

Table 1: Response to issues raised by Government Agencies/Council

Submission/Agency	Specific Comments	Applicant Response
<p>25. Department of Environment and Conservation (DEC)</p>	<p>DEC can support a project approval for the Emergency Gas Turbine Generator (EGTG) subject to conditions and a concept approval for the ash dam subject to conditions.</p>	<p>Eraring Energy (EE) accepts the conditions recommended in the DEC's letter dated 27 June 2006 with the exception of the following:</p> <p><i>'Condition 12: Distillate may be used for firing the emergency gas turbine generator for the purposes of; providing black start capability for Eraring power station, to respond to any system emergency or to test the operation of the emergency gas turbine generator.'</i></p> <p><i>'Condition 13: Operation of the turbine on distillate fuel must not exceed a total of 20 hours per year for testing and maintenance purposes.'</i></p> <p>In order for the EGTG to be most effectively used in response to an actual or pending system shortfall, some additional operating hours would be required.</p> <p>Other than for black start/emissions testing purposes and system recovery operations, the EGTG output would be dispatched when the NSW Regional Reference Price indicates that electricity supply/demand is becoming tight and could lead to a system emergency if a contingency was to occur. This price is indicated in dispatch or pre-dispatch (up to 2 hours in advance) notifications published by NEMMCO.</p> <p>For the EGTG to be most effective in responding to these situations, the EGTG should be able to be started and loaded to support major auxiliaries on the main Eraring Power Station (EPS) units upon emergence of indications of a pending system shortfall. This would allow the plant auxiliaries to remain operating and reduce main unit restart time by several hours if the system were to collapse compared to that if the EGTG was started after the system collapse.</p>

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		<p>A NEM price above \$300/MWh is an indication of a possible shortfall of electricity between supply and demand. This price is some 8 times higher than the average pool price. Historically, over the last five years the average number of hours per year where the price has been above \$300/MWh is approximately 36 hours with a maximum of 46 hours in the 2004/05 year.</p> <p>EE is requesting that the total number of hours for which the EGTG is allowed to be operated, including black start, routine testing and in the event of a system shortfall (a system shortfall being defined as a NEM dispatch or up to two hour predispach of \$300/MWh or more), be 100 hours in any calendar year.</p> <p>EE will notify the DEC of the occurrence of operation of the EGTG following a shortfall situation and supply relevant documentation pertaining to this event.</p> <p><i>'Condition 22: by 31 December 2011, the applicant shall submit details of a proposal that will be implemented, subject to obtaining development consent, to reuse all ash generated on the premises for a beneficial purpose.....'</i></p> <p>The reasoning behind this item is understood, however the targets and dates set in this clause are unrealistic. EE suggests that a more appropriate target would be working towards 60% of ash recycled by 2011 and up to 75% recycled by 2015, with the aim of recycling all flyash beyond 2015. EE is prepared to be involved in discussions with relevant industry groups and regulators to ensure these targets can be met.</p> <p>EE agrees that the extension of deadline section of this clause should remain.</p>

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	<p>DEC does not support the use of distillate fuel for power generation for other than 'black start' and emergency operation.</p> <p>NO_x emissions and VOC Impacts of EGTG</p> <p>If EE intends to use the EGTG for peak load power it should operate the turbine on coal bed methane gas and/or natural gas fuel. Any proposal along these lines would require further environmental assessment.</p> <p>The EA does not address the management of the small quantities of wastewater generated during operation and maintenance for the EGTG.</p>	<p>Section 3.4.6 of the EA states that EE proposes to run the EGTG on distillate fuel only in the event of a system shortfall and during routine testing.</p> <p>It is advised that the gas turbine type/fuel/NO_x abatement configuration proposed is very rare, and hence actual performance guarantee test results have not so far been located. Since the submission of the Environmental Assessment, the supplier of the refurbished gas turbine unit has advised a NO_x guarantee emissions figure of 65ppmvd when firing on distillate. To cover all events Eraring Energy agrees with the 86ppmvd nominated in the DEC submission to remain as the NO_x emissions license limit if it is measured as an hourly average.</p> <p>According to proprietary information (provided by GE), the water injection NO_x abatement system will actually enhance power output without raising VOC emissions, rather than reducing the machine's power output and increasing output of VOC.</p> <p>Section 3.4.6 of the EA states that EE are in negotiations with a local coal mine to procure supplies of coal bed methane gas. The EGTG would be operated for peak load power only if this gas source is secured as the primary fuel for operation of the EGTG. Any proposal in this respect would be subject to further environmental assessment.</p> <p>The wastewater from the EGTG will be connected to the existing EPS contaminated water system. This system incorporates an oil-water separator. Treated water from this system is recycled to the water reclamation plant for further treatment and reuse.</p> <p>The EGTG will be banded as required by relevant Australian Standards.</p>

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	<p>Concern regarding the extent of clearing and lack of adequate mitigation measures.</p>	<p>EE has reviewed the proposed mitigation measures in the light of the DEC's comments and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>Additionally, EE is working with local indigenous groups, community groups, council and land management experts to develop the reclaimed area of the ash dam into a habitat similar to the habitat that exists in the area to be disturbed. This work along with the development of the corridor (described in the attached report) between the area to be disturbed and the reclaimed area of the ash dam should encourage the fauna to use the newly developed areas.</p>
		<p>The area to be disturbed is approximately 52 hectares in total but this will be cleared gradually over a number of years. As discussed in the EA it is proposed to clear only a portion of this total area during the first year and a similar area during the first five years. This cleared area is expected to total approximately 10 hectares. EE is proposing to develop a compensatory habitat of approximately 30 hectares (3:1) including the habitat corridor, continued development of the wetland at the north eastern edge of the ash dam and rehabilitation of part of the reclaimed area of the ash dam (known as area C, the last area to be capped). This work will use similar techniques outlined in Attachment 1.</p> <p>Further rehabilitation work will be carried out on other reclaimed areas of the ash dam over the following years to develop additional areas of compensatory habitat as clearing of land for the ash dam is required. This is part of the long term management plan for the ash dam area.</p>
	<p>Proposed mitigation measures are unlikely to</p>	<p>EE has reviewed the proposed mitigation measures in the light of the</p>

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	<p>adequately offset the removal of threatened species habitat, specifically:</p> <ul style="list-style-type: none"> - No mitigation measures are proposed to the loss of <i>tetratheca juncea</i> individuals and habitat. No evidence has been provided to indicate that the proposed rehabilitation areas will provide suitable habitat for threatened species. - The DEC does not consider the use of artificial nest boxes to be an adequate long-term compensatory measure for the loss of tree hollows. 	<p>DEC's comments and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p>
	<p>No consideration is given to the provision of compensatory habitat, albeit in the form of rehabilitation and measures to control the occurrence of weeds.</p> <p>Limited information is provided on the proposed rehabilitation plan including location, area, timing, species composition, monitoring requirements etc. No assessment has been provided of the success/failures of the other areas currently under rehabilitation within the EPS lands.</p>	<p>EE has reviewed the proposed mitigation measures in the light of the DEC's comments and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>In response to the DEC's comments, EE has prepared further details on proposed rehabilitation of the site based upon current best practice. Details are provided in a report attached to this letter under separate cover.</p> <p>It is intended that rehabilitation of the site be undertaken in stages, corresponding to the staged clearing which is proposed as part of the ash dam expansion.</p> <p>As rehabilitation techniques and methods will change and develop into the future, it is proposed that a detailed rehabilitation plan be submitted</p>

