



Director
Industry Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Sally Munk
Email: Sally.Munk@planning.nsw.gov.au

Dear Ms Munk

I write to you in response to your correspondence of 11 April 2022 concerning The Next Generation Eastern Creek Energy from Waste Facility (TNG facility) merit appeal currently before the Land and Environment Court of NSW (the Court) for determination.

Thank you for providing WSLHD with the opportunity to provide further comment on the Amended Planning Statement for the merit appeal prepared by the proponent.

The Western Sydney Local Health District (WSLHD) has previously provided submissions to the Department of Planning and Environment on the TNG facility development proposal on the 31 August 2015, 17 March 2017 and 8 March 2018.

It is understood the Amended Planning Statement (the Statement) includes a modification of the fuel feed stock with the exclusion of car floc from the waste stream. There are no noted physical changes to the built form or layout of the facility, and the sourcing of fuel waste will remain the same. The Statement also provides detail on the variability of fuel feed stock excluding car floc waste and determine this will be sourced from waste collected within the Metropolitan Levy Area.

WSLHD has been provided with expert reviews, by consultants MRA, HZI, and AECOM, as part of the Amended Planning Statement submitted in 2021 as well as reviews from the previous Applications and Response to Submission prepared by the consultant ARUP in 2018. The expert reviews provide information about the proposed fuel composition and the Human Health Risk Assessment (HHRA).

The conclusions drawn from the 2021 reviews are that the change to the feedstock at the proposed TNG facility is "like" the Ferrybridge Energy from Waste facility in the UK which is provided by the proponent as the reference facility.

The ARUP report (2018) stated that *"In a direct comparison to what is currently operationally processed at Ferrybridge, only the Commercial and Industrial (C&I) residual waste fraction of the design fuel mix could be considered a like waste stream"*.

This report also identified that there is not explicitly defined construction and demolition (C&D) waste type accepted at the Ferrybridge Facility. Whilst the MRA review compared the waste types at both facilities, further detailed definition of the C&D waste type accepted at the Ferrybridge facility and direct comparison to the TNG facility was not completed in the Amended Planning Statement nor the MRA Review. Thus, there remains concern regarding the comparability of feedstock composition between these two facilities.

Further, the NSW Environmental Protection Agency (EPA) Energy from Waste Infrastructure Plan released in September 2021 restricts new infrastructure to four priority infrastructure areas in NSW. All of the priority areas are located outside the Greater Sydney region. It is noted that outside of these areas, energy from waste infrastructure will only be permitted if:

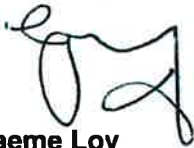
- the facilities use waste to replace less environmentally sound fuels to generate energy at the site, and
- where that energy is used to power industrial and manufacturing processes on-site.

It is noted this policy change was implemented to ensure projects protect the environment and human health into the future. We support the restriction of energy from waste infrastructure, in particular in the Western Sydney Area, to support the health of our rapidly growing population.

Therefore, as previously submitted, we remain unable to support the proposal in its current form as we are unable to fully determine the proposed facility's actual or potential impact on human health, and the facility does not meet the requirements specified above as set by the NSW EPA.

If you wish to obtain further information, please contact Helen Noonan, on Tel: (02) 9840 3718 or Email: helen.noonan@health.nsw.gov.au.

Yours sincerely



Graeme Loy
Chief Executive

Date: 22/6/22