

Hydro Aluminium Kurri Kurri Smelter Remediation Independent Environmental Audit



Assessment of Hydro Aluminium Kurri Kurri Environmental System Compliance Against SSD-6666 (Mod 1) Conditions of Consent

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This report has been prepared and reviewed in accordance with our Quality control system.

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1. Executive Summary

The Hydro Aluminium Kurri Kurri Ltd Pty (Hydro) development project involves the remediation of the former Hydro Kurri Kurri Aluminium Smelter site including:

- excavation of onsite contaminated areas
- excavation and treatment of Capped Waste Stockpile (CWS) material
- construction of a purpose-built Containment Cell
- placement of contaminated materials in the containment cell
- treatment of contaminated groundwater plume originating from the CWS
- ongoing management of the Engineered Containment Cell in perpetuity.

This Audit Report presents the outcomes of the independent environmental audit conducted by AQUAS on 30 November 2021 and 1 & 2 December 2021 on Hydro's compliance against the requirements of the State Significant Development conditions SSD-6666 - Modification 1 (SSD-6666-Mod 1). This audit covers the review of records from 27 January 2021 to 30 November 2021. The Remediation Works commenced on 27 January 2021.

Overall, the development proved to have strong environmental performance in compliance with the Conditions of Consent SSD-6666-Mod1 with no non-compliances raised during this audit. The following key strengths were noted:

- The Remediation Works was contracted to a suitably qualified and experienced contractor and all the required independent professionals were contracted as per the conditions of consent i.e. Validation Consultant, Independent Engineer and Site Auditor.
- The Remediation Works Environmental Management Plan (RWEMP) and Containment Cell Management Plan (CMP) required by the Conditions of Consent were developed, approved by the NSW Department of Planning, Industry and Environment (Department) prior to remediation works and being implemented on site.
- Tracking of the development's Conditions of Consent through a Compliance Matrix as part of the RWEMP and sub-plans.
- Strong communication and community engagement initiatives with regular Community Reference Group (CRG) meetings, availability of CRG meeting minutes on the ReGrowth website, newsletters, and onsite signage. The project website was maintained with construction updates.
- Good communication and working relationship between the main project parties, Hydro and Daracon, was demonstrated through regular meetings and weekly inspections conducted by both parties.
- The extensive testing of the geosynthetic materials and validation of the Independent Engineer were demonstrated on the ongoing construction of the Engineered Containment Cell based on the inspection Test Plans records presented during this audit.
- Good record keeping and evaluation of environmental performance with the use of registers for all monitoring and testing results.
- Health and Safety Management Plan was implemented through site delineation, training and inductions, plant and equipment inspection, weekly safety inspection and risk assessment workshop as conducted in October 2021.
- The revised environmental mitigation measures defined in the RWEMP and associated subplans were implemented based on the auditor's observation during the site inspection conducted on 30 November 2021 such as the following:
 - The Erosion and Sediment Control Plan was implemented, sediment fences were installed around the perimeter and site compound, sediment basins were constructed, and stormwater drains were protected.
 - The site boundary was clearly defined with fauna protection fencing.

- The Spent Potlining materials and gypsum were appropriately managed and stored safely in allocated Containment Sheds.
- Stockpiles of imported materials were segregated away from the current contaminated stockpiles.
- Wastes and recyclable materials were segregated and stockpiled at the shed.
- Continuous dust monitoring was undertaken on five dust gauges installed around the sensitive receptors.
- Dust suppression was conducted through water carts and sprinklers installed onsite.
- Capped Waste Stockpile remains undisturbed and continuous monitoring was undertaken while the construction of the containment cell is ongoing.
- The traffic and speed signage were implemented.
- No mud tracking on main roads.
- Spill kits were available on point of use.
- Records of dewatering permit with laboratory testing results were presented prior to discharging water from the sediment ponds.

Summary of Audit Findings

Based on the independent environmental audit carried out, which comprised review of documents and records, interviews with key personnel and site inspection, there were a total of 125 Conditions of Consent assessed. There were no non-compliances identified during this audit period.

It is noted that the RWEMP will be reviewed by December 2021 (3-months from approval of Mod 1 in September 2021), and any necessary changes made within six weeks of the review, to reflect the Modification 1 requirements to fully comply with Conditions of Consent C5 and C6.

2. Introduction

2.1 Background

The history of the Kurri Kurri Smelter traces back to 1936, with establishment of the smelter site by 1965. Production at the smelter commenced in 1969 reaching its first pot line in 1973 and expanding with a second pot line in 1980. The third pot line reached full production in 1986, however after a change in ownership, hot metal production in the pot lines ceased in 2012 with the official closure of the smelter occurring in 2014.

The early works (prior to demolition) and Stages 1 and 2 (demolition) have now been completed for the Hydro Aluminium Kurri Kurri Smelter. Remediation of the 2,000-hectre site commenced on 27 January 2021 and primarily consists of the construction of the Engineered Containment Cell (ECC), the excavation of contaminated soils, and the onsite containment of these and non-recyclable waste material against Conditions of Consent SSD-6666 (Mod 1).

Daracon Contractors was awarded the remediation contract in December 2019 to carry out the construction of the Engineering Containment Cell (ECC) and placement of the mixed waste and other materials into the ECC.

The required independent professionals were contracted as per the conditions of consent which include the Validation Consultant – Ramboll Australia Pty Ltd , Independent Engineer – SMEC, and Site Auditor – Ross McFarland.

Hydro Aluminium Kurri Kurri Pty Ltd (Hydro) engaged AQUAS to undertake this first independent environmental audit, conducted on 30 November 2021 (Day one) and 1 & 2 December 2021 (Day two and three). The audit was conducted within one (1) year of commencement of remediation works in compliance with **SSD-6666 (Mod 1) Condition C13** and carried out in accordance with the *Independent Audit Post Approval Requirements (DPIE, 2020)*.

2.2 Development Details

Development Name	Hydro Aluminium Kurri Kurri Smelter Remediation Project
Development Application Number	SSD-6666 (Mod 1)
Development Address	Hart Rd, Loxford NSW
Development	<p>Remediation of the former Hydro Kurri Kurri Aluminium Smelter site including:</p> <ul style="list-style-type: none"> ● excavation of onsite contaminated areas ● excavation and treatment of Capped Waste Stockpile (CWS) material ● construction of a purpose-built Containment Cell ● placement of contaminated materials in the Containment Cell ● treatment of contaminated groundwater plume originating from the CWS ● ongoing management of the containment cell in perpetuity.

2.3 Audit Team

Details of AQUAS independent environmental auditor that was approved by DPIE for this audit are as follows:

Name	Company	Position	Certification
Annabelle Tungol	AQUAS	Lead Environmental Auditor	Exemplar Global Lead Environmental Auditor – Certificate No. 119536
Barbara Pater	AQUAS	Assisting Environmental Auditor	SAI Global Lead Environmental Auditor – Certificate No. C327554

In accordance with Condition C13, endorsement by the Department of the Independent Environmental Auditors was granted on 5 August 2021 prior to the conduct of this audit, refer to **Appendix A**. Independent Audit declaration forms are included as **Appendix B**.

2.4 Audit Objectives

The objective of this audit was to undertake the first independent environmental audit in compliance with development Condition of Consent SSD-6666 (Mod 1) C13 and in accordance with the requirements for an Independent Audit Methodology and Independent Audit Report as per the *Independent Audit Post Approval Requirements* (DPIE, 2020).

2.5 Audit Scope

The following items were included within the scope of this audit in compliance with SSD-6666 (Mod 1), the relevant conditions Parts A, B, C, and Appendices 3 and 4 for the Remediation Works of the Hydro Aluminium Kurri Kurri Smelter.

- Review of implementation of management plans, including:
 - Remediation Works Environmental Management Plan (RWEMP) and Sub-Plans
 - Containment Cell Management Plan (December 2020)
 - Soil and Water Management Plan (December 2020)
 - Air Quality Management Plan (December 2020)
 - Biodiversity Management Plan (December 2020)
 - WHS Management Plan (November 2020)
 - Stakeholder and Community Engagement and Notification Plan (June 2021)
- Site inspection conducted on 30 November 2021,
- Review of the environmental performance of the project,
- Review of environmental records including pre-clearance surveys and monitoring reports,
- Interview of site personnel, and
- Consultation with stakeholders.

2.6 Audit Period

This was the first independent environmental audit on the project carried out by AQUAS, covering the review of environmental documentation and records and site inspection for the Remediation Works from 27 January to 2 December 2021. This report is based on the result of sampling and supplied documentation/records, as well as the site activities on day one (30 November 2021) of the audit.

3. Audit Methodology

3.1 Approval of Auditors

Letter from the Planning Secretary agreeing to the auditors is attached as **Appendix A**.

3.2 Audit scope development

AQUAS developed the audit scope and a checklist based on the Development Requirements set out in the SSD-6666 (Mod 1) Consent document. Refer to **Appendix D** of this report.

3.3 Audit Process

3.3.1 Opening Meeting

An opening meeting was held on 30 November 2021 (Day one) at 10:00am onsite at the Hydro Aluminium Kurri Kurri Pty Ltd site office with representatives from Hydro, Ramboll Australia Pty Ltd (Ramboll) and AQUAS auditors.

Key items were discussed, including:

- Confirmation of the purpose and scope of the audit
- Overview of the Project and status of the works
- Occurrence of Environmental incidents
- Overview of the audit process in accordance with the Conditions of Consent.

3.3.2 Conduct of Audit

Audit activities included the following:

- Review of the development documentations to verify compliance with the SSD-6666 (Mod 1) Consent Conditions on 1 & 2 December 2021,
- Conduct of a site inspection led by the Hydro team to review implementation of mitigation measures and environmental controls on 30 November 2021,
- Conduct of the audit based on the checklist with the Conditions of Consent, interviews with personnel and review of records provided as evidence of compliance, and
- Discussion of any identified findings and any actions noted during site inspection.

3.3.3 Closing Meeting

The closing meeting was held online on the 2 December 2021 (Day three) at 4pm with representatives of Hydro, Ramboll and AQUAS. General feedback and the audit findings were discussed during the closing meeting.

AQUAS auditors acknowledged the cooperation, openness, and hospitality of the Hydro team during the conduct of this audit.

