now

(according to the United Nations), the Bioreactor is no longer a suitable method of processing waste.....29

Recommendation 30: The incinerator proposal by Veolia must be updated to include the emissions of waste transfer from the “kerbside” wheelie bins to the transfer terminals in Sydney. Veolia have excluded this from their assessment of GHG emissions.....29

Recommendation 31: Veolia’s proposal must be updated to reflect the loss of embodied energy from the waste in comparison to other alternatives (such as the Bioelektra facility and it’s ability to retain more of the embodied energy contained within the waste stream).....30

Recommendation 32: The EIS for the proposed incinerator must be updated to reflect the GHG emissions during the construction phase. They currently dismiss these emissions. We (this planet) have reached a point where every emission counts and can make a difference. This requires a change in corporate mindset. Veolia’s dismissal of GHG emissions during construction demonstrates their corporate mindset is not adapting to climate change, and they are not prepared to adapt.....30

Recommendation 33: The Greenhouse Gas Impact Assessment (Appendix Q) of the EIS must be updated to correctly reflect the volume of waste transferred from Sydney to Woodlawn. Annual reports from Veolia indicate the volumes are around 600,000 tonnes, however Appendix Q indicates the volume (provided by Veolia) to be over 800,000 tonnes. Veolia must clearly articulate the waste volumes being received, origins and types.....30

Recommendation 34: The EIS must be updated to model GHG impacts based on Veolia’s original documentation for MP 10\_0012. The original documentation references the Bioreactor peaking at 24MW output, however the proposed EIS models an output in Scenario 1 of 15 engines at 0.86MW output, or 12.9MW. Veolia model the output of Scenario 1 at half the original modelling for MP 10\_0012.....31

Recommendation 35: Veolia must update their EIS to correctly reflect the actual exported electricity. In Appendix Q section 5.3 for instance, Veolia claim the electrical production of 240,000MWh/yr. However the actual exported electricity is more likely to be 207,460MWh/yr. This represents a difference of 25,707 tCO<sub>2</sub>-e. Table 6.4 of Appendix Q mis-represents the offset of tCO<sub>2</sub> by 13.5% - this is a significant difference in GHG emissions and affects many calculations in both Appendix Q and the entire EIS. Veolia do not present accurate information in their EIS.....31

Recommendation 36: Veolia must update all EIS documents to include how every calculation has been performed. Veolia fail to provide their calculations in Appendix Q for the GHG generated by the project.....32

Recommendation 37: Veolia must update their EIS to include the longer term impact of the Bioreactor on the environment. They currently only consider a year on year basis, and not on the ongoing gas that will be generated for years after the Bioreactor is closed.....32

Recommendation 38: Veolia must update the GHG impact assessment to correctly reflect realistic scenarios based on no increase in waste being brought into Woodlawn under any scenario. The GHG impact assessment must take into account not just a year-on-year calculation, but operation over the lifetime of the facilities. This must include taking into account the electrical generation from the Bioreactor for at least 30 years after the landfill has been capped.....33

Recommendation 39: Veolia must explain in detail the data generated by the UK Government in relation to the Staffordshire facility. This must include a detailed analysis as to why the CO<sub>2</sub> (and other Greenhouse Gasses) would be less in Australia (about half) than compared to their reference facility.....35

Recommendation 40: The EIS must be updated to include all Greenhouse Gases. Appendix Q of Veolia’s EIS only contains reference to CO<sub>2</sub> as a Greenhouse Gas. While regulatory frameworks may only require CO<sub>2</sub> emissions analysis, other gasses are just as important. While not true in this case, a facility could put forward a CO<sub>2</sub> emissions analysis, and then completely ignore CFC emissions.....35

Recommendation 41: Veolia must provide an independent analysis (to be agreed through the NSW Department of Planning and Environment) of the Staffordshire actual emissions compared to claims made in the Staffordshire planning documents. The independent analysis must prove conclusively that Veolia’s Staffordshire incinerator is within reasonable variability of the original modelling. If this test fails, Veolia’s proposed incinerator must be rejected.....36

