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25 May 2018

Mr David McNamara
Director, Secretariat
Independent Planning Commission
Level 3, 201 Elizabeth Street
SYDNEY NSW 2000

Dear David,

EASTERN CREEK ENERGY FROM WASTE FACILITY (SSD 6236) - RESPONSE TO REQUEST FOR CLARIFICATION

Reference is made to your letter dated 23rd May 2018 in relation to the State significant development application presently before the Independent Planning Commissions (the Commission) for the Eastern Creek Energy from Waste Facility (SSD6236).

The Commission has identified that Appendix D of the Urbis submission on the Department of Environment and Planning Assessment Report on SSD6236 states inter alia that:

...the proponent has voluntarily agreed to remove this "uncommon waste stream" (FLOC).

The Commission is seeking clarification *...as to when and how the applicant has formally sought to amend their development application to remove floc waste from the facility's waste stream.*

This letter provides a response to the clarification sought by the Commission and context to the statement made in the ERM report.

The applicant has been acutely aware of concerns expressed by some members of the public in relation to the size of the proposed Energy from Waste Facility and further the concern that hazardous materials might form part of the fuel waste stream. The concern expressed included the presumption that floc waste was a hazardous material. The Department of Planning and Environment in the Assessment Report dated 11 May 2018 identified this as key amongst the reasons presented for the refusal of SSD6236.

As demonstrated in the Urbis submission dated 21 May 2018 the technical advice presented to the applicant, demonstrates that floc waste is not classified in NSW as a hazardous material and this was confirmed by the independently conducted audit and chemical analysis prepared and reported in the Response to Submissions Report. The applicant is also satisfied to a very high degree of certainty based on the advice of its technical advisers that the technology proposed to be used in the proposed Energy from Waste Facility, is proven (by the reference facility at Ferrybridge) to be designed to deal with fuel waste which is variable in nature and also waste which has not undergone the high degree of quality control which is currently and proposed to be undertaken at the adjacent Genesis Facility before the waste stream is delivered to the proposed facility.



On this basis the applicant considers that there is no technical or scientific need to exclude floc waste from the fuel waste stream of the proposed facility. Notwithstanding this, the applicant is conscious of the public perception and public fear of the potential risk presented by elements of the waste stream (notwithstanding the technical information submitted in support of SSD 6236 and that this is an important factor to be taken into consideration.

In this context the applicant and its technical team has considered excluding floc waste from the fuel waste stream on a temporary basis until it has satisfied the NSW Environment Protection Authority of the absence of chemically hazardous components within floc material as a component of the waste fuel stream, through consistent batch testing.

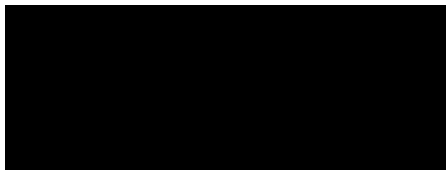
In anticipation of further questions and requests for clarification of issues from the Commission arising from the recent public meeting the applicant has refrained from making any formal application to amend SSD6236 to delete floc waste as a component from the proposed waste stream.

If, however the Commission indicated that the inclusion of floc as an element of the waste stream was an issue of primary concern, the applicant would make that a formal request for amendment of the proposal.

An amendment of this nature would not constitute a significant amendment to the proposal. Further, the removal of floc as a component from the fuel waste stream would not impact the ability of the proposed facility to commercially operate within the design parameters as currently specified and importantly within the IED operation limits.

If you have any questions, please don't hesitate to contact me at on (02)8233 7678 or by email cbrown@urbis.com.au.

Yours sincerely,



Clare Brown
Director