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		<p>to the Director-General prior to the commencement of works for the ash dam expansion. In this way, EE and the DEC can be assured that rehabilitation of the site is undertaken in accordance with current best practice.</p> <p>Commitment 9 of the Statement of Commitments for the proposal requires EE to prepare and implement a rehabilitation plan for the site which will provide further detail in accordance with the DEC's comments.</p>
	<p>No ecological assessment of the alternative ash disposal options has been undertaken.</p>	<p>Section 3.2 of the EA discusses the alternative options available to EE for ash disposal into the future. Two out of the five options considered were not feasible as they would not achieve the primary objective of providing the ash disposal capacity necessary to ensure the longevity of EPS operations. Of the remaining three, whilst no detailed ecological assessment was undertaken, two would have required the uptake of a greater area of undeveloped land than the chosen option and therefore the disturbance of a greater area of habitat.</p>

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	<p>It is acknowledged that up to 50% of the ash generated at EPS is used offsite for beneficial purposes it is considered appropriate and best practice that this be substantially increased over time.</p>	<p>Commitment 26 of the Statement of Commitments for the project states that EE shall continue to investigate and pursue opportunities for the reuse of ash. A report detailing the steps undertaken by EE to increase the reuse of ash shall be submitted to the Director-General and the DEC every two years from the date of project approval (or at such other interval agreed by the Director-General).</p>
24.	<p>Issue of potential groundwater contamination should be assessed with appropriate conditions for groundwater monitoring and remediation included in the determination of the proposal.</p> <p>Monitoring bores or excavation works that intercept the groundwater require licensing under Part 5 of the Water Act 1912.</p>	<p>Commitment 16 of the Statement of Commitments for the project states that EE shall undertake groundwater studies detailing the likely quality and quantity of seepage and leachate from the dense phase emplacement and any impact on receiving ground waters as well as a description of control measures proposed to minimise pollution of surface and ground waters from the expanded ash dam. A report detailing these studies will be submitted to the Director-General prior to the granting of Project Approval for the ash dam expansion. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>Noted.</p>
28. Hunter-Central River CMA	<p>The CMA understands that the Native Vegetation Act does not apply to this project however is expects the 'improve or maintain' principle will be adopted as part of the assessment of the proposal.</p>	<p>EE will endeavour to comply with the intent of the legislation wherever practicable.</p>

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	<p>A full assessment of the conservation value of the vegetation communities on the site should be undertaken and an assessment of how any clearing could 'improve or maintain environmental outcomes' – for example, what offsets to mitigate against the impact of any clearing proposed.</p>	<p>EE has undertaken further work in the area of offsets in relation to the proposed ash dam expansion. A report has been prepared (attached under separate cover) detailing the provision of compensatory habitat which will mitigate against the impact of the proposed clearing.</p> <p>EE commits to working with the CMA in the future to satisfy the intent of the Native Vegetation Act.</p>
	<p>The Draft Catchment Management Action Plan should be taken into consideration, in particular the policy section of the document and how the policies apply to the site.</p>	<p>The Draft Catchment Management Action Plan will be taken into account in the development of future detailed plans for rehabilitation of the ash dam area and the creation of compensatory habitat.</p>
	<p>The EA does not consider the objectives of Zone 9 of the Lake Macquarie LEP.</p>	<p>Pages 4-2 to 4-3 of the EA address the objectives of the Natural Resources 9 zone. Whilst the proposal does involve some habitat disturbance, it is for the purpose of electricity generation in accordance with objective (g) of the Natural Resources 9 zone.</p>

Table 2: Response to issues raised by the community

Submission No.	Issues Raised	Applicant Response
1	<p>Long term wish of Eraring residents to “Keep Eraring Rural”.</p> <p>The protection of the buffer zone surrounding EPS and promised environmental stewardship formed an integral part of the original environmental commitment by EE.</p>	<p>The proposal takes place largely upon land zoned for industrial use. The proposal does not impact upon rural land.</p> <p>The proposal does not encroach upon the buffer land between EPS and surrounding residents.</p> <p>EE submits that at this time it is the intention to maintain the current buffer land holdings.</p>
2	<p>Assessment of noise from EGTG does not consider frequency of noise emitted in relation to that of the EPS.</p> <p>Noise measurements not taken under worst case atmospheric conditions.</p> <p>If methane gas used, EGTG could operate for up to 200 days per year.</p> <p>Expanded ash dam will be full by 2032. If EPS has life beyond this, what then?</p> <p>No consideration of disposal of ash to existing mine voids.</p>	<p>The DEC agrees with the EA that noise from the EGTG is unlikely to impact upon residential properties, with the nearest residence 1.25km from the site. Further, the DEC has recommended a condition be placed on any approval to require EE to undertake a post commissioning noise assessment to confirm the noise predictions stated in the EA.</p> <p>The DEC has recommended a condition be placed on any approval to require EE to undertake a post commissioning noise assessment to confirm the noise predictions stated in the EA.</p> <p>Any proposal for increased operation of the EGTG using methane fuel would be subject to further environmental assessment.</p> <p>At this stage, the full operational life of EPS is expected to be up to 2030.</p> <p>EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>EE submits that previous reviews of the option to dispose of fly ash in local mine workings both underground and open cut indicated that the underground mining technique used and the angle of repose of the fly ash greatly inhibits the mine workings to be an effective disposal site. No local open cut mines are available in which to place ash at this time.</p>

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	<p>Adoption of complaints management approach not included in Statement of Commitments.</p> <p>Buffer zone around EPS mitigates impacts of the EPS. Seeking a formal commitment to maintain the existing buffer zone to the standard currently employed by EE.</p>	<p>As the EA document will be linked to any approval issued for the proposal, the complaints management approach within the Operational Environmental Management Plan will form part of the approved development. It was not considered necessary to include this within the Statement of Commitments.</p> <p>The proposal does not encroach upon the buffer land between EPS and surrounding residents.</p> <p>EE submits that it is the intention of this proposal to maintain the current buffer land holdings.</p>
3	<p>Seeks extension of time for public comment on the EA.</p> <p>EGTG and ash dam expansion should be considered separately.</p>	<p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July to 21 August allowing extra time for public comment.</p> <p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p>

Submission No.	Issues Raised	Applicant Response
	<p>Expansion of ash dam will result in loss of bushland including threatened species.</p> <p>Consider alternatives for ash disposal.</p>	<p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has also made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused will increase into the future.</p>
4	<p>EGTG and ash dam expansion should be considered separately.</p> <p>Seeks extension of time for public comment on EA.</p>	<p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p> <p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July to 21 August allowing extra time for public comment.</p>

Submission No.	Issues Raised	Applicant Response
	<p>Objection to loss of bushland and impact upon threatened species.</p> <p>Proposal should be referred under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).</p>	<p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal. • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area.