3.4 Interviewed Persons

Name and position of persons interviewed are as follows:

Name	Organisation	Position
Andrew Walker	Hydro	Project Manager
Matt King	Hydro	Contract Administrator
Steve Raeburn	Hydro	Project Engineer
James Brown	Hydro	WHS Manager
Andrew Solomou	Hydro	Construction Manager
Kerry McNaughton	Hydro	Environmental Officer
Shaun Taylor	Ramboll	Environmental Consultant
Samuel Wilkinson	Daracon	Project Engineer
Graeme Crosdale	Daracon	Safety Advisor

3.5 Details of Site Inspection

The site inspection was conducted from 10:00am on 30 November 2021, with representatives from Hydro, Ramboll and AQUAS in attendance. Issues identified during the site inspection were addressed immediately and closed out in which photographic evidence was submitted to the auditors and incorporated into this report. Refer to details of the inspection in Section 5.5 of this report and site photos in **Appendix E**.

The following were the activities in progress at the time of the audit:

- Installation of Containment Cell geosynthetic liners and establishment of the leachate collection system
- Construction of bunding for the Temporary Water Treatment Plant
- Moving of the excavated contaminated materials into the Sheds 1-10 i.e. gypsum and Spent Potlining materials.
- Continued Groundwater Monitoring of Capped Waste Stockpile
- Dewatering of Sediment Basins due to the heavy rainfall
- Box out of unsuitable soft spots in new haul road
- Extensive testing of HDPE geosynthetic lining and other materials
- Five active dust monitors
- Deliveries and receipt of imported materials for the construction of Containment Cell.

3.6 Consultation

Consultation emails were sent in advance of the audit to relevant personnel at the Department of Planning Industry and Environment (DPIE), Cessnock City Council as well as the Environment Protection Authority (EPA) to request feedback about the project and highlight any areas for review by AQUAS during the audit.

3.6.1 Table of Consultation

Contact	Agency	Comments	Audit Findings
<p>Heidi Watters Team Leader Compliance Planning & Assessment</p>	<p>Department of Planning, Industry and Environment</p>	<p>In addition to compliance with conditions of consent SSD 6666, please also provide commentary on the:</p> <ul style="list-style-type: none"> • Adequacy and implementation of the approved management plans <ul style="list-style-type: none"> ○ Remediation Works Environmental Management Plan <ul style="list-style-type: none"> - Containment Cell Management Plan - Erosion and Sediment Control Plan - Air Quality Management Plan - Biodiversity Management Plan: Have the pre-clearing surveys, supervision during clearing, hygiene protocols and nest box installation and monitoring been implemented as described? - Health and Safety Management Plan - Community Consultation and Complaints Handling • Biodiversity offset requirements 	<p>During the audit, the Remediation Works Environmental Management Plan (RWEMP) and sub-plans including biodiversity, air quality, noise and vibration, Containment Cell Management Plan, and Stakeholder Management Plan, were reviewed and verified. The site inspection confirmed ERSED controls were established and maintained. The management of the work site and implementation of the RWEMP and Containment Cell Management Plan, were demonstrated based on the inspection test plan and Independent Engineer's register.</p> <p>Pre-clearance surveys and installation of nest boxes were verified as evidenced based on the ecologist report.</p> <p>The biodiversity offset requirements was under review to accommodate the reduction of at least 1.5 hectares from the original clearing footprint.</p> <p>Hydro presented registers of monitoring results for air quality and surface water quality. Dewatering permits were also sighted.</p> <p>Health and Safety Management Plan was implemented, training and inductions records were sighted. Spent potlining materials and gypsum were stored within shed and health and safety precautions were implemented when stockpiling materials in the shed. Clear delineation of work areas and fencing were installed. Risk Workshop Daracon / EPS's Work Method Statement for Load, Haul & Compact Waste to the ECC was conducted.</p> <p>Community consultation and management of complaints records were presented and available in the Hydro website called ReGrowth.</p>
<p>Iain Rush Senior Strategic Planner</p>	<p>Cessnock City Council</p>	<p>Council has no comments to provide</p>	<p>Not applicable</p>

Contact	Agency	Comments	Audit Findings
Hamish Rutherford Senior Operations Officer Regulatory Operations Metro North	EPA	Advised that the NSW EPA is not a consent authority under the EP&A Act. As such the EPA does not have a role in administering or enforcing development consents/project approvals, and therefore does not get involved in the auditing of these statutory instruments.	Not applicable

Refer to **Appendix F** for consultation records.

3.7 Audit Compliance Status Descriptors

The following audit criteria were used for the rating of audit findings.

Status	Description
Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-Compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not Triggered	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

4. Document Review

The following documents were reviewed and/or sighted as part of this audit:

- Remediation Works Environmental Management Plan, Rev 0 ref 318000533, 23 December 2020
- Containment Cell Management Plan, Rev 0, ref 318000533, 23 December 2020
- Smelter Access Plan, Rev 0 ref AS130415, 23 December 2020
- Biodiversity Management Plan, Rev 0, ref 318000533, 23 December 2020
- Air Quality Management Plan, Rev 0, ref 318000533, 23 December 2020
- Soil and Water Management Plan, Rev 0, ref 318000533, 23 December 2020
- Traffic Management Plan, Rev 0 ref AS130415, 23 December 2020
- Waste Management Plan, Rev 0, ref 318000533, 23 December 2020
- Noise and Vibration Management Plan, Rev 0, ref 318000533, 23 December 2020
- WHS Management Plan (WHS Plan) – Smelter Demolition and Site Remediation, Rev 12, 6 November 2020, effective from 23 December 2020
- Aboriginal Heritage Management Plan, Rev 0 ref 318000533, 23 December 2020
- Pollution Incident and Emergency Response Management Plan, Revision 12, 7 August 2020
- Leachate Management Plan, Rev 0 ref 318000533, 23 December 2020
- Stakeholder and Community Engagement and Notification Plan, ref 22/18982, June 2021
- Energy Efficiency Plan, Rev 0 ref 318000533, 23 December 2020
- Environmental Protection Licence – EPL 1548, 13 October 2020
- Chemical Control Order Licence No. 5
- GHD HAKK Technical Specifications – Containment Cell Design Rev 3, 22/18015, 18 November 2018
- DPIE letter 25 January 2021 – Approval of RWEMP and sub-plans
- DPIE letter, 21 May 2021 – Approval of the Pre-Construction Hazards and Risks Studies
- DPIE letter 12 March 2021 – Approval to retire biodiversity credits by 26 January 2023
- DPIE letter 6 October 2021 – Approval for Out of Hours Work
- DPIE Water letter to DPIE 19 October 2021 – Modification Report (Mod 2)
- DPIE letter 21 October 2021 – Request for further information (SSD-6666 Mod 2)
- DPIE email 3 December 2021 – Amend Boundary and remove Condition B38 (SSD-6666 Mod 2)
- DPIE email 8 September 2020 – Consultation for Draft Containment Cell Management Plan
- DPIE Portal receipt for Notification of Commencement
- DPIE Portal receipt for Dilapidation Report
- DPIE Portal receipt for Compliance Report
- Hydro letter to DPIE – Appointment of Site Auditor, 23 December 2020
- Hydro letter to DPIE – Appointment of Validation Consultant, 23 December 2020
- Hydro letter to DPIE – Request of OOHW, 27 September 2021
- Environment Protection Authority (EPA) letter 16 October 2020 – Containment Cell Management Plan
- Hunter New England Health District and Hunter New England Population Health Letter, 16 April 2021
- AIHMS Heritage NSW application for transfer of artefact to Mindaribba Aboriginal Land Council, 22 February 2021
- Voluntary Planning Agreement 5:10585026_6 BXW (executed) and VPA Letter of Offer, 11 December 2020
- Independent Engineer’s Deed between Hydro, SMEC & Minister (executed), 21 May 2021
- Bank Guarantees JP Morgan Chase, 17 December 2020
- Daracon HAKK Site Remediation Construction Program, 7 September 2021
- Hydro Weekly Inspection Report, 22 March 2021
- Hydro Weekly Inspection Report, 1 November 2021
- Hydro Weekly Inspection Report, 4 November 2021
- Hydro Weekly Inspection Report, 11 November 2021
- Hydro Weekly Inspection Report, 21 November 2021
- Hydro Weekly Inspection Report, 29 November 2021
- Daracon Environmental Inspection Report, 29 July 2021
- Internal Monthly Environmental Performance Report (February), 5 March 2021
- Compliance Report 1, 27 April 2021 for the reporting period 27 January – 24 April 2021
- Audit Information & Report (FRM-00503) HAKK IMP audit, 3 September 2021
- Annual Waste Management Report 2020

- Erosion and Sediment Control Plan – Drawing No. 1640-SP1-ESC-001 Rev 1
- Erosion and Sediment Control Plan – Drawing No. 22-18015-C023 Rev F
- Erosion and Sediment Control Plan – Drawing No. 22-18015-C163 Rev B
- Containment Cell Stormwater Design – Drawing No. 22-18015-C023 General Arrangement – Stormwater
- Containment Cell Stormwater Design – Drawing No. 22-18015-C111 Stormwater Details – sheet 1 of 2
- Containment Cell Stormwater Design – Drawing No. 22-18015-C112 Stormwater Details – sheet 2 of 2
- Containment Cell Landfill Gas Management Systems Design – Drawing No. 22-18015-C141 GHD, Rev 0
- Vegetation Clearing Drawing, 3 March 2021
- GHD ecologist Clearance Works report, 24 February 2021
- GHD Report for retired credits report (draft) 28 April 2021
- Dewatering Permit 1640-DP08, 18 November 2021
- Dewatering Permit 1640-DP09, 19 November 2021
- VGT report 11814 Rev 00, 18 November 2021 for Sediment Basins 1 and 2
- VGT report 11821 Rev 00, 19 November 2021 for Sediment Basin 2
- Survey Report ref: 20210625D51640A, 28 June 2021, Sediment Basin 1
- Dust Monitoring register (current)
- Site Water Monitoring data, January to November 2021
- Yawarra register, Bowditch Avenue, 2017 to 2021
- SSD-6666 Incident and Non-Compliance Register
- Site Plant Register (PT-REG-0400-001 Site Plant 1)
- Plant Risk Assessment, 7 June 2021
- Pre-Delivery Plant Inspection ref J395930, 30 August 2021
- Maintenance History Report, 8 June 2021
- Plant & Equipment (ROCA/VOC) employee record
- VOC employee record (current)
- ITP-HKK-01-LD-1 General Fill – Leachate Dam for Earthworks
- No. 032 Ecoline ITP Geosynthetic Liner Report
- TRI Australasia report, ref A21-303, 4 November 2021
- Submission Register, ref SR2018-001
- SMEC spreadsheet including testing records – up to September 2021
- SMEC Materials Master Spreadsheet Rev 03
- HAKK Material Tracking Register
- Rosebrook Quarry site visit report, 24 April 2021
- Qualtest report, 25 May 2020.
- Coffey Testing – Penetrometer Test Report, Culvert 1, 24 April 2020
- Daracon 1640 Induction and Training Register
- Daracon HAKK Remediation Works WHS & Enviro induction presentation
- Risk Workshop Daracon / EPS's Work Method Statement for Load, Haul & Compact Waste to the ECC, 14 October 2021
- Project Feedback and Complaints Register, Rev 12 for remediation, January to October 2021
- Hydro and SMEC Meeting Minutes, 3 November 2021
- Community Reference Group (CRG) Minutes – Meeting #41, 15 October 2020
- Community Reference Group (CRG) Minutes – Meeting #42, 17 December 2020
- Community Reference Group (CRG) Minutes – Meeting #43, 18 February 2021
- Community Reference Group (CRG) Minutes – Meeting #46, 19 August 2021
- Communication email to CRG – Remediation Approval, 17 January 2021
- Communication email Hydro to Cessnock City Council – Dilapidation Report, 11 February 2021
- Communication email Ramboll to DPIE – Pre-Construction Hazards and Risks Studies , 8 April 2021
- Communication email Hydro to Daracon – SSD-6666, 23 December 2020
- Communication email Hydro to Daracon – SSD-6666 (Mod 1) Draft, 3 September 2021
- Communication email Hydro to Daracon – SSD-6666 (Mod 1) Final, 1 October 2021
- Communication email Daracon to Hydro – Integrated Project Management Plan Issue No. 3 attached, 13 April 2021
- Communication email Daracon to Hydro with EPA letter, dated 6 March 2020
- Consultation email Hydro to Registered Aboriginal Party, 11 February 2021
- Media Release - Hydro Kurri Kurri - Remediation Approval, 22 January 2021
- ReGrowth Fact Sheet – Remediation January 2021

