

2 September 2021

The Next Generation (NSW) Pty Ltd v Independent Planning Commission (Class 1 Application) Land and Environment Court Proceedings Number 2019/13009 Eastern Creek Energy from Waste Facility SSD 6236

The purpose of this letter is to provide a progress update on the above matter in relation to the proposed Energy from Waste Facility at Eastern Creek (**Application**).

Amended Application hearing completed

The Applicant filed a notice of motion to amend its Application before the Court on 16 July 2021 (**Motion to Amend**).

The hearing of the Applicant's Motion to Amend was held on 17 August 2021 and 1 September 2021. The Court has not determined whether to allow the amendment to the Application and the parties await the Court's judgment.

Next Steps

We will provide a further update once the Motion to Amend is determined by the Court.

If the Court determines to allow the Application to be amended, the Department will place the amended Application on public exhibition and there will be an opportunity to make written submissions.

Updates online in future

All future updates and further information about the appeal will continue to be placed on the IPC website at this address:

<https://www.ipcn.nsw.gov.au/projects/2018/04/eastern-creek-energy-from-waste-facility-ssd-6236>

If you are unable to access the IPC website or require any further information, please email us at legalservices@planning.nsw.gov.au

Yours faithfully



Donette Holm
Principal Legal Officer
Legal Services



Nicholas Aynsley
Legal Officer
Legal Services