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		<ul style="list-style-type: none"> • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe. • Habitat for species requiring rocky areas is absent. • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p>

Submission No.	Issues Raised	Applicant Response
	<p>Proposed ash dam expansion does not provide solutions to existing environmental problems.</p> <p>Ash dam should be approved only as interim solution for ash disposal until alternatives are identified for ash disposal.</p> <p>Government should develop alternatives to proposed method of ash disposal at the site.</p>	<p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p> <p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p> <p>The expanded ash dam may be considered as an interim solution for ash disposal as EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is expected to increase into the future.</p> <p>The DEC has recommended that a condition be placed on any approval issued requiring EE to continue to investigate opportunities for the reuse of ash.</p>

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5	<p>EGTG and ash dam expansion should be considered separately.</p> <p>Impact of ash dam expansion upon threatened flora species such as <i>tetratheca juncea</i>.</p>	<p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p> <p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p>

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	<p>Impact of ash dam expansion upon several species of fauna including bats, birds, squirrels, gliders and quolls.</p> <p>Proposed ash dam expansion does not provide solutions to existing environmental problems of Lake Macquarie and may make these worse.</p>	<p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal (which included an assessment of <i>Tetratheca juncea</i>) concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p> <p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p>

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	<p>Impact of dust from the ash dam upon local community.</p> <p>EE should identify alternative ways to dispose of the ash.</p>	<p>The placement technique used in dense phase disposal inherently reduces dust in comparison with the lean phase technique currently used at EPS.</p> <p>Previous studies of fine particles has shown no effect on near or far zones of influence of Eraring Power Station. EE has in position a monitoring site at the ash dam area for fine particles which has to date not shown elevations above ambient.</p> <p>Further, EE has made a commitment (Commitment 3 of the Statement of Commitments for the project) to undertake further air quality assessment in respect of the ash dam expansion addressing dust generation from the dense phase emplacement and measures proposed to control any emissions.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has also made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p>
6	EGTG and ash dam expansion should be considered separately.	<p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p>
	Seeks extension of time for public comment on EA.	The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July to 21 August allowing extra time for public comment.

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	<p>Objection to loss of bushland and impact upon threatened species.</p> <p>Proposal should be referred under the EPBC Act.</p>	<p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal. • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the

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		<p>north of the study area.</p> <ul style="list-style-type: none"> • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe. • Habitat for species requiring rocky areas is absent. • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p>

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7	<p>Objection to loss of bushland and impact upon threatened species as a result of the proposed ash dam expansion.</p> <p>Objection to granting concept approval for ash dam expansion with no adequate environmental safeguards for the threatened species and loss of bushland.</p> <p>Consider alternatives to expansion of ash dam.</p>	<p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>Further, EE has committed to the preparation of a Flora and Fauna Management Plan and Rehabilitation Plan, to be submitted to the Director-General, which will contain further safeguards prior to the commencement of works on the ash dam (Commitments 6 and 9 of the Statement of Commitments).</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has also made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p>

Submission No.	Issues Raised	Applicant Response
	Seeks extension of time for public comment on EA.	The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July to 21 August allowing extra time for public comment.
8	<p>Seeks extension of time for public comment on EA.</p> <p>Objection to loss of bushland and impact upon threatened species.</p> <p>Proposal should be referred under the EPBC Act.</p>	<p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July to 21 August allowing extra time for public comment.</p> <p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam

Submission No.	Issues Raised	Applicant Response
		<p>bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal.</p> <ul style="list-style-type: none"> • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area. • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe. • Habitat for species requiring rocky areas is absent. • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p>

Submission No.	Issues Raised	Applicant Response
	<p>Proposed ash dam expansion does not provide solutions to existing environmental problems.</p> <p>Ash dam should be approved only as interim solution for ash disposal until alternatives are identified for ash disposal.</p>	<p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p> <p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p> <p>The expanded ash dam may be considered as an interim solution for ash disposal as EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p>

Submission No.	Issues Raised	Applicant Response
9	<p>EGTG and ash dam expansion should be considered separately.</p> <p>Seeks extension of time for public comment on EA.</p> <p>Objection to loss of bushland and impact upon threatened species as a result of the proposed ash dam expansion.</p> <p>Proposal should be referred under the EPBC Act.</p>	<p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p> <p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July to 21 August allowing extra time for public comment.</p> <p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the</p>

Submission No.	Issues Raised	Applicant Response
		<p>impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal. • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area. • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe. • Habitat for species requiring rocky areas is absent. <ul style="list-style-type: none"> • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the

Submission No.	Issues Raised	Applicant Response
		<p>ash deposit.</p> <ul style="list-style-type: none"> It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p>
	<p>Proposed ash dam expansion does not provide solutions to existing environmental problems.</p>	<p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p> <p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p>
	<p>Ash dam should be approved only as interim solution for ash disposal until alternatives are identified for ash disposal.</p>	<p>The expanded ash dam may be considered as an interim solution for ash disposal as EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p>

Submission No.	Issues Raised	Applicant Response
	<p>Government should develop alternatives to proposed method of ash disposal at the site.</p>	<p>The DEC has recommended that a condition be placed on any approval issued requiring EE to continue to investigate opportunities for the reuse of ash.</p>
<p>10</p>	<p>Objection to loss of bushland and impact upon threatened species as a result of the proposed ash dam expansion.</p> <p>Government should develop alternatives to proposed method of ash disposal at the site.</p> <p>Proposal should be referred under the EPBC Act.</p>	<p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>The DEC has recommended that a condition be placed on any approval issued requiring EE to continue to investigate opportunities for the reuse of ash.</p> <p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary

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		<p>Wetlands will not be impacted by the proposal.</p> <ul style="list-style-type: none"> • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area. • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe. • Habitat for species requiring rocky areas is absent. <ul style="list-style-type: none"> • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact</p>

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		upon matters of NES and a referral under the EPBC Act is therefore not required.
11	<p>EGTG and ash dam expansion should be considered separately.</p> <p>Seeks extension of time for public comment on EA.</p> <p>Objection to loss of bushland and impact upon threatened species as a result of the proposed ash dam expansion.</p>	<p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p> <p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July to 21 August allowing extra time for public comment.</p> <p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p>

Submission No.	Issues Raised	Applicant Response
	<p>Ash dam should be approved only as interim solution for ash disposal until alternatives are identified for ash disposal.</p> <p>Government should develop alternatives to proposed method of ash disposal at the site.</p>	<p>The expanded ash dam may be considered as an interim solution for ash disposal as EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>The DEC has recommended that a condition be placed on any approval issued requiring EE to continue to investigate opportunities for the reuse of ash.</p>
12	<p>Proposal stems from recent announcement by EPS to install additional curtain filters to remove extra ash from the flue dust prior to emission.</p> <p>Consider returning ash to coal mines through backloading trains for backfilling. Could be mixed with soil for rehabilitation of mines.</p>	<p>Proposal for additional curtain filters was not made by EPS, however EE employs Fabric Filter technology which is the best available technology for dust removal.</p> <p>EE submits that previous reviews of the option to dispose of fly ash in local mine workings both underground and open cut indicated that the underground mining technique used and the angle of repose of the fly ash greatly inhibits the mine workings to be an effective disposal site. No local open cut mines are available in which to place ash at this time.</p> <p>In addition, backloading trains causes major logistical problems with coordination of mines, railway and power stations. This is not considered viable at this time.</p> <p>EE is part of the ADAA which is looking into ways to increase the use of ash as a soil conditioner. This is not yet a viable market.</p>

Submission No.	Issues Raised	Applicant Response
	<p>Proposed expansion of ash dam is 'cheap and nasty' option – need to consider alternative solutions for ash disposal.</p> <p>Objection to loss of bushland and impact upon flora and fauna, including threatened species.</p> <p>EGTG and ash dam expansion should be considered separately.</p>	<p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has also made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam</p>