Recommendation 42: Veolia’s values for CO<sub>2</sub> emissions vary significantly from UK Government reporting values for the reference facility in Staffordshire. Values also vary significantly from the BAT reference document for waste incineration. Appendix Q of the EIS is unclear on what calculation was actually used to derive the CO<sub>2</sub> emissions from the proposed incinerator. Given Veolia claim the National Greenhouse and Energy Reporting (Measurement) Determination 2008 was used in the calculations, Veolia must update Appendix Q to include the method used in the calculation, and the values used in that calculation. The EIS must also be updated to indicate how the values in the calculation were derived. For example, did Veolia use “Non-biomass municipal materials” from Part 1 of Schedule 3, with a Carbon content factor of tC/t fuel value of 0.250? Veolia must also include justification for why specific values were used, or how those values were calculated.....38

Recommendation 43: The Traffic Impact Assessment for Veolia’s proposed incinerator must be updated to include accident data from at least 2021.....39

Recommendation 44: Veolia’s proposed incinerator will lead to an even larger impact on already significantly damaged roads. The Traffic impact assessment shows road pavements in good condition. However this is not the case. Veolia’s proposal must not be allowed to commence construction until the main roads around Tarago have been repaired to a more serviceable level. A dilapidation survey should not occur until most existing damage has been repaired.....39

Recommendation 45: Veolia must update the EIS to clearly indicate what waste (type and volume) it is receiving from each regional location, and how much along each haulage route. For example Figure 3.6 of Appendix T clearly states they receive waste from “ACT, Queanbeyan and Palarang”, however the ACT Government has stated they do not send municipal waste to Woodlawn. What type and volume of waste is being collected from the ACT? And will that waste be sent to the proposed incinerator or will it go to the existing Bioreactor?.....40

Recommendation 46: Veolia’s “detailed analysis” of traffic at three locations consisted of apparently six hours of a day on a single day. This is not statistically significant and can show significant bias. The local community knows Tarago can become extremely busy before and after long weekends during warmer periods of the year with tourist traffic. Veolia’s traffic analysis must be updated to take multiple sample periods over a more representative period. This should include

before at least two long weekends during warmer months of the year. Time periods during the middle of the day should also be used due to significant volumes of truck movements during the day through the town itself.....41

Recommendation 47: Veolia must update the proposed incinerator traffic impact assessment. The proposal accurately states the impost of extra vehicles slowing down traffic between Crisps Creek and Woodlawn during construction. However Veolia fail to highlight this “temporary” imposition on the local community will be for 31 months under their current construction time-frames. Given current delays in the building and construction industry and resourcing constraints, the imposition on the local community is more likely to be for three years. This is hardly temporary.....42

Recommendation 48: Veolia’s proposal must be rejected – they take a least cost approach and are unlikely to pay for a climbing lane up the hill between Crisps Creek and Woodlawn. Veolia continue to create an imposition onto the people travelling along the road. The hill must be upgraded to two lanes uphill to allow vehicles to pass safely. There is also a cumulative impact due to numerous other proposed projects in the region which has not been taken into account in Veolia’s proposed incinerator.....42

Recommendation 49: Veolia must cross check all their documentation to ensure timeframes are accurate, and information matches between the main EIS document and the individual assessments. ....42

Recommendation 50: Veolia must update the Traffic impact assessment to take into account employees and contractors that will stop within the town of Tarago itself. This includes truck drivers making deliveries, staff collecting coffee in the morning, and potentially staff having lunch in town.....43

Recommendation 51: The Draft Construction Traffic Management Plan must be updated to reflect the fact that local roads deteriorate quickly due to large volumes of heavy vehicles. The Plan must be updated to reflect this and that drivers must always take into consideration vehicles are often swerving to other sides of the road to avoid poor road conditions.....43

Recommendation 52: The Draft Construction Traffic Management Plan must be updated to indicate that construction traffic must not be passing through the town of Tarago between the hours of 7:30am and 9:30am and again in the afternoon between 3:00pm and 5:00pm.....43

Recommendation 53: Veolia’s Drivers code of conduct must be updated to reflect there are school children and buses in and around the Tarago area between 7:30am and 9:30am and again between 3:00pm and 5:00pm. The code of conduct must also be updated to indicate construction vehicles and materials are not to be brought through the town at these times.....44

Recommendation 54: All Veolia drivers and vehicles must be clearly labelled with a sticker to indicate they work for Veolia. The sticker must contain a hotline number so residents can report drivers who do not adhere to the Driver’s Code of Conduct. Veolia must report on all incidents within 7 days on a publicly available website.....44

