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Mr. Chris Ritchie
Manager- Industrial Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

24 July 2015

Dear Mr Ritchie,

Eastern Creek Energy from Waste Facility – SSD 6236

I refer to your letter dated 29 May 2015. Hanson Construction Materials Pty Ltd (Hanson) is a significant landowner within the Eastern Creek SEPP 59 Precinct and is an immediate neighbour of the proposed Eastern Creek Energy from Waste Facility.

Hanson was granted Project and Concept Approvals for MP 06_0225 on 3rd June 2010. These approvals allowed for the continued use of existing facilities, the construction of a Precinct Plan Road through the site, and subdivision of land.

The Environmental Impact Assessment (EIS) for SSD 6236 submitted by the applicant has not sufficiently addressed numerous important matters adequately.

1. Community Consultation

Although Hanson is acknowledged as a stakeholder in the Community Consultation Report (CCR), there was no contact or consultation received prior to the exhibition period. The CCR makes unverifiable statements about letter box drops and door knocks. The applicant is aware of who the key contact people are within Hanson and should have made an attempt to discuss the proposal well in advance of the exhibition period.

2. Transportation and the local road network

Precinct Road Alignment

The EIS proposes to realign the approved (under MP 06_0225) Precinct Plan Road alignment across the Hanson land. No consultation by the applicant regarding this was made prior to submission. The proposed realignment intends to subject land to development approval under SSD 6236 which is not included in the application, nor has land owner's consent been provided, nor has the land been formally identified in the EIS. The proposed realignment would require a Geotechnical assessment to be carried out by the applicant to determine the suitability as a location for the Precinct Road.

Connectivity between the Genesis Xero Waste Facility and the Precinct Road

There EIS provides no information on how the Genesis Xero Waste Facility will access the Precinct Road once the Precinct Road is connected to Honeycomb Drive over the existing DADI Driveway. It is recommended that a round-a-bout intersection be constructed at the Hanson Estate Road to allow vehicles to access both the Genesis Xero Waste Facility and the Hanson lands and also control the flow of heavy vehicle traffic (336 movements per day) generated by the proposed Eastern Creek Energy from Waste Facility

Construction of the Precinct Road across Lot 8 DP1200048

Under PA 06_0239 for the Genesis Xero Waste Facility the applicant was required to:

"Within five years from the date of this approval or when an adjoining land owner is building a precinct road to a common boundary (whichever is sooner), the Proponent shall design and construct, to the satisfaction of Council, those

parts of the Precinct Plan Road network that ultimately fall within the operational area of the facility (See Appendix 3). These precinct roads shall be dedicated to council, at no charge, to form part of the public road network."

Construction of Honeycomb Drive was completed in 2012. To date the section of the Precinct Road across Lot 8 DP1200048 referred to above has not being constructed by the applicant. This matter should be redressed by the Department as a priority taking into consideration the benefits of a round-about intersection at this location.

3. Insufficient information on the purpose and use of laydown pads

The EIS contains no information on the purpose and use of the laydown pads. The applicant proposes to construct laydown pad No.3 immediately west of the Hanson land. No information has been provided on what materials will be place and stored on these pads and whether the materials will be hazardous to people or the environment.

4. Inadequate Air Quality Impact Assessment (AQIA)

Incorrect identification of the nearest receiver

The AQIA has incorrectly identified the nearest receiver. Hanson operates the asphalt plant, including offices and a laboratory which is contiguous with the proposed development. The AQIA incorrectly identifies the Kmart and Best & Less DC facilities as being the nearest receivers which are in fact some 600m further away than the Hanson asphalt plant.

No AQIA for the Laydown Pads

The EIS contains no information on the purpose and use of the laydown pads or whether the surface of these pads will be sealed or unsealed. The laydown pads constitute an area of 77,514m^2 (7.7 hectares) and are proposed to be constructed on unsealed fill. Unsealed surfaces will generate dust and particulate emissions, especially when driven over by heavy vehicles.

5. Incorrectly identified land

The SSD application, land owners consent and the EIS identify Lot 4 DP1145808 as the legal land for which approval is sought. Recent title searches with LPI indicate that Lot 4 DP114508 does not exist.

6. Inadequate Surface Water Quality Design

According to the Soil and Water Report by Edison Environmental & Engineering Pty Ltd, section 4.5.3 Potential for Re-use of Stormwater Run-off:

> "Re-use of stormwater run-off collected in the bio-retention basis was proposed in the original EIS submission. Further consultation with the plant design engineers has indicated that water quality is unsuitable and stormwater re-use other than that from roof areas has been ruled out."

The MUSIC modelling carried out by AT&L does not take into account the unsealed laydown pad areas. Therefore the pollutant loadings generated from the laydown pads areas (7.7 hectares) are likely to have significantly greater detrimental impacts to receiving waters taking into consideration that the re-use of bio-retention basin water was been ruled out based on modelling carried out using run-off from hardstand areas.