Submission No.	Issues Raised	Applicant Response
	<p>Increased dust as a result of the expansion of the ash dam.</p> <p>Seeks extension of time for public comment on EA.</p>	<p>expansion until a Project approval is obtained.</p> <p>The placement technique used in dense phase disposal inherently reduces dust in comparison with the lean phase technique currently used at EPS.</p> <p>Previous studies of fine particles has shown no effect on near or far zones of influence of Eraring Power Station. EE has in position a monitoring site at the ash dam area for fine particles which has to date not shown elevations above ambient.</p> <p>Further, EE has made a commitment (Commitment 3 of the Statement of Commitments for the project) to undertake further air quality assessment in respect of the ash dam expansion addressing dust generation from the dense phase emplacement and measures proposed to control any emissions.</p> <p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July to 21 August allowing extra time for public comment.</p>
13	<p>EGTG and ash dam expansion should be considered separately.</p> <p>Seeks extension of time for public comment on EA.</p>	<p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p> <p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July to 21 August allowing extra time for public comment.</p>

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	<p>Those attending the Eraring Energy Community Forum are not considered to be a true representation of the residents/community of Newcastle/Lake Macquarie – many are irregular or new attendees.</p> <p>Objection to loss of bushland.</p> <p>Objection to the impact upon threatened species.</p>	<p>EE has run a quarterly community forum for a number of years which has a stable core of 18-25 attendees.</p> <p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>The flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p>

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	<p>Proposal should be referred under the EPBC Act taking into account the impact upon aquatic species.</p>	<p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal. • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area. • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. <ul style="list-style-type: none"> • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe.

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	<p>Proposed ash dam expansion does not provide solutions to existing environmental problems including potential leaching into Lake Macquarie.</p>	<ul style="list-style-type: none"> • Habitat for species requiring rocky areas is absent. • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p> <p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p> <p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these</p>

Submission No.	Issues Raised	Applicant Response
	<p>Ash dam should be approved only as interim solution for ash disposal until alternatives are identified for ash disposal.</p> <p>Government should develop alternatives to proposed method of ash disposal at the site.</p>	<p>sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p> <p>The expanded ash dam may be considered as an interim solution for ash disposal as EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>The DEC has recommended that a condition be placed on any approval issued requiring EE to continue to investigate opportunities for the reuse of ash.</p>
14	It is inappropriate for the EGTG and the ash dam expansion to be considered separately.	<p>The proposals form part of an overall upgrade to EPS and are therefore presented and considered as one project.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p>
	Seeks extension of time for public comment on EA.	The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July - 21 August allowing extra time for public comment.

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	<p>Objection to loss of bushland and impact upon threatened species as a result of the proposed ash dam expansion.</p> <p>Proposal should be referred under the EPBC Act taking into account the impact upon aquatic species.</p>	<p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal. • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the

Submission No.	Issues Raised	Applicant Response
		<p>north of the study area.</p> <ul style="list-style-type: none"> • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe. • Habitat for species requiring rocky areas is absent. • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p>
	<p>Proposed ash dam expansion does not provide solutions to existing environmental problems which may be exacerbated by the proposal.</p>	<p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p>

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	<p>Ash dam should be approved only as interim solution for ash disposal until alternatives are identified for ash disposal.</p> <p>Government should develop alternatives to proposed method of ash disposal at the site.</p>	<p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p> <p>The expanded ash dam may be considered as an interim solution for ash disposal as EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>The DEC has recommended that a condition be placed on any approval issued requiring EE to continue to investigate opportunities for the reuse of ash.</p>
15	EGTG and ash dam expansion should be considered separately.	<p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan</p>

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	<p>Seeks extension of time for public comment on EA.</p> <p>Objection to loss of bushland and impact upon threatened species as a result of the proposed ash dam expansion.</p> <p>Proposal should be referred under the EPBC Act.</p>	<p>approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p> <p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July - 21 August allowing extra time for public comment.</p> <p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary

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		<p>Wetlands will not be impacted by the proposal.</p> <ul style="list-style-type: none"> • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area. • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe. • Habitat for species requiring rocky areas is absent. <ul style="list-style-type: none"> • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact</p>

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	<p>Proposed ash dam expansion does not provide solutions to existing environmental problems.</p>	<p>upon matters of NES and a referral under the EPBC Act is therefore not required.</p> <p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p> <p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p>
	<p>Ash dam should be approved only as interim solution for ash disposal until alternatives are identified for ash disposal.</p> <p>Government should develop alternatives to proposed method of ash disposal at the site.</p>	<p>The expanded ash dam may be considered as an interim solution for ash disposal as EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>The DEC has recommended that a condition be placed on any approval issued requiring EE to continue to investigate opportunities for the reuse of ash.</p>

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16	<p>Discrepancies in land description in public notice and EA document.</p> <p>Seeks extension of time for public comment on EA.</p> <p>EGTG and ash dam expansion should be considered separately.</p>	<p>The discrepancy in the land description between the original public notice and the EA document has been rectified. The proposal has been readvertised with the correct property description and the public exhibition period extended by a further 30 days.</p> <p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July - 21 August allowing extra time for public comment.</p> <p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p>
	<p>Need greater consideration of cumulative impact of the EGTG proposal including greenhouse gas emissions, increased use of Lake Macquarie for cooling water and increased outlet water temperature.</p> <p>Proposal does not utilise the Precautionary Principle.</p>	<p>The cumulative impacts of the proposal are addressed in Section 7.7 of the EA and Climate Change and the Greenhouse Effect are addressed in Section 10.3 of the EA.</p> <p>The proposal will not increase the capacity of EPS and will not result in the use of additional cooling water or an increase in outlet water temperature.</p> <p>The Precautionary Principle is discussed in relation to the project in Section 10.2.1 of the EA.</p> <p>The IGAE in its definition of the precautionary principle advises that both public and private decisions should undertake the following:</p>

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		<ul style="list-style-type: none"> • Careful evaluation to avoid, wherever practicable, serious or irreversible environmental harm; and • An assessment of the risk-weighted consequences of various options. <p>EE has taken on board the precautionary principle for the proposal, as represented by investigation of alternative site locations, alternative ash disposal methods and investigations to determine the characteristics of the environment and the likely impacts associated with the preferred option.</p> <p>As detailed in Section 3.2 of the EA, the proposed option was considered the most appropriate as it is the most efficient, has minimal construction and land requirements and subsequently minimises environmental impacts.</p>
	<p>Proposal is in contrast with the Lake Macquarie Greenhouse Action Plan (LMCC, Dec 2004).</p>	<p>The Lake Macquarie Greenhouse Action Plan is considered in relation to the proposal in Section 10.3 of the EA.</p> <p>The direct amount of CO₂ generated as a result of the proposed EGTG is estimated to be 6,800t per annum.</p>
		<p>The Action Plan states that in 1995, some 26 million tonnes of greenhouse gases (CO₂) were produced in the LGA by community activities, with 60% of this being from industrial sources. The additional 6,800 tonnes per annum of CO₂ estimated to be produced by the proposed EGTG therefore represents an increase of less than 0.03% on this figure and as such is considered to be insignificant.</p> <p>EE is developing a mallee tree plantation in regional NSW which will provide some offsets for the production of greenhouse gases.</p> <p>Overall, the construction and operation of the proposed upgrade works as a whole is not expected to contribute significant levels of greenhouse gases, and would not therefore have a significant impact on the greenhouse effect.</p>