Recommendation 55: Veolia must update the Driver’s Code of Conduct to indicate that drivers are not to swerve to avoid damaged road sections. Veolia must document they will pay for the damage to vehicles of contractors and employees who’s vehicles are damaged as a result of the poor road conditions.....44



- Recommendation 56: Veolia must ensure a 24/7 complaints hotline phone number is published widely and not just at the front of the site. Veolia must handle all complaints and keep a register of complaints. All complaints must be published on Veolia’s website within seven days of the complaint being made. The details of the complaint must contain the contractor name, the date and time of the incident, details of the incident, and any video footage provided.....44
- Recommendation 57: Veolia’s must update it’s submission to demonstrate it takes responsibility for contractor behaviour. Veolia must ensure dangerous or illegal driver activity is reported to police..44
- Recommendation 58: The NSW Department of Planning and Environment’s previous judgements have been demonstrated to be incorrect (more than ten years after the approvals have been granted). The Department of Planning must take into account the failures of modelling and simulation to accurately show the impact on the local community more than ten years after approvals have been granted.....49
- Recommendation 59: Modelling and simulations used by Veolia are based on “normal operating conditions”. The modelling does not take into account climate change. For example the modelling makes no reference to less rainfall, but higher intensity rainfall events. Modelling also needs to take into account above average temperatures. Modelling historically provided by Veolia demonstrates modelling contained in their incinerator submission should be closely scrutinised to ensure it takes into account variations in conditions based on climate change.....50
- Recommendation 60: Veolia must update the AQIA to demonstrate the proposed incinerator can comply with more stringent guidelines contained in the latest WHO guidelines for outdoor air quality (as set in September 2021).....51
- Recommendation 61: Veolia’s AQIA is based on NEPM values that is currently out-of-date. The NEPM was changed in May 2021, however in September 2021 the WHO set higher outdoor air quality standards. It is not uncommon for legislation to be behind the latest scientific literature. As such the AQIA must comply with the higher standards as set out by the WHO in September 2021. Veolia must update the AQIA to align with the latest WHO standards.....52
- Recommendation 62: The AQIA from Veolia is based on the NSW Policy Statement which has not been updated to reflect the latest guidelines from WHO in relation to outdoor air quality. The EPA must update the Policy Statement to reflect WHO changes for air quality prior to any AQIA being updated.....52
- Recommendation 63: Veolia must update the EIS to include analysis of the last five years of operational data from the Staffordshire “reference facility”. This must include any failures, problems, issues or instances of limits being exceeded – including (but not limited to) air quality, content analysis of ash etc. This includes demonstrating why other years of data are non-typical.. 54
- Recommendation 64: Over time, limits on air emissions generally become more constrictive. Given Veolia’s incinerator is likely to be in operation for over 20 years, limits are likely to become more constrained during the operations. Veolia’s proposal should demonstrate how they will comply with increasingly restrictive limits.....54
- Recommendation 65: Conditions placed on Veolia for the operation of the incinerator must include what actions Veolia must undertake in order to remain compliant with limits for the entire lifetime

