

NSW EPA Energy from Waste Framework Review

Hunter Joint Organisation submission – 2 May 2025

Introduction

The Hunter Joint Organisation (Hunter JO) is the statutory local government entity established by the NSW Government, under the *NSW Local Government Act 1993*, to support the ten member Councils of the Hunter Region to work together for better rural and regional outcomes, and to enhance the way local and state governments work together to plan and deliver important regional infrastructure and investment.

Member Councils of the Hunter JO are:

- Cessnock City Council
- Dungog Shire Council
- Lake Macquarie City Council
- Maitland City Council
- MidCoast Council
- Muswellbrook Shire Council
- City of Newcastle
- Port Stephens Council
- Singleton Council
- Upper Hunter Shire Council

The Hunter JO also serves as the voluntary regional waste group under the NSW EPA's [Regional Networks for Effective Waste Management \(RENEW\) program](#), which is comprised of the ten Member Councils, as well as Central Coast Council.

The Hunter JO welcomes the opportunity provided by the NSW EPA to provide feedback on the proposed changes to the NSW Energy from Waste Framework as outlined in the *Energy from waste – options paper*.

The following responses have been developed based on consultation with the Hunter JO Regional Waste Managers Network (i.e. waste managers from the member councils) and other key member council staff. The submission is structured to respond to the survey questions supplied by the NSW EPA on its *Have your say* website.

Response to the Energy from Waste Framework Review

Proposed changes to precincts

How strongly do you agree or disagree with the following proposed changes?

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
Richmond Valley Jobs Precinct no longer identified as a priority infrastructure area and the map revoked				X	
West Lithgow Precinct boundaries extended to include the former Wallerawang power station and a map gazetted				X	
A new priority infrastructure area is established for Tomago and a map gazetted				X	
No changes to Parkes Special Activation Precinct and Southern Goulburn Mulwaree Precinct				X	

Do you have any comments around these proposed changes?

In principle, the Hunter JO and its member council support the proposed changes to the Energy from Waste (EfW) Framework.

The Hunter JO is particularly interested in the addition of the Tomago Precinct and supports this proposal overall. It can provide modern waste management infrastructure that could provide a solution for some forms of non-recoverable, residual waste, beyond the current life of the council operated landfills in the region. Given that the current proposals for EfW at the Parkes and Goulburn Mulwaree Precincts will not replace the capacity of Sydney's existing landfills (as noted in the Options Paper), we see the addition of the Tomago Precinct as necessary to provide essential waste processing capacity for the future.

Locating the precinct at an existing waste facility operated by a potential EfW developer (Remondis), provides a confidence that the project will proceed and can take advantage of the industrial precinct's current infrastructure and social license. Similarly, placing the EfW facility adjacent to one of the nation's largest energy consumers, Tomago Aluminium, provides an offtake opportunity to support its decarbonisation and maximise the outputs of the facility.

However, the establishment of an EfW precinct at Tomago *must* be supported by a robust environmental assessment and planning process that ensures appropriate and effective controls are

put in place to manage impacts of this site on the surrounding environment and community. While we believe that locating the precinct within an existing industrial area is appropriate for this type of development, it will be critical to the success of the project to ensure that impacts are mitigated, especially given the expected community sensitivity to EfW and the proximity of the site to sensitive environmental areas including the Ramsar Convention listed Hunter Wetlands National Park.

The Hunter JO urges the NSW Government and project developer to ensure that any energy from an EfW at Tomago is available to be exported to the grid if its supply is not fully consumed by co-located operations, avoiding any instances of surplus energy being “dumped”. Additionally, EfW generators can be configured to provide critical grid services including frequency and voltage control, inertia, and system strength. These services are currently provided by the large rotating turbines of conventional power stations, but as these are gradually phased out and replaced by the modern, renewable led grid, electricity market operators will need to find new suppliers of these critical system services. The Hunter JO therefore suggests that the EfW development at Tomago should consider what role it can play in providing these grid services, as it will likely have the capacity to operate constantly in an electricity system that is increasingly reliant on intermittent and asynchronous generation (source: ACOR, 2021 https://acor.org.au/wp-content/uploads/2023/06/acor_wte_report_april21_final.pdf).

While we welcome the proposed precinct, it should be complemented by investment in resource recovery infrastructure to extract value from existing waste streams in the region and develop the circular economy. This will ensure valuable materials are not simply converted to energy but are diverted to a higher and best use, supporting the development of the region’s circular economy. Doing so will provide multiple outcomes, including environmental benefits, material sovereignty and security, and diversification of the region’s economy.