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	<p>Traffic impacts associated with increased transportation and safe storage of hazardous fuels must be clearly identified. Costs to local services as a result of this should also be identified and addressed.</p> <p>Impacts of proposal in terms of greenhouse emissions should be offset by the provision of funds and services towards alternative forms of transport such as cycleways.</p> <p>Contractors employed by EPS should implement provision of biodiesel or ethanol fleets.</p>	<p>Large quantities of distillate are already stored onsite and it is not anticipated that volumes will be increased as a result of the proposal. Therefore it is unlikely that additional transportation of hazardous fuels or additional costs to local services will occur.</p> <p>The additional 6,800 tonnes per annum of CO₂ estimated to be produced by the proposed EGTG therefore represents an increase of 0.03% on the amount of existing greenhouse gases produced in Lake Macquarie LGA and is therefore considered to be insignificant.</p> <p>Overall, the construction and operation of the proposed upgrade works as a whole is not expected to contribute significant levels of greenhouse gases, and would not therefore have a significant impact on the greenhouse effect.</p> <p>EE will encourage the use of environmentally friendly fuels by contracting staff.</p>
	<p>Proposed ash dam expansion does not encourage waste minimisation at the source or promote alternative energy sources.</p> <p>Coal source and quality should be identified.</p> <p>Substantial educative efforts should be implemented immediately to encourage consumer reduction.</p>	<p>Proposal is for necessary upgrade works to an existing power station and does not involve an increase in capacity. EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>There is no change to the source or quality of coal proposed.</p> <p>EE is currently developing an education program in regional schools on a range of environmental and scientific issues including waste management.</p>

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	<p>Increase in heavy vehicle activity will contribute to damage to roads, infrastructure and air and water quality and will impact upon risks imposed on the community, public health, safety and the environment.</p> <p>Proposal is not consistent with LMCCs aim for improvement in, nor better planning for, future transport systems with sustainable outcomes.</p> <p>Increase emissions of particulate matter, carbon dioxide and NOx and further diesel fuel consumption are unsustainable.</p> <p>Consideration should be given to alternate and sustainable transport.</p>	<p>Increase in heavy vehicle traffic would be limited to the construction phase. There will be no permanent significant increase in heavy vehicle traffic.</p> <p>The proposal will not result in a permanent or significant increase in vehicular traffic.</p> <p>Chapter 7 of the EA deals with air quality impacts. The air quality assessment undertaken concluded that, under worst case pollutant rates and meteorological conditions, all pollutant concentrations would be below the DEC assessment criteria.</p> <p>There will be no permanent significant increase in heavy vehicle or other traffic.</p>
	<p>EE should investigate a preferred option of placing ash into disused coal mines.</p> <p>Comprehensive identification of all threatened species (terrestrial and aquatic) is sought.</p> <p>Object due to potential impacts on Spotted Quoll, Squirrel Glider, Masked Owl, Glossy Black Cockatoo, Stephens Banded Snake, Swift Parrot and</p>	<p>EE submits that previous reviews of the option to dispose of fly ash in local mine workings both underground and open cut indicated that the underground mining technique used and the angle of repose of the fly ash greatly inhibits the mine workings to be an effective disposal site. No local open cut mines are available in which to place ash at this time.</p> <p><i>Tetratheca juncea</i> is the only threatened species known to occur in the study area. There is no documented evidence of other species.</p> <p>Threatened species within a 10km radius of the subject site are identified in the flora and fauna assessment undertaken for the project, included as Appendix E of the EA.</p> <p><i>Tetratheca juncea</i> is the only threatened species known to occur in the study area. There is no documented evidence of other threatened species.</p> <p>The flora and fauna assessment undertaken for the project found that the impact upon</p>

Submission No.	Issues Raised	Applicant Response
	Regent Honey Eater.	threatened species would not be significant provided that appropriate safeguards and mitigation measures are implemented.

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	<p>Proposal should be referred under the EPBC Act.</p>	<p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal. • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area. • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe.

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	<p>Proposal fails to take into account the increased use of Lake Macquarie's water for cooling purposes and the increased temperature of the outlet.</p> <p>Impact upon sea turtles should be considered and EE should continue to investigate improvements to the intake structure.</p> <p>Studies should be undertaken to confirm the correlation between the outlet canals thermal temperature and the presence of sea turtles.</p>	<ul style="list-style-type: none"> • Habitat for species requiring rocky areas is absent. • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p> <p>The proposal will not increase the capacity of EPS and will not result in the use of additional cooling water or an increase in outlet water temperature.</p> <p>Prior to commencement of works on the ash dam, EE has committed to undertaking surface and groundwater studies which will determine the likely quality and quantity of surface water runoff and any impact upon receiving waters and the control measures proposed to minimise any potential impacts.</p> <p>The intake structure is not related to the subject proposal.</p> <p>The proposal will not increase the capacity of EPS and will not result in the use of additional cooling water or an increase in outlet water temperature.</p> <p>Therefore, this comment is not relevant to the proposal.</p>

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	<p>The possible loss of freshwater ecosystems, increased sea grass coverage and increases in particular species that may find conditions, temperature and nutrient levels favourable have not been addressed in the EA.</p> <p>Full aquatic surveys, assessment and research should be undertaken.</p> <p>EA does not address impacts upon freshwater and saltwater species.</p> <p>Where will the water to be used in dense phase ash disposal be sourced?</p> <p>Concern over potential contamination of air and water due to ash dam (such as selenium), particularly under extreme weather conditions.</p>	<p>Prior to commencement of works on the ash dam, EE has committed to undertaking surface and groundwater studies which will determine the likely quality and quantity of surface water runoff and any impact upon receiving waters and the control measures proposed to minimise any potential impacts.</p> <p>In addition, EE is enhancing the freshwater ecosystems in the region by creating and developing a wetland at the northern boundary of the ash dam which is attracting birdlife and other fauna.</p> <p>The ash dam is a recirculating system of salt water with no discharge to Lake Macquarie. Therefore aquatic surveys and assessment are not necessary for the proposal. Although not related to the EGTG and ash dam expansion, EE is carrying out aquatic surveys as part of existing licence conditions.</p> <p>The ash dam is a recirculating system of salt water with no discharge to Lake Macquarie. Therefore aquatic surveys and assessment are not necessary for the proposal. Although not related to the EGTG and ash dam expansion, EE is carrying out aquatic surveys as part of existing licence conditions.</p> <p>The ash dam is a recirculating system of salt water with no discharge to Lake Macquarie. The water source for dense phase disposal will remain unchanged from that currently used for lean phase disposal. The volume of water required will be less than that currently used.</p> <p>Regional and inter-regional studies indicate that there are no concerns for air quality related to EPS.</p> <p>Prior to commencement of works on the ash dam, EE has committed to undertaking surface and groundwater studies which will determine the likely quality and quantity of surface water runoff and any impact upon receiving waters and the control measures proposed to minimise any potential impacts.</p> <p>EE has also made a commitment (Commitment 3 of the Statement of Commitments for</p>