5. Audit Findings

This audit was completed to assess the implementation of the RWEMP and sub-plans, and environmental controls established by Hydro against the Conditions of Consent SSD-6666 (Mod 1). The audit confirmed that Hydro have implemented its Environmental Management Plan mitigation measures with full compliance with Conditions of Consent SSD-6666 (Mod 1). There were no non-compliances raised during this audit.

The following table summarises the audit findings by rating category:

Findings Rating	Findings
Compliant	72
Non-Compliant	0
Not Triggered	53
Total Requirements	125

5.1 Assessment of Compliance

The audit determined that Hydro has complied with the Conditions of Consent. The comparison of audit requirements against the compliance ratings is as follows:

SSD Requirements	Requirements	Findings	
Part A – Administrative Conditions	24	Compliant	17
		Non-compliant	0
		Not Triggered	7
Part B – Specific Environmental Conditions	60	Compliant	30
		Non-Compliant	0
		Not Triggered	30
Part C – Environmental Management, Reporting & Auditing	16	Compliant	10
		Non-Compliant	0
		Not Triggered	6
Appendix 3 – Applicant’s Management and Mitigation Measures	21	Compliant	15
		Non-Compliant	0
		Not Triggered	6
Appendix 4 – Incident Notification and Reporting Requirements	4	Compliant	0
		Non-Compliant	0
		Not Triggered	4

5.2 Notices, Incidents and Complaints

A Remediation Works Project Feedback and Complaints Register is maintained where details are recorded, including resolution reached, for the period of January to October 2021. The Complaints Register is publicly available on the Project Website regrowthkurrikurri.com.au. Only one complaint has been received dated 23 July 2021 whereby a resident was concerned about black dust particles on washing and surfaces in the home. An investigation found that a water cart had been in operation on roads with no visible dust emissions. Some residential chimneys were in use nearby with no other obvious sources and wind direction was confirmed from the South West. The resident was advised, and the complaint was closed.

No incidents or Non-Compliances have been raised since commencement of the Remediation Works and this auditing period, January to 30 November 2021.

5.3 Previous Audit Findings

This was the first environmental audit conducted therefore there are no previous findings to note.

5.4 Audit Site Inspection

A site inspection was undertaken at the remediation site area with representatives from Hydro, Ramboll, and Daracon. AQUAS auditors reviewed the effectiveness of environmental mitigation measures including the Containment Shed area, Capped Waste Stockpile, Waste Sheds, Sediment Basins, Leachate ponds, Engineered Containment Cell, Irrigation area and locations of dust gauges. The following observations during the site inspection were noted:

- The Remediation Works Site was stabilised with erosion and sedimentation controls, sheds for contaminated material, segregation of stockpiles and waste, and no chemicals stored onsite.
- Containment Cell Stage 1 is complete with geosynthetic liners (HDPE, GCD) and the leachate collection system now underway. Sumps have three components: Groundwater sump (drainage aggregate), leak detection sump, and leachate sump.
- Sheds containing contaminated material (spent potlining) were secured when not in use and good waste segregation practices were demonstrated.
- Gypsum stored in sheds and transported by Regain Australia.
- Site signages were evident with details of the development, website and contact details displayed at the HAKK main site entrance
- Traffic management was implemented including speed signs, haul routes, signposting, and weigh bridge.
- Project Boundary delineated with fauna protection fence and silt fencing installed.
- Vegetation Clearance areas marked adjacent to boundary fencing and along access roads.
- Perimeter Road constructed as designed, surrounding Containment Cell, and kept clear of obstacles.
- Three Sediment Basins established within levels, flagged with lifesavers. Two dams used for dust suppression.
- Stockpiling of recyclable materials (i.e. concrete) and waste materials (e.g. anode carbon) were segregated.
- The bunding for Temporary Water Treatment Plant (TWTP) commenced construction.
- Leachate Ponds adjacent to the TWTP and alongside the ECC constructed with HDPE lining.
- Parking facilities were available at main carpark and for workers on site.
- Five Dust Gauges were installed and were fenced off to protect from potential vandalism.
- The former smelter irrigation area with sprinkler systems were still in operation.

The following issues were raised during this inspection which were addressed and closed out by Hydro and Daracon on 2 December 2021. Refer to site photos in **Appendix E**.

- Pitt drain at SPL Shed area to be maintained with the recommendation to use coir logs in place of sandbags. These were serviced by Daracon with the sandbags removed and replaced with coir logs.
- Mulch piles at Roller Park were higher than 1.5m which could be a potential combustion risk during summer if not regularly turned over. Daracon reduced mulch stockpiles in height to 1.5m high.

5.5 Suitability of Plans and the EMS

Daracon's Environmental Management System (EMS) is certified by ISO 14001:2015 which is robust on communication processes, documentation and record keeping, induction, training and competence, environmental controls, and non-conformance/corrective action processes.

Hydro have demonstrated a good record keeping and traceable trail of interaction with the contractor, validation consultant, independent engineer, site auditor and relevant agencies/authorities including an open communication with the Department.

The Remediation Works Environmental Management Plan (RWEMP) and Containment Cell Management Plan (CCMP) were compliant with the requirements of the SSD-6666 (Mod 1). The RWEMP and CCMP were developed by Ramboll Australia Pty Ltd, and approved by Department prior to the Remediation Works commencing.

The RWEMP is currently being updated to align with the Condition of Consent Modification 1 (SSD-6666 Mod 1). This will be actioned within 3 months following the 13 September 2021 approval of Mod 1. It is noted that Daracon will also need to update their relevant plans to correlate with the updated RWEMP incorporating the modification.

5.6 Actual and Predicted Impacts

The development is currently adhering to the original SSD-666 consent conditions. Changes occurring to remediation requirements have been considered and will be consistent with the current consent (Mod 1) by December 2021, within three months of the approval of consent (September 2021). The pre-clearance undertaken on the project saved 1.5ha of vegetation which has resulted in a request to amend the site boundary as well as an additional area (northern area east of the Clay Borrow Pit) to be included in the remediation activities as per Application for Modification 2 (Mod-2). Hydro intends to respond to the Department request for further information with regards to Mod-2 by December 2021.

The Site Inspection was conducted to review implementation of the RWEMP and CCMP identifying aspects and impacts on site. Summary of the inspection and issues raised during this audit were immediately addressed and documented in the report under Section 5.4 and Appendix E – Photos. The implementation of the RWEMP and CCMP were evaluated considering the focus areas requested by the stakeholders during consultation which included the RWEMP and CCMP, and Biodiversity offset requirements. The RWEMP and CCMP were developed by the Validation Consultant and approved by DPIE with evidence as presented in Appendix D – Checklist.

5.7 Key Strengths

Overall, the development proved to have strong environmental performance in compliance with the Conditions of Consent SSD-6666-Mod1 without non-compliance raised during this audit and with the following key strengths noted:

- The remediation works was contracted to a suitably qualified and experienced contractor and all the required independent professionals were contracted as per the conditions of consent i.e. Validation Consultant, Independent Engineer and Site Auditor.

- The Remediation Works Environmental Management Plan (RWEMP) and Containment Cell Management Plan (CMP) required by the conditions of consent were developed, approved by the NSW Department of Planning, Industry and Environment (Department) prior to remediation works and being implemented on site.
- Tracking of the development's Conditions of Consent through a Compliance Matrix as part of the RWEMP and sub-plans.
- Strong communication and community engagement initiatives with regular Community Reference Group (CRG) meetings, availability of CRG meeting minutes on the ReGrowth website, newsletters, and onsite signage. The project website was maintained with construction updates.
- Good communication and working relationship between the main project parties, Hydro and Daracon was demonstrated through regular meetings and weekly inspections conducted by both parties.
- The extensive testing of the geosynthetic materials and validation of the Independent Engineer were demonstrated on the ongoing construction of the Engineered Containment Cell based on the inspection Test Plans records presented during this audit.
- Good record keeping and evaluation of environmental performance with the use of registers for all monitoring and testing results.
- Health and safety management plan was implemented through site delineation, training and inductions, plant and equipment inspection, weekly safety inspection and risk assessment workshop was conducted in October 2021.
- The revised environmental mitigation measures defined in the RWEMP and associated subplans were implemented based on the auditor's observation during the site inspection conducted on 30 November 2021 such as the following:
 - The Erosion and Sediment Control Plan was implemented, sediment fence were installed around the perimeter and site compound, sediment basins were constructed, and stormwater drains were protected.
 - The site boundary was clearly defined with fauna protection fencing.
 - The spent potlining materials and gypsum were appropriately managed and stored safely in allocated Containment Sheds.
 - Stockpiles of imported materials were segregated away from the current contaminated stockpiles.
 - Wastes and recyclable materials were segregated and stockpiled at the shed.
 - Continuous dust monitoring were undertaken on five dust gauges installed around the sensitive receptors.
 - Dust suppression was conducted through water cart and sprinklers installed onsite.
 - Capped Waste Stockpile remain undisturbed and continuous monitoring was undertaken while the construction of the containment cell is ongoing.
 - The traffic signages and speed were implemented.
 - No mud tracking on main roads.
 - Spill kits were available on point of use.
 - Records of dewatering permit with laboratory testing results were presented prior to discharging water from the sediment ponds.