of the incinerator. Should Veolia be unable to comply with more restrictive limits, the facility must be shut down.....	54
Recommendation 66: Veolia must update the AQIA to include all residences within 20km of the emissions stack. Veolia has deliberately excluded about 20 residences from Boro Road.....	55
Recommendation 67: Veolia must update the AQIA to take into account residences that have reported odour emissions in the last three years. This information should be reflective of the potential impact of pollution from the incinerator.....	55
Recommendation 68: Veolia misrepresents the land use surrounding the incinerator as large rural farming properties. However there are hundreds of rural residential properties within 20km of the emissions stack which are highly connected with the land. This includes the use of orchids, growing vegetables, and keeping animals such as chickens, horses, sheep and alpacas. Veolia must update to AQIA to correctly reflect the characteristics of the local setting.....	55
Recommendation 69: Veolia must update the AQIA to discuss the emissions in the context of the Stockholm Convention.....	56
Recommendation 70: Veolia must install a permanent ambient air quality monitoring station in Tarago itself. Data must be available in near real time on a website, with summary data for each hour, day and year made available within 24 hours.....	56
Recommendation 71: Veolia must update their AQIA to indicate how the incinerator would perform and what the air quality impact would be in the case of reduced (or no) aqueous ammonia available for the SNCR process. They do not even indicate what would happen in this situation....	57
Recommendation 72: Veolia’s proposed incinerator must comply with existing world best practice air quality standards. In the event world best practice air quality standards become stricter, Veolia must (within three months of the increased standards) provide a report to the EPA on how they will meet the stricter standards. Within twelve (12) months of the change in standards, Veolia’s incinerator must be compliant with the stricter standards. In the event Veolia are unable to comply with the stricter standards, the incinerator must be shut down until such time Veolia are able to demonstrate they are compliant.....	59
Recommendation 73: Veolia must update their EIS to include the impact on The Morass and Lake Bathurst – recognised wetlands. Veolia must also include the impact of toxic airborne particles to wildlife in these wetlands.....	61
Recommendation 74: Veolia’s biodiversity assessment (Appendix Y) must be completely revised. It must take into account that Veolia have already polluted the existing groundwater. It must also revise the risk assessment based on the more recent actions Veolia have undertaken that endanger the environment. Veolia’s biodiversity assessment must take into account the actions and history contained in NSW EPA Prevention Notice 3503885.....	62
Recommendation 75: Veolia’s must undertake detailed analysis of previous modelling (from the last 30 years) for Woodlawn, and compare it to actual reported odour emissions. Detailed analysis must identify why the models do not work, and consequently update the models contained in the EIS. Veolia must extend the “worst-case” scenarios to things they would not normally consider, such as failure of sensors and personnel monitoring the systems (as has been demonstrated in many	

international cases where Veolia’s actions (or lack of) have resulted in failed sensors, or failed processes).....	65
Recommendation 76: Veolia’s proposed incinerator EIS must be updated to include risks to humans related to the ingestion of fish from the Aquaculture facility located at Woodlawn.....	65
Recommendation 77: Veolia’s EIS must be updated to include testing they will undertake on a regular basis of fish from the existing aquaculture farm on site. Testing results of the fish must also be published online within seven days of samples being collected.....	65
Recommendation 78: Veolia must update the HHRA to include residences along Boro Road.....	66
Recommendation 79: The HHRA for Veolia’s proposed incinerator must be updated to include more localised health data from the 2021 Census data. This includes data for smaller areas that are relevant to the EIS.....	66
Recommendation 80: Approval for the proposed incinerator must be delayed until after the WHO has completed revising the TEF values early next year. Veolia must then update their submission to demonstrate compliance with these values prior to re-submitting the EIS.....	66
Recommendation 81: Veolia must clearly state they will ensure the facility remains compliant with any reductions in limits set by the EPA or other official bodies such as the WHO. They must upgrade the facility within 12 months of changes in limits. In the event Veolia are unable to comply, the proposed incinerator must be shut down.....	66
Recommendation 82: The HHRA must be updated to include an assessment of risks related to leaks from ED1 and ED2 into local groundwater. Veolia must consider worst case scenarios include leaks from the containment cell for the APCr.....	67
Recommendation 83: Veolia must agree to pay out anyone within 30kms of the proposed incinerator who wishes to move (up to three years after the commencement of operations). The payout must include a fair and reasonable price (process agreed to by the Department of Planning and Environment). The payout must include an additional 30% for disruption to our lives. Veolia must pay for all removal and relocation costs.....	68
Recommendation 84: Veolia must update the values in Table c6 of the HHRA to be more reflective of Australian rural properties, rather than be based on urban houses in places such as Central Mexico. They must reference the information with accessible reports to demonstrate the values are based on legitimate sources of information. Failing legitimate sources, Veolia must undertake a survey of all residential properties (where permission is granted) to obtain relevant evidential data to base their assessment on.....	68
Recommendation 85: Veolia’s Annual Reports fail to contain critical information on their environmental performance. It is entirely possible Veolia’s Annual Reports have excluded other information, and obscured the truth about their operations. Veolia’s existing conditions of consent must be revoked immediately by the Department of Planning and the Environment. The NSW EPA must also revoke their EPL.....	78
Recommendation 86: If the proposed incinerator is to be approved, Veolia must demonstrate for a period of no less than five years that they can comply with all requirements of their existing licenses. They must be able to prove to the local community they have a social license to operate.	