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	<p>Potential impact of altering water quality, salinity, rainfall and offsite discharges on fish and possibly create public health issues linked to seafood consumption.</p> <p>Not enough importance placed upon rehabilitation of previously degraded areas.</p> <p>Impact of feral animal management.</p> <p>Visual impact upon satellite imagery and boating vessels.</p> <p>Social and health impacts upon those visiting Myuna Bay Sport & Recreation Camp.</p>	<p>the project) to undertake further air quality assessment in respect of the ash dam expansion addressing dust generation from the dense phase emplacement and measures proposed to control any emissions.</p> <p>Prior to commencement of works on the ash dam, EE has committed to undertaking surface and groundwater studies which will determine the likely quality and quantity of surface water runoff and any impact upon receiving waters and the control measures proposed to minimise any potential impacts.</p> <p>EE has made a commitment (Commitment 9 of Statement of Commitments) to prepare and implement a rehabilitation plan for the site, to be submitted to the Director-General.</p> <p>Feral animal management is part of the overall EPS Land Management Plan.</p> <p>The visual impacts of the proposal are addressed in Table 7-20 and 7-21 of the EA.</p> <p>It is acknowledged that the clearing of land associated with the proposal will be visible from some distant areas, including Lake Macquarie, however this will be attenuated by distance and the gradual nature of the clearing, as well as staged rehabilitation of the land.</p> <p>The proposed ash dam expansion and EGTG are considered to be consistent with the character of surrounding land owned by EPS and will not significantly alter the character of the existing landscape.</p> <p>Regional and inter-regional studies indicate that there are no concerns for air quality related to EPS. Previous studies of fine particles has shown no effect on near or far zones of influence of Eraring Power Station. EE has in position a monitoring site at the ash dam area for fine particles which has to date not shown elevations above ambient.</p> <p>EE has made a commitment (Commitment 3 of the Statement of Commitments for the project) to undertake further air quality assessment in respect of the ash dam expansion</p>

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	<p>Concern about safety and strength of the current ash dam wall.</p> <p>Objection to indiscriminate damage to existing heritage sites.</p> <p>Aboriginal consultation undertaken was 'unconvincing'.</p> <p>Confirm whether Crown land acquired by EE was previously granted to an Aboriginal Land Council.</p> <p>Objection to the vast alteration of the landscape and the destruction of habitat and species and subsequent impact upon indigenous people.</p>	<p>addressing dust generation from the dense phase emplacement and measures proposed to control any emissions.</p> <p>EE utilise dam surveillance technology to ensure the integrity of the dam wall.</p> <p>Design and engineering measures will be utilised to ensure the strength and safety of the dam wall under the proposed expansion.</p> <p>Heritage issues are addressed in Section 7.4 and Tables 7-20 and 7-21 of the EA. No heritage sites will be damaged by the proposed works.</p> <p>Aboriginal consultation undertaken was in accordance with DEC guidelines.</p> <p>Land to be acquired by EE was not granted to the Local Aboriginal Land Council.</p> <p>Proposed works are to take place within EPS lands in the context of an industrial land use. The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Impacts upon Aboriginal heritage are discussed in Section 7.4 of the EA and conclude that there is unlikely to be a significant impact upon Indigenous heritage.</p>
17	<p>Destruction of native vegetation for ash dam expansion is unacceptable.</p>	<p>It is acknowledged that the ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>The proposed expansion of the EPS ash dam is critical to the longevity of the power station's operation as the capacity of the current facility will be exhausted by the year 2011/2012. EPS has an expected life beyond 2030, therefore should the ash dam</p>

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	<p>Stockpiling of ash poses a risk of selenium and ash entering groundwater or escaping into the Lake.</p> <p>Cost of proper ash disposal/storage should be a business cost absorbed/reflected in operating costs.</p> <p>Object to the relocation of flora and/or fauna as a management measure as adding to balanced environments alters their proper function through overload.</p> <p>Should be clear statements that EGTG will not become part of standard operations in future during times of increased demand.</p>	<p>expansion project not proceed the power station may not be able to operate beyond 2011/2012 unless an alternative method of disposal was identified. Whilst EE is continuing with its attempts to identify alternative methods of ash disposal, particularly reuse, the expansion of the ash dam is a vital contingency to secure the continued operation of the power station. Without this facility, the future of EPS is threatened with serious implications for the reliability and security of the State electricity supply.</p> <p>Prior to commencement of works on the ash dam, EE has committed to undertaking surface and groundwater studies which will determine the likely quality and quantity of surface water runoff and any impact upon receiving waters and the control measures proposed to minimise any potential impacts. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration Myuna Bay from these sources.</p> <p>EE is continuing with its attempts to identify alternative methods of ash disposal, particularly reuse however, in the interim, the expansion of the ash dam is a vital contingency to secure the continued operation of the power station.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>This is clearly stated in Section 3.4 of the EA.</p>
	<p>Impact of greater quantities of hot water on marine ecosystems and biodiversity must be examined.</p>	<p>The proposal will not increase the capacity of EPS and will not result in the use of additional cooling water or an increase in outlet water temperature.</p> <p>Therefore, this comment is not relevant to the proposal.</p>

Submission No.	Issues Raised	Applicant Response
	Concern over increased selenium levels and impacts upon human health.	Prior to commencement of works on the ash dam, EE has committed to undertaking surface and groundwater studies which will determine the likely quality and quantity of surface water runoff and any impact upon receiving waters and the control measures proposed to minimise any potential impacts. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration Myuna Bay from these sources.
18	<p>Concern over impact of ash dam expansion upon threatened species.</p> <p>EGTG and ash dam expansion should be considered separately.</p>	<p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an</p>

Submission No.	Issues Raised	Applicant Response
	<p>Seeks extension of time for public comment on EA.</p> <p>Objection to clearing of bushland.</p> <p>Proposal should be referred under EPBC Act.</p>	<p>integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p> <p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July - 21 August allowing extra time for public comment.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal. • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area. • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the

Submission No.	Issues Raised	Applicant Response
		<p>present vegetation community.</p> <ul style="list-style-type: none"> • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe. • Habitat for species requiring rocky areas is absent. • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p>
	<p>Proposed ash dam expansion does not provide solutions to existing environmental problems.</p>	<p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p>

Submission No.	Issues Raised	Applicant Response
	<p>Ash dam should be approved only as interim solution for ash disposal until alternatives are identified for ash disposal.</p> <p>Government should develop alternatives to proposed method of ash disposal at the site.</p>	<p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p> <p>The expanded ash dam may be considered as an interim solution for ash disposal as EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>The DEC has recommended that a condition be placed on any approval issued requiring EE to continue to investigate opportunities for the reuse of ash.</p>
19	EGTG and ash dam expansion should be considered separately.	<p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan</p>

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	<p>Seeks extension of time for public comment on EA.</p> <p>Objection to clearing of bushland.</p> <p>Should be further investigation into effective and efficient reuse of the ash.</p> <p>Flora and fauna studies should be made public prior to any decision being made.</p>	<p>approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p> <p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July - 21 August allowing extra time for public comment.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has also made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>The flora and fauna assessment undertaken in respect of the project was publicly exhibited with the EA (Appendix E).</p>
	<p>Proposal should be referred under EPBC Act.</p>	<p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p>

Submission No.	Issues Raised	Applicant Response
		<p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal. • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area. • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe. • Habitat for species requiring rocky areas is absent. • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place