5.8 Audit Findings and Recommendations

No non-compliances were identified by the auditor during this independent audit.

It is noted that the RWEMP will be reviewed by December 2021 (3-months from approval of Mod 1 in September 2021), and any necessary changes made within six weeks of the review, to reflect the Modification 1 requirements to fully comply with Condition of Consent C5.

Appendix A. Auditors Approval



Planning,
Industry &
Environment

Mr Richard Brown
Director
Hydro Aluminium Kurri Kurri Pty Ltd

By Email ONLY: Richard.Brown@hydro.com

05/08/2021

Dear Mr Brown

**Hydro Remediation (SSD-6666)
Independent Audit audit team request**

I refer to your request (SSD-6666-PA-9) for the Secretary's approval of suitably qualified persons to prepare the upcoming Independent Audit for the Hydro Remediation project (SSD-6666).

The Department has reviewed the nominations and information you have provided and is satisfied that these experts are suitably qualified and experienced. Consequently, I can advise that in accordance with Condition C13 of SSD-6666 (the consent) and the *Independent Audit Post Approval Requirements*, the Secretary has agreed to the following audit team:

- Annabelle Tungol – Lead Environmental Auditor
- Joseph Caddac - Lead Environmental Auditor
- Anita Rylah - Alternate Lead Environmental Auditor
- Luis Garzon - Environmental Auditor
- Ana Maria Munoz - Environmental Auditor
- Barbara Pater - Junior Auditor

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken and finalised in accordance with the *Independent Audit Post Approval Requirements*. Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits.

If you wish to discuss the matter further, please contact Heidi Watters, Team Leader Compliance, on 02 6575 3401 or email compliance@planning.nsw.gov.au


Yours sincerely



Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary

Appendix B. Independent Audit Declaration Forms

Declaration of Independence - Auditor	
Project Name:	Hydro Aluminium Kurri Kurri Pty Ltd
Consent Number:	SSD-6666 (Mod 1)
Description of Project:	Remediation of the former Hydro Kurri Kurri Aluminium Smelter site including the excavation of onsite contaminated areas, excavation and treatment of Capped Waste Stockpile (CWS) material, construction of a purpose-built containment cell, placement of contaminated materials in the containment cell, treatment of contaminated groundwater plume, originating from the CWS, and ongoing management of the containment cell in perpetuity.
Project Address:	Hart Rd, Loxford NSW 2327
Proponent:	Hydro Aluminium Kurri Kurri Pty Ltd
Date:	30 November 2021
I declare that:	
<ul style="list-style-type: none"> - I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child; - I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child; - I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit; - I am not an Environmental Representative for the project; and - I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so. 	
Notes:	
<p>a) Under section 10.6 of the <i>Environmental Planning and Assessment Act 1979</i> a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and</p> <p>b) The <i>Crimes Act 1900</i> contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)</p>	
Name of the Auditor:	Annabelle Tungol
Signature:	
Qualification:	Lead Environmental Auditor
Company:	AQUAS Pty Ltd
Company Address:	Level 7, 116 Miller Street, North Sydney NSW 2060

Declaration of Independence - Auditor

Project Name: Hydro Aluminium Kurri Kurri Pty Ltd

Consent Number: SSD-6666 (Mod 1)

Description of Project: Remediation of the former Hydro Kurri Kurri Aluminium Smelter site including the excavation of onsite contaminated areas, excavation and treatment of Capped Waste Stockpile (CWS) material, construction of a purpose-built containment cell, placement of contaminated materials in the containment cell, treatment of contaminated groundwater plume, originating from the CWS, and ongoing management of the containment cell in perpetuity.

Project Address: Hart Rd, Loxford NSW 2327

Proponent: Hydro Aluminium Kurri Kurri Pty Ltd

Date: 30 November 2021

I declare that:

- I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- I am not an Environmental Representative for the project; and
- I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- c) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- d) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of the Auditor: Barbara Pater

Signature: 

Qualification: Assistant Environmental Auditor

Company: AQUAS Pty Ltd

Company Address: Level 7, 116 Miller Street, North Sydney NSW 2060

Appendix C. Audit Attendance

AUDIT ATTENDANCE SHEET





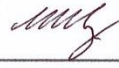


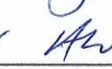

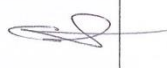
PROJECT: Hydro Aluminium Kurri Kurri Smelter Remediation **AUDIT No.:** 1287.01

AUDITEE: Hydro Aluminium Kurri Kurri Pty Ltd **LEAD AUDITOR:** Annabelle Tungol

MEETING LOCATION: Hydro Aluminium Kurri Kurri Pty Ltd, Hart Road Loxford NSW 2327

OPENING MEETING DATE AND TIME: Tuesday, 30 November 2021, 10am

CLOSING MEETING DATE AND TIME: Thursday, 2 December 2021, 4pm (online)

NAME	ORGANISATION	POSITION	SIGNATURE	
			OPENING MEETING	CLOSING MEETING
STEVE RAEBURN	HYDRO	PROJECT ENGINEER		
JAMES BROWN	Hydro	WHS MANAGER		
MAT KING	HYDRO	CONTRACT ADMINISTRATOR		
Andrew Seames	Hydro.	Construction Manager		
Shawn Taylor	Ramball	Env. Consultant		
Andrew Walker	Hydro	Project Manager		
BARBARA PATER	AQUAS	ASSISTANT AUDITOR		
Annabelle Tungol	AQUAS	LEAD AUDITOR		

Date: 04.06.14

F-02 Audit Attendance Sheet Rev.1 (1)

Page: 1 of 1

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Appendix D. Audit Checklist and Audit Findings

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.	Part	A	ADMINISTRATIVE CONDITIONS			
	A		OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT			
1.1	A	A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the remediation works and operation of the development, and any rehabilitation required under this consent.	The audit determined that overall, the Proponent has undertaken reasonable and feasible measures that are being implemented to prevent and minimise any material harm to the environment during the remediation works of the development.		Compliant
	A		TERMS OF CONSENT			
1.2	A	A2	The development may only be carried out: <ul style="list-style-type: none"> (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) in accordance with the EIS and Response to Submissions; (d) in accordance with the RAP and CCDDR; (e) in accordance with the Development Layout in Appendix 1; (f) in accordance with the Modification Applications; and (g) in accordance with the management and mitigation measures in Appendix 3. 	The audit determined that the development is being carried out in accordance with the requirements of the conditions of consent, modification applications, requirements of EIS, RtS, RAP and CCDDR. There were no non-compliances noted during this stage of construction.		Compliant
1.3	A	A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: <ul style="list-style-type: none"> (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required 	The review of RWEMP email correspondence from DPIE 18 June 2020 with review comments on the management plans was presented as evidence of compliance for this condition. Remediation Works are not staged. Condition B41 – notes Biodiversity Credits to be retired within the 2 years. DPIE letter dated 12 March 2021 was presented as evidence of		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>to be, and have been, approved by the Planning Secretary; and</p> <p>(b) the implementation of any actions or measures contained in any such document referred to in Condition A3a).</p>	<p>compliance for amendment to biodiversity credit timeframe from 27 January 2021 to 26 January 2023 to retire credits.</p> <p>The following evidence of compliance was presented: DPIE Water letter to DPIE with regards to Mod 2 for revision of project boundary. The Water and the Natural Resources Access Regulator (NRAR) reviewed the modification report and has no comments. DPIE letter dated 21 October 2021 in response to modification report (SSD-6666 Mod 2) request for further information. An extension request was made to DPIE in which they responded 19 November 2021 via email as follows: The Department has reviewed your request to change the due date for the Response to RFI associated with the MOD 2 - Amend boundary and remove Condition B38 SSD-6666-Mod-2 and has decided to approve the request. As a result of this decision, the due date for this task is 26 November 2021. An additional request has been raised on the project portal to extend the deadline to 10 December 2021. The Department's response was received 3 December 2021: MOD 2 – Amend boundary and remove Condition B38 (SSD-6666 Mod 2). The email approves the request and confirms extension date as 10 December 2021.</p>		
1.4	A	A4	<p>The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in Condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in Condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.</p>	<p>The Modification 1 will prevail the CoC SSD-6666. Application in process for Mod 2.</p>		Compliant
	A		VOLUNTARY PLANNING AGREEMENT			
1.5	A	A5	<p>The Applicant must enter into a planning agreement with the Minister in the terms of the offer made to the Minister by the Applicant in connection with SSD 6666 by letter dated 11 December 2020 and no later than before the commencement of the Stage 1A</p>	<p>The executed Voluntary Planning Agreement 5:10585026_6 BXW and VPA Letter of Offer dated 11 December 2020 was presented as evidence of compliance for this condition. VPA includes Lots and VPs, Contributions</p>		Compliant