Veolia’s operations at Woodlawn and supporting projects must pass with “flying colours” a detailed and rigorous audit to be undertaken every year for five years.....86

Recommendation 87: Veolia is required to pay for the installation of water filtration systems in every residential property within 50kms of the facility. The water filtration systems must be capable at removing (at a minimum dioxins and furians) toxins from the water. In the event the filtration system requires substantial power inputs, Veolia must pay for any upgrades to solar power systems to provide sufficient additional capacity. Veolia is required to pay for any repairs or replacement systems while the incinerator is operational.....88

Recommendation 88: If water filtration is not possible, Veolia are required to pay for the installation of 100kL of new water tanks at every residence that are not connected to any reticulated water supply. Veolia are required to pay for the costs of all water delivery to every residence within 50kms of the facility while the incinerator is operational. Water is to be source from either Canberra or Goulburn due to the risk of contamination of Bungendore’s water supply.....88

Recommendation 89: Require Veolia to pay for 50 years of ongoing research and monitoring of the local community health. Funding must be provided up front and must include at least two full time researchers, funding for one administrative staff member, and additional funding to pay for sampling.....89

Recommendation 90: The proposed facility is not to commence operations until at least two years of baseline data has been collected.....89

Recommendation 91: Construction of the incinerator is not to commence until roads between Tarago, Bungendore, Goulburn, the Kings Highway and Nerriga are all in suitable condition to reduce the stress on local residents.....90

Recommendation 92: Construction of the incinerator is not to commence until the road between the Crisp’s Creek Intermodal facility and the turnoff to Woodlawn is upgraded to include a climbing lane in order to reduce to impact on the local community and travellers of slow trucks on the hill..90

Recommendation 93: In addition to existing funding, Veolia must provide a minimum of \$10m each per year to QPRC and GMC to upgrade and maintain the roads surrounding Tarago, including the main roads, roads in and around the township of Tarago.....90

Recommendation 94: Veolia must not commence construction until all Lead (Pb) contamination in Tarago and Bungendore has been removed and rehabilitation completed.....91

Recommendation 95: Veolia are required to publish their Bioreactor complaints handling procedure and the approvals from the EPA on their website prior to any approval for the proposed incinerator. ....102

Recommendation 96: Veolia must demonstrate full compliance with MP 10\_0012 and all modifications for a period of at least five years prior to commencing any construction work on any new facilities. Five years is considered appropriate considering they have failed for years to comply with reporting requirements.....103

Recommendation 97: Veolia’s website contains inaccurate dates on the release of reports. Veolia demonstrate poor record keeping practices and present inaccurate information to the public. Veolia must demonstrate for a period of no less than five years highly accurate record keeping in all

activities prior to any approvals for the incinerator being permitted. At the end of five years, Veolia must pay for an independent audit to be undertaken of all operations Woodlawn, Crisps Creek and the respective waste transfer terminals in Sydney to ensure they have demonstrated they are suitably qualified to undertake reporting in relation to the proposed incinerator. The choice of the independent auditor(s) must be undertaken by a joint panel of staff from the EPA, the NSW Department of Planning and Environment and the community liaison committee. A report on the choice must be published to the community and input and feedback from community members must be included. Final approval for the choice of auditors must be granted by Department of Planning.  
.....103

Recommendation 98: Veolia must be required to publish complaints within 24 hours of receipt on their website. To date they have shown a complete disregard for the local community and any future development activity must set a much higher standard.....104

Recommendation 99: Failure to publish complaints within 24 hours must result in an immediate shutdown of the proposed facility for a period of no less than 24 hours after the complaint has been published.....104

Recommendation 100: Veolia must pay for an independent review of all published data to ensure they comply with the Privacy Act 1988 prior to any approval for the proposed incinerator being granted. All recommendations must be implemented prior to approval for the proposed incinerator being granted.....105

Recommendation 101: Veolia must review and update it’s complaints handling procedure. The procedure must be published on their website.....107

Recommendation 102: Veolia is required to provide to the EPA and the community the scientific process they will use for collecting, analysing and reporting data. Veolia must pay for an independent review of the process used to ensure a scientific method has been used. Veolia must comply with any recommendations of the review.....116

Recommendation 103: Veolia must include in any reporting why variations from the approved process for collecting, analysing and reporting of data have occurred.....116

Recommendation 104: Veolia must ensure high quality data is readily available for the new facility in the form a database that can be searched. The data must be quality controlled. The database must be available to the public and allow exporting the data to formats such as csv and xls.....116