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	<p>Proposed ash dam expansion does not provide solutions to existing environmental problems.</p>	<p>over Lake Macquarie.</p> <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p> <p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p> <p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p>
	<p>Ash dam should be approved only as interim solution for ash disposal until alternatives are identified for ash disposal.</p> <p>Government should develop alternatives to proposed method of ash disposal at the site.</p>	<p>The expanded ash dam may be considered as an interim solution for ash disposal as EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>The DEC has recommended that a condition be placed on any approval issued requiring EE to continue to investigate opportunities for the reuse of ash.</p>

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20	Objection to the clearing of bushland and impact upon threatened species.	<p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p>
	<p>Should look at alternative for ash disposal which does not require the clearing of bushland.</p> <p>Seeks extension of time for public comment on EA.</p> <p>Proposal should be referred under EPBC Act.</p>	<p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has also made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July - 21 August allowing extra time for public comment.</p> <p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p>

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		<p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal. • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area. • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe. • Habitat for species requiring rocky areas is absent. • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place

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		<p>over Lake Macquarie.</p> <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p>
21	<p>EGTG and ash dam expansion should be considered separately.</p> <p>Seeks extension of time for public comment on EA.</p> <p>Objection to the clearing of bushland and impact upon threatened species.</p>	<p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p> <p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July - 21 August allowing extra time for public comment.</p> <p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional</p>

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	<p>Proposal should be referred under EPBC Act.</p>	<p>mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal. • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area. • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe.

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	<p>Proposed ash dam expansion does not provide solutions to existing environmental problems.</p>	<ul style="list-style-type: none"> • Habitat for species requiring rocky areas is absent. • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p> <p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p> <p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p>

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	Ash dam should be approved only as interim solution for ash disposal until alternatives are identified for ash disposal.	The expanded ash dam may be considered as an interim solution for ash disposal as EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.
	Government should develop alternatives to proposed method of ash disposal at the site.	The DEC has recommended that a condition be placed on any approval issued requiring EE to continue to investigate opportunities for the reuse of ash.
22	<p>Seeks extension of time for public comment on EA.</p> <p>Claim that the project has been declared a Major Project is misleading.</p> <p>Applications for coal-fired power stations should be assessed against the need for energy efficiency and renewable energy.</p> <p>Proposed ash dam expansion does not provide solutions to existing environmental problems.</p>	<p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July - 21 August allowing extra time for public comment.</p> <p>The project was declared to be a project to which Part 3A applies on 6 December 2005. Projects declared under Part 3A are defined as a 'Major Project'.</p> <p>The proposal is not an application for a coal-fired power station.</p> <p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p> <p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water</p>

Submission No.	Issues Raised	Applicant Response
		<p>quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p>
	<p>Objection to impact upon threatened species as a result of clearing of bushland.</p> <p>EE should do arboreal trapping for the Squirrel Glider.</p> <p>Species Impact Statements should be undertaken.</p> <p>EA does not address marine species which may be impacted by the</p>	<p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>Arboreal trapping was undertaken as part of the fauna survey for the project from 19-22 July 2005. Details of the fauna survey are provided in Section 3.2 of the flora and fauna assessment and included as Appendix E of the EA.</p> <p>Species Impact Statements are required when there is deemed to be a significant impact upon a threatened species. Seven-part tests of significance were undertaken as part of the flora and fauna assessment for the project in respect of threatened species detected within the site, as well as those where habitat was present within the study area. The Seven-part tests found that the proposal would not have a significant impact upon threatened species, therefore Species Impact Statements are not required.</p> <p>Prior to commencement of works on the ash dam, EE has committed to undertaking surface and groundwater studies which will determine the likely quality and quantity of</p>

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	<p>proposal.</p> <p>Consideration should be given to how to accommodate more ash without the loss of bushland and how to expand the market for ash.</p> <p>Consideration should be given to raising the level of ash to produce a free-standing hill rather than encroaching on the vegetated slopes or stowing the ash within underground mines.</p> <p>EGTG and ash dam expansion should be considered separately.</p> <p>Preferable to give early approval to a limited expansion which doesn't have major environmental impacts rather than concept approval with safeguards</p>	<p>surface water runoff and any impact upon receiving waters and the control measures proposed to minimise any potential impacts.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has also made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>The study area is too small for the disposal of the required amount of ash in this manner. This would be a short-term option only and is not considered cost-effective or efficient.</p> <p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p> <p>The proposed ash dam expansion is to be undertaken in a staged manner. A Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam</p>

Submission No.	Issues Raised	Applicant Response
	<p>developed later.</p> <p>None of the safeguards identified in the EA mitigate against impacts to fauna and most do not mitigate against impacts to flora.</p>	<p>expansion until a Project approval is obtained.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p>
	<p>The proposed slow rate of clearing does not mitigate against the clearing of 52 hectares of bushland.</p> <p>The proposal to relocate fauna to fabricated nests in adjoining areas will result in territorial conflict.</p> <p>The circumventing of the 7-part test could allow unacceptable impacts on threatened species.</p> <p>The EA states that there will be a reduction in dust from lean phase to dense phase but does not explain how.</p> <p>Any change to ash processing, handling or disposal need to be more specific on targeting and ameliorating</p>	<p>The slow rate of clearing will allow for compensatory habitat to be provided and for progressive rehabilitation to take place on the site such that the impacts off the loss of bushland are indeed mitigated.</p> <p>The supplementary report attached identifies the provision of compensatory habitat which will result in an expanded area of habitat for local fauna.</p> <p>Seven-part tests of significance were undertaken as part of the flora and fauna assessment for the project in respect of threatened species detected within the site, as well as those where habitat was present within the study area. The Seven-part tests found that the proposal would not have a significant impact upon threatened species.</p> <p>Previous studies of fine particles has shown no effect on near or far zones of influence of Eraring Power Station. EE has in position a monitoring site at the ash dam area for fine particles which has to date not shown elevations above ambient.</p> <p>The placement technique used in dense phase disposal inherently reduces dust in comparison with the lean phase technique currently used at EPS.</p> <p>Further, EE has made a commitment (Commitment 3 of the Statement of Commitments for the project) to undertake further air quality assessment in respect of the ash dam expansion addressing dust generation from the dense phase emplacement and measures proposed to control any emissions.</p> <p>EE has made a commitment (Commitment 3 of the Statement of Commitments for the project) to undertake further air quality assessment in respect of the ash dam expansion addressing dust generation from the dense phase emplacement and measures proposed</p>

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	problems of air-borne ash.	<p>to control any emissions.</p> <p>Previous studies of fine particles has shown no effect on near or far zones of influence of Eraring Power Station. EE has in position a monitoring site at the ash for fine particles dam area which has to date not shown any aberrations from ambient.</p>
	EGTG and ash dam expansion should be considered separately.	<p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p>
23	<p>No objection to EGTG.</p> <p>EE should be required to undertake a risk analysis regarding the ash dam extension and proximity of the old mine workings.</p> <p>Proposal should be discussed with the Department of Primary Industries-Minerals and the Local Lease Holder to ensure the ash dam extension will not impact on the future extraction of coal reserves.</p>	<p>Noted.</p> <p>Discussions have been held with Centennial Coal (leaseholder) and approval has been given to progress the project.</p>

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26	<p>EGTG and ash dam expansion should be considered separately.</p> <p>Seeks extension of time for public comment on EA.</p> <p>Objection to the clearing of bushland and impact upon threatened species.</p>	<p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications.</p> <p>The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p> <p>The minimum statutory period for public exhibition of the EA is 30 days. The EA was exhibited for 60 days from 18 May – 20 June and from the 20 July to 21 August allowing extra time for public comment.</p> <p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of</p>

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		compensatory habitat. This report is attached under separate cover.
	Proposal should be referred under EPBC Act.	<p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal. • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area. • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area.