7. Inadequate Groundwater Impact Assessment

According to the Soil and Water Report by Edison Environmental & Engineering Pty Ltd, 6.4 Potential Groundwater Impacts:

> "The waste bunker, some 15 m deep, has the potential to intercept and possibly obstruct shallow groundwater flow. As no significant groundwater is expected to be encountered at the proposed excavation depths, the potential impacts are considered to be negligible."

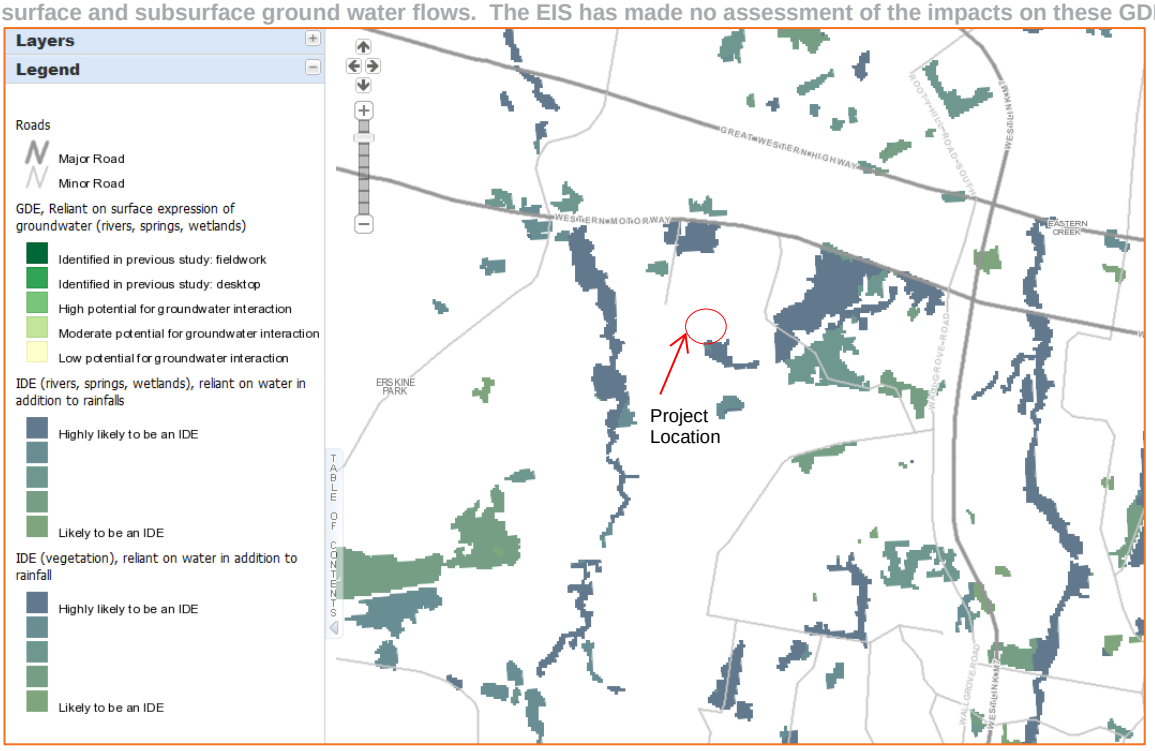
Figure 3.6 of this report shows the location of groundwater monitoring bores (piezometers) within the vicinity of the proposed development. Table 3.3 of this report states that the depth measured to ground water at these bores:

Table 3.3 Summary of Shallow Piezometers and Groundwater Levels

Bore	Elevation mAHD	Bore Depth M	GW Depth 14/5/14 m		GWL 14/2/95 mAHD	GWL 1/12/05 mAHD	
	GWL 14/5/14 mAHD		EC 1/12/05 µS/cm		pH 1/12/05		
BH4	54	5	nm	na	51.75	Nm	30,410	6.73	
BH8	c.58	4.3	4.64	dry (<52.8)		dry	53.36	na	na
MW2	55.69	8	2.57	51.6	51.37	53.12	18,830	6.76	
MW3	66.99	8	1.7	64.27	63.18	65.29	1,400	7.14	
MW4	71.62	8	broken	68.03	68.85	Nm	937	7.1	
MW5	72.31	8	5.25	66.26	66.95	67.06	1,384	6.92	
Creek							1,241	9.85	

Notes. 1. 2. 3. 4. 5. 6. GW is groundwater. GWL is groundwater level. mAHD is metres Australian Height Datum. EC is electrical conductivity measured in microSeimens per centimetre. Nm is not measured; NA is not applicable.

It is evident that the proposed invert of the waste bunker will be significantly lower than the existing groundwater levels. There is insufficient detail provided in the EIS on the nature of the waste bunker to adequately assess true impacts on the groundwater system that flows through to Ropes Creek and potential GDEs and IDEs. According to the BOM GDE and IDE mapping (below) the area in question is highly likely to have ground water interaction and have GDEs and/or IDEs reliant on surface and subsurface ground water flows. The EIS has made no assessment of the impacts on these GDEs and IDEs.



BOM- GDE & IDE Mapping

Should you have any queries in relation to this matter please contact the undersigned on (02) 3954 2600.

Yours sincerely,

ANDREW DRIVER
Development Manager