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			Works within the meaning of the planning agreement attached to the letter	<p>for Long-Term Management of the Containment Cell, and Bank Guarantees for Stages 1 & 2, and Parts 1-4.</p> <p>Certificate of payment also presented, dated 17 December 2020: Bank Guarantee JP Morgan Chase Bank, executed as per signing page.</p> <p>Bank Guarantees reviewed as follows:</p> <ul style="list-style-type: none"> - No. 1 JP Morgan Chase 17 December 2020, Beneficiary Ministry for Planning \$4M SP1 - No. 2 1 JP Morgan Chase 17 December 2020, Beneficiary Ministry for Planning \$8M SP2 - No. 3 JP Morgan Chase 17 December 2020, Beneficiary Ministry for Planning \$13M SP3 - No. 4 JP Morgan Chase 17 December 2020, Beneficiary Ministry for Planning \$5M SP4 		
	A		LIMITS OF CONSENT			
1.6	A	A6	<p>Lapsing</p> <p>This consent lapses five (5) years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.</p>	SSD-6666 approved 13 September 2021. Works onsite have commenced prior to lapsing of approval. The Remediation Works commenced on 27 January 2021.		Compliant
1.7	A	A7	The remediation works must be undertaken over a maximum period of four years from the date of commencement of the remediation works, unless otherwise agreed with the Planning Secretary.	<p>Remediation works commenced 27 January 2021.</p> <p>Daracon's HAKK Site Remediation Construction Program dated 7 September 2021 detailing stages of the Remediation Works including the Capped Waste Stockpile and the Containment Cell was presented as evidence of compliance for this condition. Program is predicted for completion September 2023 (after a 3-month extension was sought), well within the four-year timeframe.</p>		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
1.8	A	A8	<p>Independent Engineer's Deed</p> <p>Without limiting condition A5, the Applicant must procure the entry into a deed with an independent engineer in accordance with the offer made to the Minister as referred to in condition A5, before the commencement of the Stage 1B Works within the meaning of the planning agreement attached to the letter dated 11 December 2020 (referred to in condition A5) and in any case no later than 2 months from the commencement of the remediation works. Remediation works are to be suspended until such time as a deed is entered into if entry into the deed is not procured within the required timeframe.</p>	<p>The Independent Engineer's Deed between Hydro, SMEC & Minister (executed by all parties) dated 21 May 2021 was presented as evidence. The deed forms an Appendix of the VPA and includes the CQA Plan (developed by GHD).</p> <p>Remediation Works commenced 27 January 2021. Delays occurred for deed execution which resulted in works being suspended for around 2 months until the Deed was executed as per condition A8 requirements. Email correspondence 24 March 2021 was presented from Hydro to DPIE Director notifying status. Works for Stage 1B commenced 24 May 2021 following the execution of deed on the 21 May 2021.</p>		Compliant
	A		NOTIFICATION OF COMMENCEMENT			
1.9	A	A9	<p>The date of each of the following phases of the development must be notified to the Department in writing, at least one month before that date, or within another timeframe agreed by the Planning Secretary:</p> <ul style="list-style-type: none"> (a) commencement of remediation works; and (b) completion of the remediation works. 	<p>(a) The initial date of Remediation Works was proposed as 18 January 2021 as per letter dated 23 December 2020 (sighted) from Hydro to DPIE; however approval of Management Plans was not received by DPIE until 25 January 2021. Portal receipt for notification of commencement; notification for commencement of remediation work 27 January 2021 amended from the 18 January 2021 as per letter from Hydro to DPIE dated 9 March 2021 presented.</p> <p>(b) completion of remediation work notification not yet triggered.</p>		Compliant
1.10	A	A10	<p>If the remediation works are to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.</p>	<p>The Remediation Works are not staged.</p>		Not Triggered

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	A		SURRENDER OF EXISTING CONSENTS			
1.11	A	A11	<p>Within 12 months of the date of commencement of development to which this consent applies, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender any existing development consents in relation to the site in accordance with the EP&A Regulation, except:</p> <ul style="list-style-type: none"> (a) DA 118/692/102; (b) DA 8/2015/399/1; and (c) DA 8/2018/46/1. 	Existing consents are still under review. Will be surrendered prior to 27 January 2022 deadline.		Not Triggered
1.12	A	A12	<p>Upon the commencement of development to which this consent applies, and before the surrender of existing development consents required under condition A11, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.</p> <p><i>Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under the former Part 4A of the EP&A Act or Part 6 of the EP&A Act as applies from 1 December 2019. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.</i></p>	Existing consents are still under review. These will be surrendered prior to 27 January 2022 deadline. No inconsistency has been encountered.		Not Triggered
	A		EVIDENCE OF CONSULTATION			
1.13	A	A13	<p>Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <ul style="list-style-type: none"> (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and 	The email from the Department with regards to the Containment Cell Management Plan (CCMP) was presented as evidence of compliance to address this condition. Dated 8 September 2020, DPIE confirms that the Housing and Property Group had no issues with the draft CCMP. Consultation occurred with Environment Protection Authority (EPA) as		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(b) provide details of the consultation undertaken including: <ul style="list-style-type: none"> (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved. 	<p>evidenced in letter presented, dated 16 October 2020 with no comments on the CCMP from the EPA.</p> <p>The review of the Community Reference Group (CRG) Meeting Minutes as evidence of compliance. Attendees include Hydro Kurri Kurri staff, members from Hunter BEC, Cessnock City Council, Maitland City Council, Community Representatives, and Kurri Kurri Business Chamber representative. Meeting #41 dated 15 October 2020, Item 6 Approvals & Rezoning Update provides a status of the SSD application (still pending). Meeting #42 dated 17 December 2020, Item 7 Approvals and other items advises the application has been submitted and Department approval is expected. Item 3 declared no pecuniary interests declared by the CRG. There is an opportunity for questions under General Business (no issues raised).</p> <p>Email communication regarding Remediation Approval 17 January 2021 to affected Community Reference Groups (CRG) including Neighbours to the site – Local Community, Federal and State Members (Paterson, Cessnock, Maitland), Cessnock and Maitland Councils, Mindaribba Local Aboriginal Land Council, Cessnock (Kurri Kurri) Business Chamber, and Local interest groups (Kurri Kurri Landcare, Kurri Kurri Motorcycle Club, Kurri Kurri Speedway) was presented as evidence. Email includes letter attachment dated 22 January 2021 and Project Fact Sheet.</p> <p>Also reviewed minutes from Meeting #43 – 18 February 2021 as presented including the Item 7 Conditions of Consent overview and a Remediation Update (Item 8). Meeting #46 19 August 2021, Item 5 Project Update includes status of Modification 2 – prior to lodgement of second application and an overview of the requirements i.e. Project Boundary, reduced vegetation clearance, and a change in area previously identified as high aboriginal sensitivity. The application for Mod 2 is still being finalised. Again, no issues raised during General Business.</p>		

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				The email presented as evidence from Daracon with letter from EPA attached, dated 6 March 2020 defining VENM and ENM material and confirming quarry material is not defined as waste.		
	A		STAGING, COMBINING AND UPDATING STRATEGIES,	PLANS OR PROGRAMS		
1.14	A	A14	<p>With the approval of the Planning Secretary, the Applicant may:</p> <ul style="list-style-type: none"> (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development). 	<p>No Staging of Remediation Works.</p> <p>Fire and Construction Safety study combined with existing management plans. Sighted DPIE letter dated 21 May 2021 – Approval of the Pre-Construction Hazards and Risks Studies confirming review of the Comparative Health Risk Assessment. The letter confirms that the Planning Secretary is satisfied that a separate Fire Safety Study and Construction Safety Study are not required as per B47.</p> <p>The RWEMP will be updated by December 2021 (3-months from approval of Mod 1) to reflect the Modification 1 requirements. Updates are under review with the Irrigation Management Plan (IMP) and Water Treatment Management Plan (TWTPMP) currently being developed.</p>		Compliant
1.15	A	A15	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Combined strategy was approved, and the Applicant is in the process of developing the plans under Mod 1 evidenced as per DPIE letter presented dated 21 May 2021 – Approval of the Pre-Construction Hazards and Risks Studies confirming review of the Comparative Health Risk Assessment, and Ramboll request dated 8 April 2021.		Compliant
1.16	A	A16	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	Not yet triggered. The RWEMP will be updated by December 2021 (3-months from approval of Mod 1) to reflect the Modification 1 requirements.		Not Triggered

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	A		PROTECTION OF PUBLIC INFRASTRUCTURE			
1.17	A	A17	<p>Before the commencement of the remediation works, the Applicant must:</p> <ul style="list-style-type: none"> (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (c) submit a copy of the dilapidation report to the Planning Secretary and the relevant council. 	<p>Commencement of Remediation Works 27 January 2021.</p> <ul style="list-style-type: none"> (a) Consultation by email with Cessnock Council on 11 February 2021. (b) Dilapidation Report – Dickson Road and Hart Road dated 1 July 2020 by DWC – Dewitt Consulting. Dickson Road (sealed), Hart Road (unsealed), both Council Road. (c) Submission of dilapidation report from Hydro to Cessnock City Council as per email with SharePoint link, 11 February 2021. DPIE confirmation email also presented, dated 5 February 2021 with portal receipt lodgement of Dilapidation Report. 		Compliant
1.18	A	A18	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <ul style="list-style-type: none"> (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. 	<p>No damage or relocation has occurred. Not yet triggered.</p>		Not Triggered
	A		COMPLIANCE			
1.19	A	A19	<p>The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.</p>	<p>Email dated 18 January 2021 from Hydro to Daracon with SSD-6666 attached (dated 23 December 2020) was presented as evidence, as well as email 1 October 2021 from Hydro to Daracon which includes the attached Final Consolidated Consent (Mod 1), as approved on the 13 September 2021, and email 3 September 2021 from Hydro to Daracon with attached Draft Conditions for Mod 1.</p> <p>Daracon has developed an Integrated Project Management Plan. Email from Daracon to Hydro dated 13 April 2021 with plan attached, Issue No.</p>		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				3.0 project 1640, 13 April 2021. It is noted that Daracon will need to update their plan (e.g. RWEMP) and relevant sub-plans to align with the new Modification and reflect Hydro's Management Plans.		
	A		OPERATION OF PLANT AND EQUIPMENT			
1.20	A	A20	All plant and equipment used on site, or to monitor the performance of the development, must be: <ul style="list-style-type: none"> (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner. 	<p>Weekly Inspections were reviewed as evidence for compliance of this condition which include maintenance of equipment checks: 22 March 2021, 1, 4, 11, 21, 25, 29 November 2021</p> <p>The Site Plant Register (PT-REG-0400-001 Site Plant 1) was also reviewed which lists plant type (e.g. excavator), brand/model (Komatsu PC 450LC), fleet number (212), owner, operator, pre-delivery inspection complete, date started on site, next service due, date left site.</p> <p>The Plant Risk Assessment undertaken 7 June 2021 was presented, including fleet No. 3609 CAT 140 H, and Pre-Delivery Plant Inspection for Hired Plant for CAT 3360 L, dated 30 August 2021, ref J395930.</p> <p>Maintenance History Report presented – report 8 June 2021, 3609 CAT 140H Motor Grader includes historical data from 2011 to date 2021.</p> <p>Plant & Equipment (ROCA/VOC) employee record reviewed which includes competencies for Articulated Haul Truck, Articulated Water Cart, and Compactor. Includes expiry dates and training provider.</p>		Compliant
	A		UTILITIES AND SERVICES			
1.21	A	A21	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	<p>Remediation Works commenced 27 January 2021.</p> <p>No construction of utility works.</p>		Not Triggered