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	<p>Proposed ash dam expansion does not provide solutions to existing environmental problems.</p>	<ul style="list-style-type: none"> • There is no reed bed habitat that would support a population of Painted Snipe. • Habitat for species requiring rocky areas is absent. • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p> <p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p> <p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p>

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	<p>Ash dam should be approved only as interim solution for ash disposal until alternatives are identified for ash disposal.</p> <p>Government should develop alternatives to proposed method of ash disposal at the site.</p>	<p>The expanded ash dam may be considered as an interim solution for ash disposal as EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>The DEC has recommended that a condition be placed on any approval issued requiring EE to continue to investigate opportunities for the reuse of ash.</p>
27	EGTG and ash dam expansion should be considered separately.	<p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p> <p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p>

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	<p>Objection to the clearing of bushland and impact upon threatened species.</p>	<p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p>
	<p>Proposal should be referred under EPBC Act.</p>	<p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p> <ul style="list-style-type: none"> • Runoff from the proposed project will be contained within the existing ash dam bund with discharge flowing into Lake Macquarie. Therefore the Hunter Estuary Wetlands will not be impacted by the proposal.

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		<ul style="list-style-type: none"> • With the exception of the Grey-headed Flying-fox, no species of fauna listed under the EPBC Act were observed within the study area. • The impact upon the Spotted-tailed Quoll and the Regent Honey-eater is not expected to be significant as a large area of similar habitat is found directly to the north of the study area. • The Swift Parrot is unlikely to be affected by the proposed project as the species is unlikely to be present in the local area during the peak flowering period of the present vegetation community. • The impact upon the Long-nosed Potoroo is not expected to be significant due to a large area of similar habitat directly to the north of the study area. • It is considered unlikely that there will be a significant impact upon species listed under the EPBC Act which are reliant upon aquatic habitats as there are no creeks or suitably permanent pools within the study area. • There is no reed bed habitat that would support a population of Painted Snipe. • Habitat for species requiring rocky areas is absent. • The viability of the local population of <i>Tetratheca juncea</i> is not expected to be significantly affected as the adjacent areas are unlikely to be impacted provided that a buffer is established along the ridgeline and weeds are controlled on the ash deposit. • It is unlikely that any migratory species listed under the EPBC Act will be significantly impacted by the proposed project as no evidence of nesting was observed and it is likely that the majority of the species foraging would take place over Lake Macquarie. <p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p>
	Proposed ash dam expansion does not provide solutions to existing	The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of

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	<p>environmental problems.</p> <p>Ash dam should be approved only as interim solution for ash disposal until alternatives are identified for ash disposal.</p> <p>Government should develop alternatives to proposed method of ash disposal at the site.</p> <p>Makes no sense to assess the proposals together.</p>	<p>the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p> <p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p> <p>The expanded ash dam may be considered as an interim solution for ash disposal as EE are continually seeking to expand the market in ash reuse. However, until a viable market exists to accommodate the ash produced at EPS, an alternative disposal method is required – i.e. an expansion of the ash dam. As part of this project, EE has made a commitment to continuing to investigate and pursue opportunities for the reuse of ash (Commitment 26 of Statement of Commitments). Therefore the proportion of ash which is reused is anticipated to increase into the future.</p> <p>The DEC has recommended that a condition be placed on any approval issued requiring EE to continue to investigate opportunities for the reuse of ash.</p> <p>The installation of the EGTG and the expansion of the ash dam form part of an overall upgrade of the facilities at EPS, both required to allow the power station to continue providing reliable electricity to the grid into the future.</p>
		<p>The two components of the EPS upgrade are presented together in order to simplify the assessment and approval process for all parties (EE, government agencies and the</p>

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	<p>No need for the loss of bushland. Object to impact upon threatened flora and fauna.</p> <p>The EPBC Act should be adhered to.</p>	<p>community). Due to the detail of the ash dam expansion component, a Concept Plan approval enables the key issue of ecological effects to be considered upfront and in an integrated, holistic manner rather than a piecemeal approach of separate applications. The Concept Plan approval does not allow site work to commence on the ash dam expansion until a Project approval is obtained.</p> <p>The ash dam expansion will result in the loss of some bushland. However, the flora and fauna assessment undertaken in respect of the proposal concludes that there will be no significant impact upon threatened species, populations or ecological communities provided that appropriate safeguards are implemented on the site.</p> <p>Section 3.2 of the EA describes the alternatives considered by EE for ash disposal. Of the options available to EE for ash disposal, the option presented will have the least impact in terms of the clearing of vegetation, impact on threatened species and uptake of undeveloped land and was therefore chosen as the preferred option.</p> <p>EE has reviewed the proposed mitigation measures in the light of the comments received during the exhibition period and has prepared a supplementary report detailing additional mitigation measures to be incorporated into the project including the provision of compensatory habitat. This report is attached under separate cover.</p> <p>A referral under the EPBC Act is required when a person proposes to undertake an action which they believe may need approval under the EPBC Act, i.e. actions that may have a significant impact upon matters of National Environmental Significance (NES).</p> <p>The EPBC Act lists seven matters of NES which must be addressed when assessing the impacts of a proposal. These are assessed in Section 4.5.2 of the EA and it is concluded that the proposal is not likely to have a significant impact upon any of these matters.</p> <p>Of most relevance to the assessment are Commonwealth-listed threatened species and Commonwealth-listed migratory species which are addressed in more detail below:</p>

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	<p>Many existing problems associated with the ash dam – these should be dealt with under this proposal.</p> <p>Suggest that the ash be returned to the coal mine from which it came.</p>	<p>Based upon the above, it is considered that the proposal will not have a significant impact upon matters of NES and a referral under the EPBC Act is therefore not required.</p> <p>The environmental controls and mitigation measures proposed as part of the ash dam expansion will result in certain environmental improvements to the existing operation of the EPS.</p> <p>EE has a Management Plan in place for water run-off that segregates stormwater and contaminated water and this will continue under the new ash dam proposal. Dust control measures for the new ash dam project will augment the existing systems.</p> <p>The use of dense phase disposal as part of the proposed ash dam expansion project will utilise less water than the existing lean phase disposal method and will also reduce dust emissions. Detailed hydrological studies will also be undertaken prior to the commencement of works on the ash dam which may result in improvements in water quality in the local area. These studies will augment the preliminary groundwater studies carried out to date which have shown that there is no migration to Myuna Bay from these sources.</p> <p>The proposal also includes rehabilitation of land and the provision of compensatory habitat to offset the potential impacts of the proposal.</p> <p>EE submits that previous reviews of the option to dispose of fly ash in local mine workings both underground and open cut indicated that the underground mining technique used and the angle of repose of the fly ash greatly inhibits the mine workings to be an effective disposal site. No local open cut mines are available in which to place ash at this time.</p>