Recommendation 105: Veolia must provide a public report detailing all waste volumes received for all operational years of Woodlawn. This must include waste origin (southern trucking route, northern trucking route, train), volumes (tonnage) and types of waste (as described in their licenses). For each year they must also include the limits for that year according to the then relevant limits. This must be done for all waste types, not just putrescible waste.....117

Recommendation 106: Conditions for Veolia’s proposal must be strict and very clear. Limits must be imposed on all waste types to ensure Veolia does not abuse their conditions or license. Veolia has demonstrated it will take advantage of any “loose” conditions in order to dispose of other types of waste – even if those wastes pose a threat to the local community. In the 2021 annual return period, Veolia disposed of ~48,128 tonnes of other waste that is never described as to the content of asbestos of tyre volumes.....119

Recommendation 107: Independent analysis of Veolia’s monitoring data should be undertaken – their use of log scale graphs may be disguising some data trends in relation to pollution and the environment.....	121
Recommendation 108: Veolia’s existing environmental license must be revoked. They demonstrate breaches of conditions L1 and O1 – willingly endangering the environment.....	122
Recommendation 109: The Department must cross check reports of exceedences by Veolia reported to the NSW EPA against the reports made to the Department. They must also cross check reports of pollution incidents around 2016 to ensure Veolia did notify the Department as obligated under their conditions of consent.....	125
Recommendation 110: The EPA’s risk level for EPL11763 must be updated to the highest level. The NSW Government must ensure the EPA has sufficient funding to ensure extremely high level of monitoring for Veolia’s operations, in particular those related to the Clyde Waste Transfer Terminal. ....	127
Recommendation 111: This submission clearly shows the lack of scrutiny by the EPA has allowed Veolia to get away with poor behaviour, and to ignore the conditions of not only the EPL, but also Department of Planning and Environment’s Conditions of Consent. The EPA must maintain at least an Environmental Risk Level 2 for Veolia’s operations for at least five years (until Veolia can demonstrate significant improvements in compliance).....	130
Recommendation 112: In the event the incinerator is approved, the proponent must provide funding to the EPA for permanent air quality sensors are deployed around the new facility. This must include multiple locations in Tarago itself, and environmentally sensitive areas (including Lake George, Lake Bathurst and The Morass). The sensors must be able to detect all potential emissions from the incinerator. The proponent must pay for the design, build, installation and ongoing operational costs of a near real time recording and reporting system. At least two years of baseline data must be collected prior to the operation of the proposed incinerator.....	130
Recommendation 113: Veolia’s proposed incinerator must not be approved until the EPA can demonstrate they are suitably qualified and competent in the monitoring and compliance of Veolia’s operations in and around Tarago for a period of at least 24 months.....	133
Recommendation 114: Veolia must demonstrate they can comply with all license conditions and development conditions for existing licenses and conditions held for the Woodlawn precinct. They must demonstrate this for a period of no less than five years prior to approval of the proposed incinerator.....	134
Recommendation 115: Prior to any approval of the incinerator, the NSW EPA must be able to demonstrate they can take action on license holders that continuously breach license conditions over many years rather than just “moment in time” breaches for pollution events.....	134
Recommendation 116: The NSW EPA must explain why in 2021 there was a breach of L6.1 of Veolia’s license, yet for years preceding this there has been no breach of this condition despite Veolia’s own odour logs and annual returns talking about the breaches of this condition. The NSW EPA must demonstrate they can competently monitor Veolia prior to any license being approved for an incinerator.....	134