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	A		APPLICABILITY OF GUIDELINES			
1.22	A	A22	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	<p>Guidelines, protocols, standards, and policies applicable for the project are defined in the RWEMP and subplans. Design Reports included various standards and guidelines and protocols and validation of compliance conducted by IE.</p> <p>HAKK Technical Specifications Rev 3 for Containment Cell by GHD 2213679</p> <p>NSW Landfill Guidelines addressed in GHD Technical Specification Rev 3, August 2020 for Containment Cell design as sighted. Validated by the independent engineer. Also includes Australian Standards listed for Earthworks, Subgrade, Clay rich fill (leachate retention standards), Geonet drainage composite, Sand drainage layer, Geosynthetic liner, HDPE liner, PE geomembrane, Geotextiles, Drainage Aggregates (ASTM standards, GRI standards).</p>		Compliant
1.23	A	A23	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	No additional monitoring or directions received. Not yet triggered.		Not Triggered
	A		ADVISORY NOTES			
1.24	A	A24	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	<p>Development Consent SSD-666 (Mod 1).</p> <p>EPL 1548 (Variation Notice) dated 13 October 2020 presented as evidence. Chemical Control Order Licence No. 5 specific to Aluminium Smelter waste.</p>		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2	Part	B	SPECIFIC ENVIRONMENTAL CONDITIONS			
	B		REMEDIATION			
2.1	B	B1	<p>Site Auditor</p> <p>Prior to the commencement of remediation works, the Applicant must provide evidence to the Planning Secretary that a Site Auditor has been appointed to independently review and endorse the implementation and validation of the remediation works. The scope of the Site Auditor's role is to include consideration of the suitability of the Long-Term Environmental Management Plan (LTEMP) to manage the containment cell in perpetuity (see Conditions B7 and B11).</p>	<p>Remediation Works commenced 27 January 2021.</p> <p>Letter dated 23 December 2020 from Hydro to DPIE notifying appointment of Site Auditor – Ross McFarland presented as evidence of compliance for this condition.</p>		Compliant
2.2	B	B2	<p>Remediation Works</p> <p>The Applicant must remediate the site, including construction of a containment cell, in accordance with the design specifications, criteria and requirements detailed in the Remedial Action Plan (RAP), the Containment Cell Detailed Design Report (CCDDR) and relevant guidelines produced or approved under the CLM Act to the satisfaction of the Site Auditor.</p>	<p>The Remediation Works Environmental Management Plan (RWEMP) Rev 0, ref 318000533, 23 December 2020, has been developed in accordance with the RAP. The Containment Cell Management Plan (Rev 0, ref 318000533, 23 December 2020) has been prepared as described in the RAP and CCDDR identified in Section 7 Remediation Validation. Section 1.4 Regulatory Framework and Guidelines confirms the Plan has also been prepared in reference to the <i>Contaminated Land Management Act 1997, Protection of the Environment Operations Act 1997, and the Environmental Planning and Assessment Act 1979</i>. Construction of ECC – Containment Cell has commenced as per the RAP and CCDDR.</p>		Compliant
2.3	B	B3	<p>Remediation works must be undertaken by a suitably qualified and experienced contractor(s).</p>	<p>Daracon Contractors have been engaged as the Remediation Contractor to undertake the remediation works.</p> <p>Construction of the Containment Cell has commenced, and the Independent Engineers, Validation Consultant and site auditor were commissioned.</p>		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2.4	B	B4	<p>Validation Consultant(s)</p> <p>Prior to the commencement of remediation works, the Applicant must provide evidence to the Planning Secretary, that a suitably qualified and experienced Validation Consultant(s) has been appointed to document and validate the remediation works to demonstrate compliance with the RAP.</p>	<p>Remediation Works commenced 27 January 2021.</p> <p>Letter from Hydro to DPIE dated 23 December 2020 notifying appointment of Validation Consultant, Ramboll Australia Pty Ltd was presented as evidence of compliance during this audit.</p>		Compliant
2.5	B	B5	<p>Containment Cell Management Plan</p> <p>Prior to the commencement of remediation works, the Applicant must prepare a Containment Cell Management Plan (CCMP) detailing the containment cell construction, filling and capping activities to the satisfaction of the Planning Secretary. The CCMP must form part of the RWEMP required by Condition C2 and be prepared in accordance with Condition C1. The CCMP must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with the EPA and Environmental Services Group of Housing and Property Group of the Department (H&P Group); (c) describe the design of the containment cell and its construction methodology, including evidence that engineering drawings have been prepared by appropriately qualified structural or civil engineers; (d) include details of the quality control and quality assurance procedures, program and performance specifications for the construction of the containment cell; (e) describe the measures to be implemented to ensure adequate control of environmental impacts associated with the containment cell construction activities; (f) include details of a proposed construction program, including a mechanism for informing relevant agencies of the progress of construction of the containment cell; and (g) be prepared in accordance with the RAP and the CCDDR. 	<p>A Containment Cell Management Plan (CCMP) ref 318000533 Rev 0, 23 December 2020 has been developed by Ramboll Australia Pty Ltd and forms part of the RWEMP as Appendix A.</p> <p>The approval letter from DPIE dated 25 January 2021 was presented as evidence to address this condition, approving the RWEMP and plans including "Hydro Remediation Project Containment Cell Management Plan, prepared by Ramboll, Final Revision 0, dated 23/12/2020"</p> <ul style="list-style-type: none"> (a) CCMP Appendix 9 – CCMP Preparation Team Details includes a table of personnel and their role in the preparation of the CCMP, qualifications / years of experience, and relevant environmental and construction management experience. (b) CCMP Section 4 EPA and H&P Group Consultation confirms consultation with the EPA and H&P was undertaken in October 2020. Evidence presented as per EPA letter dated 16 October 2020, ref DOC20/851549-1, SF18/107454 and email 8 September 2020 from DPIE with consultation with the H&P Group. No comments were made on the CCMP. (c) CCMP Appendix 1 – Detailed Design Drawings by GHD Pty Ltd; Appendix 2 – Constructability Assessment (GHD 2018), and Appendix 3 – Technical Specification (d) CCMP Section 3 Implementation, 5 Construction Quality Assurance, 6 Contractor’s Construction Quality Control, 7 Remediation Validation, Appendix 4 – Containment Cell Design: Construction Quality Assurance (CQA) Plan prepared by GHD, and Appendix 5 – Remediation Contractor, Daracon’s Integrated Project Management Plan (IPMP). (e) CCMP Section 8 Containment Cell Construction Environmental Management and Appendix 7 – Containment Cell Construction 		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				<p>Environmental Management Measures (Extracts from the RWEMP)</p> <p>(f) A construction program is noted as Appendix 8, the Construction Program itself was not included within the CCMP, however it was presented separately as Daracon’s Construction Program Programme and Project Schedule – HAKK Site Remediation Updated Schedule/Program, dated 7 September 2021.</p> <p>(g) CCMP Section 7 Remediation Validation and Appendix 6 – Containment Cell Sampling and Quality Plan</p>		
2.6	B	B6	<p>The Applicant must:</p> <p>(a) not commence remediation works until the CCMP required by condition B5 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the CCMP approved by the Planning Secretary.</p>	<p>(a) Letter from DPIE dated 25 January 2021 presented as evidence of compliance, approving the RWEMP and plans including “Hydro Remediation Project Containment Cell Management Plan, prepared by Ramboll, Final Revision 0, dated 23/12/2020”. Remediation works commenced 27 January 2021.</p> <p>(b) Containment Cell inspection testing undertaken by Daracon evidenced as per ITPs sighted. ITPs are signed by Daracon and sighted by SMEC, signed off at different stages by Hydro e.g. after sub-grade preparation). The following were presented as evidence during this audit: ITP-HKK-01-LD-1 General Fill – Leachate Dam for Earthworks including hold points and sign offs i.e. Item 1 Submittals – materials; Item 5 Construction quality control testing signed 27 August 2021 and 10 September 2021 (Hydro). No. 032 Ecoline ITP Geosynthetic Liner Report including panel layout diagram i.e. panel number and roll number, welder details and testing. TRI Australasia report for testing of 2.0mm HDPE geomembrane seam for Containment Cell material, ref A21-303, 4 November 2021. Submission Register also ref SR2018-001 which includes RFI reference, description, date of submission, open/closed status. SMEC spreadsheet including testing records – DT (Destructive Test results) Field vs Lab for Secondary Liner up to September 2021 for west wall, south sump floor, north sump floor. Sighted 3 November 2021 meeting minutes which includes the Item RFIs/ITPs. Hydro and SMEC meet on a fortnightly basis. SMEC Materials Master Spreadsheet Rev 03 sighted for Containment</p>		Compliant

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				Cell Lining. Includes Geosynthetic Liner (GCL) results of testing (bentonite clay mass, fluid loss, free swell index, etc). Green means test has passed. Fails result in re-testing. Also includes Geomembrane (HDPE) (carbon content, Tensite properties); Geocomp testing.		
2.7	B	B7	<p>Long-Term Environmental Management Plan</p> <p>Two months prior to the completion of filling of the containment cell, the Applicant must prepare a LTEMP for the containment cell, to the satisfaction of the Site Auditor and the Planning Secretary. The LTEMP must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s) whose appointment has been agreed to by the Planning Secretary; (b) be prepared in consultation with Council, the EPA and Director, Environmental Services Group of H&P Group or its successors; (c) include, but not be limited to: <ul style="list-style-type: none"> (i) identification of all relevant statutory and other obligations, including all approvals, licences, agreements and financial arrangements; (ii) details of ongoing management roles and responsibilities; (iii) details of all monitoring, inspections, environmental controls, requirements and measures to manage the ongoing integrity and performance of the containment cell; (iv) details of the contingency measures and responses to be implemented for any identified issues with the containment cell; and (v) mechanisms for performance reporting and auditing in line with the relevant legislation and guidelines; (d) incorporate a programme for ongoing review of the LTEMP to ensure it remains contemporary with relevant environmental standards. 	Not yet triggered. Containment Cell is still under construction therefore an LTEMP is not required at this stage.		Not Triggered

