



Chunxing Corporation Pty Ltd

A.C.N. 632 456 538
A.B.N. 50 632 456 538

Response in Regard to the Recent Recommendation by Parliamentary Enquiry for an Environmental Effects Statement.

15th December 2021

The recent Parliamentary enquiry into Health Impacts of Air Pollution in Victoria has as one of its many recommendations that an EES (Environmental Effects Statement) be conducted for the Chunxing Used Lead Acid Battery Recycling Facility.

Chunxing Corporation Pty Ltd would like to make the following statement in regard to the recommendation for an EES:

The need for an EES is determined by the Minister for Planning, but only if a proposed project has met the criteria for its ‘referral’ to him/ her. This criteria is very clearly laid out on page 7 of *the Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978* publication¹.

Chunxing followed this guideline to the letter, providing its assessment to the Department of Environment, Land, Water and Planning (DELWP), and from this assessment it was evident that none of the trigger criteria (for determining whether the project should be referred to the Minister) were met. It was not referred because, according to the guideline, it shouldn’t be.

EPA Works Approval is the environmental assessment mechanism applied to all industrial development projects in Victoria.

As part of the Works Approval process, the report from the ‘20B’ community conference (held at the Churchill Hotel on 25 February 2020) recommended that EPA confirm with

¹ Available at: https://www.planning.vic.gov.au/_data/assets/pdf_file/0026/95237/DSE097_EES_FA.pdf

DELWP the outcome of Chunxing's referral (to DELWP) regarding the need for EES. Page 26 of EPA's Works Approval Assessment report² responds to this:

EPA Response: "DELWP has confirmed that the applicant was able to demonstrate the EES referral criteria were not met."

An independent consultant commissioned by the Latrobe City Council also reviewed the Chunxing Works Approval Application and concluded that our facility met all statutory environmental requirements. Chunxing has included in its project online monitoring and controls during operation, including dust sampling and laboratory analysis for lead and other materials at the stacks. Chunxing intends to voluntarily install monitoring stations for air sampling at the facility boundary and near the Hazelwood Primary School for any dust and gases during construction and operation. Laboratory analysis of a collection filter for any dust collection and analysis for heavy metals including lead.

The Parliamentary Committee has had full access to the detailed Works Approval Application, and all follow up documentation from Chunxing to the EPA. From the comments in their report's recommendation, this documentation was only referenced in statements from the EPA in demonstrating compliance.

It is also unfortunate that although those groups aligned against our project were invited by the Committee to raise their concerns during the enquiry, Chunxing was not given the same opportunity to present their documentation and evidence. Chunxing was not contacted by the Committee or requested to appear before it to clarify the EPA's approval conditions or any other factual information, that will ensure no health impacts whatsoever to the Latrobe Valley community from the operation of our facility.

In our view, what is perhaps more important is actual environmental measurements prior to commencing, during commissioning and continuously throughout the operation. Chunxing will work with the community to not only conduct environmental monitoring but share and communicate both the online continuous monitoring data and interpreted summary information. This will provide far more assurance (that the nearby community nor the environment will suffer any impact from Chunxing) than any additional EES study could ever achieve.

Dr. Lakshman Jayaweera
CEO/ Director
Chunxing Corporation Pty Ltd
Tel: 0418 239 441
Address: S1 213 Princes Drive, Morwell, VIC 3840
Email: office@chemmet.com.au lakshman@chunxing.com.au

² EPA Victoria (2020), *Chunxing ULAB Recycling Project Works Approval Assessment Report*, available at: https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-engage.files/2915/9910/3689/SO1003702_Chunxing_Assessment_Report_final.v2_20200903.pdf