Recommendation 117: Veolia’s license and conditions of consent must undergo a detailed review, including actions by the EPA, the Department of Planning and Environment, Veolia and any sub-contractors. This review must be conducted before any approvals for the proposed incinerator.....	138
Recommendation 118: Veolia must cease operations at Woodlawn immediately. It is clearly emerging that the EPA are unable to monitor the license. It is clear Veolia have and will continue to breach their conditions of consent. Veolia is unsuitable to undertake any waste disposal activities at Woodlawn.....	138
Recommendation 119: Veolia must have written approval from the Australian Federal Government acknowledging the generation of banned Persistent Organic Pollutants (banned under the Stockholm Convention) will be permitted to be generated in Australia, and that by doing so Veolia is not breaching the Stockholm Convention.....	144
Recommendation 120: The Department must take into account the Stockholm Convention on Persistent Organic Pollutants. This includes if Veolia’s proposal is compliant with the Convention and the context of guidelines on incinerators.....	147
Recommendation 121: Veolia must update their EIS to demonstrate waste incineration is the best process. This must take into account alternatives highlighted in the guidelines of the Stockholm Convention, and demonstrate that incineration is the best solution.....	148
Recommendation 122: NSW EPA must update the license details for EPL 5303 to ensure all penalty notices are documented in the register. Despite non-compliances listed for the annual return (March 2006) showing a penalty notice was issued, there is no record of the penalty notice in the license details for EPL 5303. The NSW EPA must review all of Veolia’s licenses (included no longer current licenses) to ensure the accurately reflect penalty notices that have been issued.....	162
Recommendation 123: Veolia’s proposed incinerator must be closely checked for any related donations that may have been used to in influence or manipulate the NSW Department of Planning and Environment’s process.....	163
Recommendation 124: Veolia must update the main EIS document to reflect the power exported, rather than continually claim the output of the incinerator will be 30MW. Veolia attempt to deceive the public by only presenting optimistic view in the main EIS document. The exported power of 25MW is 17% lower than Veolia claim in the main EIS document.....	167
Recommendation 125: Veolia must explain why it is installing more flares rather than engines to capture the energy from the gas of the Bioreactor. It appears Veolia are deliberately limiting the output of the Bioreactor – possibly an attempt to skew the analysis of the benefits of the proposed waste incinerator.....	169
Recommendation 126: Veolia must explain as a part of the proposed incinerator EIS why they are not maximising the output of the existing Bioreactor. The need to explain why additional flares are being installed rather than engines to generate electricity.....	170
Recommendation 127: Independent modelling must be undertaken to demonstrate how many engines are needed now to handle the current gas output. The modelling must also show how and when (with existing waste feedstock) then number of engines is likely to increase.....	170

- Recommendation 128: The Veolia proposal must include early exit plans to account for the reduction in waste as people and the government improve their ability to recycle. There should be no penalty for councils for early exit clauses to ensure there is no impediments imposed by Veolia to reduce waste volumes.....171
- Recommendation 129: Veolia need to clarify what will happen to the existing employees of extant operations. How many of these employees are intended to be reassigned to the new incinerator (under Australian National Employment Standards (NES), employees must be reassigned where possible rather than made redundant)? What will be the net gain or loss of jobs?.....171
- Recommendation 130: Veolia’s EIS must be updated to include details on the volumes of ammonia required for operations. They must also include a discussion on what actions will take place in the event of more shortages of ammonia, including any conditions where the incinerator continues to operate without ammonia involved in the SNCR process.....172
- Recommendation 131: Veolia must demonstrate in their EIS where the profits related to the operation of the proposed incinerator will be going. They must also provide indications on how much tax they are likely to pay – using examples from existing activities undertaken NSW and Australia. Veolia must demonstrate they are a good corporate citizen and live up to the expectations of the Australian community that large corporations comply with the intent of the Australian Tax Laws, and not just bypass those laws by shifting profits overseas.....173
- Recommendation 132: Veolia’s EIS needs to be updated to include a constraint that if regional waste is to be received from the ACT, it will not be sent to the incinerator. They must also document how they will ensure the separate waste streams are maintained to ensure the intent of the waste source is not used for the wrong purpose.....174
- Recommendation 133: Veolia must clarify if they are receiving commercial and industrial waste from Canberra. Their proposed incinerator EIS must document where the waste feedstock is coming from, and demonstrate support from those communities for that waste feedstock to be incinerated. ....174
- Recommendation 134: Approval for the incinerator must only be granted if more than 80% of councils in the broader Sydney Basin agree that “burning waste is the best approach to dealing with their waste issue”.....176
- Recommendation 135: Veolia must have fixed contracts in place to supply at least 80% of the waste requirements for the incinerator prior to approval being granted. The contracts must be for the lifespan of the incinerator (at least 30 years). The contracts must not have any penalties in place should the waste supply be diverted earlier in the waste processing stream, or in the event insufficient waste is being generated.....176
- Recommendation 136: The NSW Department of Planning and Environment should seek independent input from Australian experts on recycling such as those from the University of New South Wales’s centre for Sustainable Materials Research and Technology (SmaRT).....176