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2.8	B	B8	<p>As part of the LTEMP required under Condition B7, the Applicant must include the following:</p> <ul style="list-style-type: none"> (a) Landscaping Management Plan (see Condition B46); and (b) Gas Monitoring Plan (see Condition B35). 	<p>This is not yet triggered. The Containment Cell is still under construction and an LTEMP is not required at this stage.</p>		Not Triggered
2.9	B	B9	<p>Upon completion of the construction, filling and capping of the containment cell, the Applicant or any succeeding landowner(s) whose landholding includes the containment cell, must:</p> <ul style="list-style-type: none"> (a) implement the approved LTEMP; and (b) manage the containment cell in perpetuity in accordance with the LTEMP as required by Condition B7. 	<p>This is not yet triggered. The Containment Cell is still under construction and an LTEMP is not required at this stage.</p>		Not Triggered
2.10	B	B10	<p>Remediation Validation Report</p> <p>Within six months of completion and capping of the containment cell, or as otherwise agreed by the Planning Secretary, the Applicant must submit a Remediation Validation Report (RVR) to the Planning Secretary.</p> <p>The RVR must:</p> <ul style="list-style-type: none"> (a) be prepared by the appointed Validation Consultant(s) (see Condition B4) to the satisfaction of the Site Auditor; (b) be prepared in accordance with the relevant guidelines produced or approved under the CLM Act; (c) describe the remediation works, the validation carried out and the final condition of the site; (d) validate the remediation works against the remediation criteria set out in the RAP. Where the RVR states the remediation criteria have not been achieved and additional remediation work is required, the Applicant must promptly undertake the additional work and provide the Planning Secretary with evidence it has been completed and the remediation criteria have been achieved to the Validation Consultant's satisfaction; (e) assess the results of any post-remediation testing against the remediation criteria set out in the RAP; and (f) include, but not be limited to, a: 	<p>Not yet triggered. Containment Cell still under construction.</p>		Not Triggered

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<ul style="list-style-type: none"> (i) Construction Quality Assurance report or equivalent; (ii) design report; and (iii) waste classification report in accordance with EPA Waste Classification Guidelines. 			
2.11	B	B11	<p>Site Audit Report and Site Audit Statement</p> <p>Within six months of submission of the RVR required by Condition B10 or as otherwise agreed by the Planning Secretary, the Site Auditor must submit a Site Audit Report (SAR) and Site Audit Statement (SAS) to the Planning Secretary. The SAS and SAR must be prepared in accordance with the relevant guidelines produced or approved under the CLM Act and must confirm:</p> <ul style="list-style-type: none"> (a) the remediation works have been completed in accordance with the RAP; (b) the risks to human health and the environment have been addressed in accordance with the objectives in the RAP; (c) the suitability of the site for the intended future uses; and (d) the suitability of the LTEMP required by condition B7 to manage the Containment Cell in perpetuity. 	<p>Not yet triggered. The Containment Cell is still under construction and an RVR is not required at this stage.</p>		Not Triggered
2.12	B	B12	<p>Despite condition B11 above, with the agreement of the Planning Secretary, the Site Auditor may, before the completion of the whole of the remediation works, submit a SAS and SAR for a part of the Site (other than that part on which the Containment Cell is located) if the remediation works have been completed in accordance with the RAP for that part of the Site. The SAS and SAR must be prepared in accordance with the relevant guidelines produced or approved under the CLM Act and must confirm:</p> <ul style="list-style-type: none"> (a) the remediation works for the relevant part of the Site have been completed in accordance with the RAP; (b) the risks to human health and the environment relating to the relevant part of the Site have been addressed in accordance with the objectives in the RAP; and 	<p>Not yet triggered.</p>		Not Triggered

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(c) the suitability of the relevant part of the land for the intended future uses.</p> <p>If Site Audit Reports and Site Audit Statements are submitted progressively as the remediation works on parts of the Site are completed, the final SAS and SAR are not required to cover those parts of the Site for which Site Audit Statements and Site Audit Reports have already been submitted. However, the final SAS and SAR must otherwise comply with condition B11.</p>			
	B		WORK HEALTH AND SAFETY			
2.13	B	B13	<p>The Applicant must ensure that all remediation works are carried out in accordance with <i>NSW Work Health and Safety Regulation 2017</i> (WHS Regulation) and relevant guidelines.</p>	<p>Review of the WHS Management Plan (WHS Plan) – Smelter Demolition and Site Remediation, Rev 12, 6 November 2020, effective from 23 December 2020, as evidence of compliance for this condition.</p> <p>Daracon Verification Competence matrix implemented. Sighted employee record (VOC). Includes Learning, Employee information, and Daracon Group internal inductions.</p> <p>Daracon Weekly Inspection records sighted which includes safety:</p> <ul style="list-style-type: none"> - 22 March 2021 - 1 November 2021 - 4 November 2021 - 11 November 2021 - 21 November 2021 - 25 November 2021 - 29 November 2021 		Compliant
2.14	B	B14	<p>Prior to the commencement of remediation works, the Applicant must prepare a Health and Safety Plan (HSP) for the remediation works to the satisfaction of the Planning Secretary. The HSP must</p>	<p>Review of the Work Health & Safety Management Plan (WHS Plan) – Smelter Demolition and Site Remediation, Rev 12, 6 November 2020, effective from 23 December 2020, as evidence of compliance for this</p>		Compliant

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>form part of the RWEMP required by Condition C2 and be prepared in accordance with Condition C1. The HSP must:</p> <ul style="list-style-type: none"> (a) describe the controls to ensure compliance with the WHS Regulation including controls to be implemented to manage the risks associated with workers coming into contact with asbestos, contaminated groundwater and/or leachate; (b) identify personal protective equipment (PPE) required for use onsite; (c) describe the procedures for training, education and awareness programs and inductions for site personnel to ensure adequate protection from human health risks, including asbestos; (d) describe the location of the real time ambient air monitors for ammonia and hydrogen cyanide gases including the trigger for the implementation of additional controls; (e) identify requirements for health monitoring for site personnel and documentation procedures; and (f) details of exclusion zones and decontamination procedures. 	<p>condition. The WHS Plan is Appendix L of the RWEMP and approved as part of the RWEMP by DPIE as sighted approval letter 25 January 2021.</p> <p>The WHS Plan includes the following:</p> <ul style="list-style-type: none"> (a) Controls are described to ensure compliance with the WHS Regulation e.g. Section 9 Site Safety Procedures and Appendix 1 – Asbestos Removal Procedure, describe procedures for the removal, handling and transportation of asbestos containing and other contaminated material, and the management of groundwater and leachate. (b) Section 9.7 identifies the required PPE. Specific PPE for Asbestos removal is included under Appendix 1 – Section 6.11 PPE and RPE Requirements that the Containment Cell Construction and Site Remediation Principal Contractor personnel are required to wear when working within the Capped Waste Stockpile. (c) Section 7 Induction and Training. Appendix 1 – Section 5.6 and 5.7 describes the licensing and training requirements for asbestos removal work and that Asbestos Awareness Training shall be provided to all non-removal workers within the removal zones. (d) Section 6.3 of Appendix 1 details the process involved for air monitoring with monitors placed at strategic locations by the hygienist/asbestos assessor prior to the commencement of asbestos work. The procedure describes the need for air monitoring e.g. mandatory for all friable asbestos removal. The procedure also states that a third-party NATA Accredited occupational hygienist will be engaged to undertake asbestos air monitoring, including Ammonia, LEL, Hydrogen, Carbon Monoxide, Oxygen, PAHs, VOCs, Respirable and Crystalline Silica, with a minimum of 4 monitors used at each area. An Occupational Health and Hygiene Management Plan (OHHMP) will be developed to detail the monitoring procedures, controls, and trigger limits. (e) Appendix 1 – Asbestos Management Procedure includes Section 5.5 Health Monitoring in which pre-employment medicals are provided to Enviropacific workers prior to commencing licensed asbestos removal work and a risk 		

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				<p>assessment is undertaken prior to commencement of works. The procedures also states that health monitoring occurs regularly and at least once every 2 years. Reports are maintained for at least 40 years and retained at HO.</p> <p>(f) Section 6.2 Site Access, Boundaries, Signs and Barricades of Appendix 1 confirms that the primary asbestos removal areas will be the areas where asbestos impacted material is being excavated/removed and loaded (i.e. capped waste stockpile, stored asbestos area, Dickon Rd north storage area) and the containment cell where it is being placed. These areas will be fully fenced with asbestos removal signage erected. Designated haulage routes will be defined between the removal areas and the cell. These haulage routes will be barricaded, and light vehicle crossover points will be placed at specific locations (limited to the minimum number necessary). Section 7 details the Decontamination procedure for personnel, equipment, plant, PPE and the asbestos work area.</p>		
2.15	B	B15	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence remediation works until the HSP required by Condition B14 is approved by the Planning Secretary; and (b) implement the most recent version of the HSP approved by the Planning Secretary. 	<p>The review of the Work Health & Safety Management Plan (WHS Plan) – Smelter Demolition and Site Remediation, Rev 12 6 November 2020, effective from 23 December 2020 as evidence of compliance with this condition. The WHS Plan is Appendix L of the RWEMP which was approved by DPIE as per sighted letter dated 25 January 2021.</p> <p>Also Weekly Inspection records sighted which includes safety:</p> <ul style="list-style-type: none"> - 22 March 2021 (Post Rainfall) - 1 November 2021 - 4 November 2021 - 11 November 2021 - 21 November 2021 - 25 November 2021 (Due to 75mm rainfall) - 29 November 2021 		Compliant

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	B		SOILS, WATER QUALITY AND HYDROLOGY			
2.16	B	B16	<p>Imported Material for Containment Cell Construction</p> <p>The Applicant must:</p> <ul style="list-style-type: none"> (a) ensure that only VENM, ENM, or other material approved in writing by EPA or site auditor is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Planning Secretary upon request. 	<p>The Containment Cell Management Plan (CCMP) Rev 0, ref 318000533 dated 23 December 2020 identifies the Construction Quality Assurance (CQA) Engineer is responsible for undertaking a Daily Report which is then submitted weekly to the Superintendent. These reports include a summary of CQA and CQC (Control) test results, including corrective actions taken for all construction materials not in compliance with project specifications; summary of geosynthetic materials placed including locations, panel numbers, seams completed, test results, repairs, methods of repairs and placement of cover material and temporary protection; documentation of borrow sources used and placement activities for all fill materials, and to note any visual changes in borrow materials. Receiving inspection reports shall be completed for incoming geosynthetics and other materials.</p> <p>The HAKK Material Tracking Register was presented as evidence. The 'Import' tab includes – drainage aggregate Boral Quarry – Seaham, Rosebrook Quarry material type, net weight, destination, approval, transport company, vehicle reg, weighbridge date and time, docket ID. Materials include cement, drainage bedding, lime, rock.</p> <p>Also reviewed Rosebrook Quarry records: site visit 24 April 2021, Qualtest report 25 May 2020. Culvert Bedding Material: Buttai test Coffey Testing 24 April 2020 for construction of Culvert 1 Dynamic Cone Penetrometer Test Report.</p> <p>Email from Daracon with letter from EPA attached, dated 6 March 2020 presented defining VENM and ENM material and confirming quarry material is not defined as waste.</p>		Compliant
2.17	B	B17	<p>Erosion and Sediment Control</p> <p>Prior to the commencement of any remediation works or surface disturbance the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the Managing Urban Stormwater:</p>	<p>The following Erosion and Sediment Control Plans drawings as part of the RWEMP were reviewed as evidence of compliance for this condition:</p> <ul style="list-style-type: none"> - Drawing No. 1640-SP1-ESC-001 Rev 1 - Drawing No. 22-18015-C023 Rev F - Drawing No. 22-18015-C163 Rev B 		Compliant