As owners and operators of landfills and other waste infrastructure, the Hunter JO’s member councils request to be engaged early in the development of any future EfW project in the Tomago precinct. Providing reliable and affordable waste management for our communities requires significant capital investment and forward planning. Early and open communication about plans for the Tomago site will allow councils to adjust waste infrastructure plans to ensure the financial sustainability of both the Hunter JO member councils and any future EfW project at Tomago.

In relation to the revocation of the Richmond Valley Precinct from the POEO (General) Regulation 2022 as a permitted location for EfW, the Hunter JO accepts the justification in the Options Paper, being that the location is too far from Greater Sydney to be of strategic importance, and that there were no meaningful proposals for development within the precinct. In addition, it appears that community opposition to a project within the precinct was a factor. For EfW to be a viable part of future waste infrastructure in NSW, it will be important to engage with and educate communities about the reality of modern EfW facilities, including the advantages and how impacts will be controlled, pointing to successful Australian and overseas projects as examples.

The Hunter JO supports the expansion of the West Lithgow Precinct, and the continuation of the Parkes Special Activation Precinct and Southern Goulburn Mulwaree Precinct. The Parkes Precinct can leverage existing and planned rail infrastructure to transport feedstocks from Greater Sydney, as

well as provide energy to co-located businesses. The West Lithgow and Goulburn Precincts both make strategic use of existing industrial or mining land and their supporting infrastructure.

Proposed changes to the definition of 'thermal treatment'

How strongly do you agree or disagree with the following proposed changes?

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
Expand the exclusions to allow processes that treat waste to produce 'like for like' products or inputs for those products, not only for plastic				X	
Expand the exclusions to allow for processes that make a product that has a clear environmental benefit in line with criteria specified in the Regulation or guidelines				X	

Do you have any comments around these proposed changes?

The Hunter JO supports this change. It will allow for waste plastics and other materials to be reprocessed in a "circular" way, extracting a high and better use. As it stands, much of this recoverable material is likely lost to landfill, exported into overseas markets, or reprocessed to a lower value. Australia is well-placed to establish local thermal treatment processes given its stringent environment controls, technological sophistication, and skilled workforce, safely keeping valuable materials in circulation and diversifying the economy.

Proposed changes to exceptions for powering onsite industrial or manufacturing processes

How strongly do you agree or disagree with the following proposed changes?

	Strongly disagree	Disagree	Neither agree nor disagree	Agree		Strongly agree
Adjust the exception under clause 144(4) of the Regulation to enable the EPA to consider and allow proposals to replace liquefied petroleum gas, natural gas, and liquefied natural gas with energy recovery from waste, on a case-by-case basis				X		

Do you have any comments around these proposed changes?

The Hunter JO supports this change. It makes sense to allow the replacement of fossil fuels in industrial processes with EfW where there is a *clear environment and economic benefit*. Considering proposals on a case-by-case basis against stringent criteria means that initiatives that achieve better outcomes are not precluded on a summary basis.

Lastly, do you have any overall comments you would like to tell us?

Landfill infrastructure in NSW is under immense pressure, jeopardizing our ability to effectively and safely manage the state's waste. The NSW Government's targets under the Waste and Sustainable Materials Strategy (WaSM) – including an 80% recovery rate by 2030 – seem unachievable without the addition of EfW the waste management infrastructure mix.

Landfills are increasingly expensive to construct and operate and present numerous environmental problems including significant carbon emissions and pollution risks. Modern EfW infrastructure is sophisticated and can offer better environmental performance, as well as valuable outputs including the supply of electricity and heat.

However, efforts to recover the highest and best use from waste materials should not be overlooked in favour of using these resources as EfW feedstocks. Any EfW projects should be complemented with investment in the circular economy. This could be supported by greater reinvestment of the waste levy into the Hunter and other regions to develop structures, systems and infrastructure to achieve more efficient resource use.

In relation to the EfW Framework generally, the Hunter JO and its member councils encourage the EPA to review the current approach to prohibit energy recovery from thermal treatment of waste (s 143 POEO (General) Regulation 2022) except when carried out at a place specifically designated (s 144 POEO (General) Regulation 2022). This prohibition precludes EfW projects from being proposed in locations that leverage strategic advantages, such as proximity to, waste streams, offtake markets for energy, heat and other outputs, and existing infrastructure. While the Hunter JO acknowledges the political sensitivity of EfW and potential for impacts on the community and environment, we believe that the NSW planning and approvals process is robust enough to ensure potential projects are sensibly located and any impacts are mitigated.

Should you have any further queries please don't hesitate to contact Chris Dart, Circular Economy Program Lead, Hunter JO at chrisd@hunterjo.nsw.gov.au or on 0460 038 197.

Yours Sincerely



Cr Sue Moore
Chair Hunter Joint Organisation