



Australian Government

Department of the Environment, Water, Heritage and the Arts

Notification of REFERRAL DECISION – not controlled action

ALTERNATIVE WASTE TREATMENT (AWT) FACILITY AT LUCAS HEIGHTS WASTE AND RECYCLING CENTRE (LHWRC), NSW EPBC: 2008-4357

This decision is made under Section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Proposed action

person named in the referral WSN Solutions

proposed action To construct and operate an Alternative Waste Treatment facility, which will include a receiving area for the transported waste, processing building, biological plant, energy generation plant, staff facilities, roads, carpark and administration building, has now been considered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Referral decision: Not a controlled action

status of proposed action The proposed action is not a controlled action.

Person authorised to make decision

Name and position Michelle Wicks
A/g Assistant Secretary
Environment Assessment Branch

signature

date of decision

5 December 2008



Australian Government

Department of the Environment, Water, Heritage and the Arts

Mr Robert Symington
Manager Planning
WSN Environmental Solutions
PO Box 3260
RHODES NSW 2138

Date: 5 December 2008
EPBC Ref: 2008/4357
EPBC contact: Mr Chris Murphy
6274 1821
chris.murphy@environment.gov.au

Dear Mr Symington

Decision on referral

ALTERNATIVE WASTE TREATMENT (AWT) FACILITY AT LUCAS HEIGHTS WASTE AND RECYCLING CENTRE (LHWRC), NSW EPBC: 2008-4357

This proposed action, to construct and operate an Alternative Waste Treatment facility, which will include a receiving area for the transported waste, processing building, biological plant, energy generation plant, staff facilities, roads, carpark and administration building, has now been considered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

We have decided that the proposed action is not a controlled action and, as such, does not require assessment and approval by the Minister for the Environment, Heritage and the Arts before it can proceed.

A copy of the document recording this decision is enclosed.

Please note that this decision relates only to the potential for significant impact on the specific matters protected by the Australian Government under Chapter 4 of the EPBC Act.

There may be a need for separate state or local Government environment assessment and approval to address potential impacts on state, regional or local environmental values.

In addition, you may need to seek additional approval under Chapter 5 of the EPBC Act if the action will impact any terrestrial environment owned by or under the control of the Commonwealth. Further information may be obtained by calling 1800 803 772 or visiting the Department's web site at www.environment.gov.au/epbc/.

The Department has an active audit program for proposals that have been referred or approved under the EPBC Act. The audit program aims to ensure that proposals are implemented as planned and that there is a high degree of compliance with any associated conditions. You should be aware that your project may be selected for audit by the Department at any time and all related records and documents may be subject to scrutiny. Information about the Department's audit strategy is enclosed.

I also note that WSN Solutions has sought advice regarding another proposed activity adjacent and relevant to the above referred AWT in a letter dated 11 November 2008. It is my understanding that the NSW Department of Planning is currently undertaking an assessment of all landfill sites in the Sydney region and has decided to defer assessment of your request pending the results of that assessment. I recommend that you await the result of that survey, which may address any issues regarding your capacity to receive an additional 100,000 tonnes of waste prior to making a judgement whether the proposal requires referral.

If you have any questions about the referral process or this decision, please contact the EPBC project manager and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Michelle Wicks
A/g Assistant Secretary
Environment Assessment Branch