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			Soils and Construction - Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the RWEMP required by condition C2.	<p>Implementation evidenced under the Voluntary Planning Agreement; Ramboll signs off on the ERSED controls including the Sediment Basins.</p> <p>Dewatering Permit dated 19 November 2021 presented for discharge from Sediment Basin 2 including test results from VGT (also 19 November 2021) with all levels within range.</p> <p>ERSED implementation verified during site inspection. Refer to photos.</p>		
2.18	B	B18	<p>Stormwater Management System</p> <p>Prior to the placement of contaminated waste materials in the containment cell, the Applicant must install and operate a stormwater management system for the development. The system must:</p> <ul style="list-style-type: none"> (a) be generally in accordance with the design in the CCDDR; (b) be in accordance with applicable Australian Standards; (c) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines; (d) divert existing clean surface water around operational areas of the site; (e) direct all sediment laden water in overland flow away from the leachate management system; and (f) prevent cross-contamination of clean and sediment or leachate laden water. 	<p>The Stormwater Management System is not yet triggered. Material has not been placed within the cell as the Containment Cell is still being constructed.</p> <p>However, the stormwater management system design report and drawings were already developed. The Containment Cell Management Plan (CCMP) Rev 0, ref 318000533 dated 23 December 2020 includes detailed design of the containment cell stormwater areas as Appendix 1:</p> <ul style="list-style-type: none"> - Drawing No. 22-18015-C023 GENERAL ARRANGEMENT – STORMWATER - Drawing No. 22-18015-C111 STORMWATER DETAILS – SHEET 1 OF 2 - Drawing No. 22-18015-C112 STORMWATER DETAILS – SHEET 2 OF 2. <p>The Cut to Fill volumes for Containment Cell figure EOM May 2021, 22-18015-C113, 22-18015-C121 for Sediment Basins was also verified.</p> <p>The GHD SR2018-001 Technical Specification – Containment Cell Design, 22/18015 dated 18 November 2018 is included as Appendix 3.</p> <p>The Detailed Design Report (GHD, 2018) has estimated approximately 12,720kL of leachate will be generated and require treatment with leachate management designs e.g. leachate buffer storage dam which is sized to contain one-month peak generation volume as per Drawing No. 22-18015-C024.</p> <p>A Leachate Management Plan (LMP) Rev 0 ref 318000533, 23 December 2020 has also been developed. This plan includes procedures for leachate</p>		Not Triggered

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				management during remediation of the Capped Waste Stockpile and other contaminated areas, and the placement of material into the Containment Cell and is part of the DPIE approved Soil and Water Management Plan (SWMP) Rev 0, ref 318000533 dated 23 December 2020.		
2.19	B	B19	Within two months of completion of installation of the stormwater management system or within another timeframe agreed by the Planning Secretary, works-as-executed drawings signed by a registered surveyor must be submitted to the Site Auditor demonstrating that the stormwater drainage and finished ground levels have been constructed as detailed in the CCDDR.	The Stormwater Management System is not yet triggered.		Not Triggered
2.20	B	B19 A	<p>Water Treatment Plant Management Plan</p> <p>Prior to operation of the Temporary Water Treatment Plant (TWTP), the Applicant must prepare, to the satisfaction of the Planning Secretary, a TWTP Management Plan that includes, but is not limited to, details regarding treatment processes and commissioning and operation stage management protocols.</p> <p>The TWTP Management Plan must be prepared in consultation with the EPA and include, at a minimum:</p> <ul style="list-style-type: none"> (a) specifications and final design details of the TWTP, including expected treatment performance for all pollutants of concern; (b) a TWTP commissioning stage monitoring program that includes: <ul style="list-style-type: none"> (i) the collection and collation of data on both the influent and treated effluent quality for all pollutants of concern; and 	<p>The Temporary Water Treatment Plant (TWTP) is still being constructed; therefore the Temporary Water Treatment Plant Management Plan is not yet triggered.</p> <p>The Soil and Water Management Plan (SWMP) Rev 0, ref 318000533 dated 23 December 2020 was reviewed. The SWMP includes the management of Temporary Water Treatment Plant (TWTP) as per Section 2.3.4.2 On Site Treatment Plan: A modular temporary water treatment plant will be installed with the capacity to treat: existing leachate from within the Capped Waste Stockpile; contaminated stormwater collected within the exposed stockpile; contaminated stormwater and leachate from the Containment Cell; and the perched groundwater and leachate from Dickson Road South (if required). However, the temporary water treatment plant would be modular. This would allow it to be relocated closer to the leachate source and/or to facilitate access for demolition and remediation requirements. Based on estimates of leachate generation the temporary water treatment plant will have a capacity of approximately 30 KL/day. The temporary water treatment plant will include filtering and treatment columns to remove key contaminants including suspended solids, pH, fluoride (F) and hydrocarbons. The waste water would be treated to a level suitable to be discharged to the Smelter</p>		Not Triggered

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<ul style="list-style-type: none"> (ii) a verification process to ensure that the treated water quality is consistent with the 'Treated Leachate Target Values' (Document: Hydro Kurri Kurri Aluminium Smelter Remediation-Mod-1 (SSD-6666-Mod-1): Additional Information, dated 31 July 2021) before discharge to (iii) the North Dam (c) a TWTP operational stage monitoring program that ensures each treated effluent batch meets all the 'Treated Leachate Target Values' prior to discharge to the North Dam; (d) protocols and operational rules in the event the treated effluent does not meet all the 'Treated Leachate Target Values' including but not limited to: <ul style="list-style-type: none"> (i) recirculation through the TWTP (ii) offsite removal by tanker for disposal at a licensed facility (e) details of the timing and implementation of decommissioning of the TWTP. 	<p>water management system, where it could be reused during for dust suppression.</p>		
2.21	B	B19 B	<p>Fluoride Treatment</p> <p>Prior to operation of the TWTP, the applicant must explore all practical and reasonable treatment measures to reduce specifically the fluoride concentration in the treated effluent from the TWTP to levels consistent with the ANZECC (2000) long term trigger values for irrigation. The fluoride target value in 'Treated Leachate Target Values' (Document: Hydro Kurri Kurri Aluminium Smelter Remediation-Mod-1 (SSD-6666-Mod-1): Additional Information, dated 31 July 2021) must be adjusted to reflect the final target fluoride level following investigation and implementation of further treatment measures.</p>	<p>The Temporary Water Treatment Plant is currently being constructed. This is not yet triggered.</p>		Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2.22	B	B19 C	<p>Irrigation Management Plan</p> <p>Prior to operation of the TWTP, the Applicant must prepare, to the satisfaction of the Planning Secretary, an Irrigation Management Plan in consultation with the EPA. The Irrigation Management Plan must</p> <p>include, but is not limited to:</p> <ul style="list-style-type: none"> (a) A plan showing the area to be irrigated by treated effluent from the TWTP; (b) Irrigation rules to ensure that irrigation water quality meets the North East Dam Target Values prior to irrigation (Document: Hydro Kurri Kurri Aluminium Smelter Remediation-Mod-1 (SSD-6666-Mod-1); (c) Details of ongoing treated effluent quality monitoring, including sample take location and frequency; (d) Identification of operational triggers (such as ‘trigger action response plans’) to ensure that the treatment process is functioning correctly and to prevent unacceptable impacts to the irrigated area. Triggers and associated responses must be provided for, but not limited to, the following: <ul style="list-style-type: none"> (i) excessive saturation of the soil profile (waterlogging); (ii) any surface water runoff of treated effluent from the North Dam; and (iii) any water quality impacts to the downstream receiving environment. (e) Operating rules to ensure the North Dam maintains a 1 in 5-year rainfall event or 20% AEP design storm capacity; (f) Develops a Trigger Action Response Plan (TARP) which includes contingencies to identify and manage any unpredicted impacts (such as poor water quality within the North Dam) and ensure corrective actions are 	<p>The Temporary Water Treatment Plant is currently being constructed. This is not yet triggered.</p>		Not Triggered

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>implemented. Contingency measures could include, but are not limited to:</p> <ul style="list-style-type: none"> (i) additional treatment of leachate through the TWTP; (ii) treatment of the North Dam water quality through the TWTP; and (iii) offsite removal by tanker for disposal at a licensed facility. 			
2.23	B	B19 D	<p>Water Quality Monitoring Program</p> <p>Prior to operation of the TWTP, the applicant must prepare a Water Quality Monitoring Program in consultation with the EPA that informs the Irrigation Management Plan and Trigger Action Response Plans. The monitoring program should include, at a minimum:</p> <ul style="list-style-type: none"> (a) water quality monitoring locations (including but not limited to the North Dam and downstream receiving environment) (b) analyte list for all pollutants with the potential to cause non-trivial harm (including all the 'Treated Leachate Target Values' (Document: Hydro Kurri Kurri Aluminium Smelter Remediation-Mod-1 (SSD-6666-Mod-1). (c) sampling method for each location 	<p>The Water Treatment Plant is currently being constructed. A Water Quality Monitoring Program is not yet triggered.</p>		Not Triggered
2.24	B	B20	<p>Pollution of Water</p> <p>The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.</p>	<p>The Pollution Incident and Emergency Response Management Plan (PI&ERMP), Revision 12, 7 August 2020 which has been developed in accordance with the POEO Act and reviewed as evidence of compliance for this condition.</p> <p>Surface water quality monitoring were conducted, and dewatering permits were secured with laboratory testing results prior to discharge of any water from the sediment ponds. Register of water quality monitoring results was presented as evidence.</p>		Compliant

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				<p>Weekly Inspection records verified which include plant and equipment maintenance e.g. equipment holding more than 50L have their own spill kits, equipment is free of drips / seepage:</p> <ul style="list-style-type: none"> - 22 March 2021 (Post Rainfall) - 1 November 2021 - 4 November 2021 - 11 November 2021 - 21 November 2021 - 25 November 2021 (Due to 75mm rainfall) - 29 November 2021 <p>Dewatering Permit 1640-DP08 presented as evidence in accordance with EPL 1548 for 18 November 2021 including VGT report 11814 Rev 00 dated 18 November 2021 for Sediment Basins 1 and 2.</p> <p>Dewatering Permit 1640-DP09 also presented in accordance with EPL 1548 for 19 November 2021 including VGT report 11821 Rev 00 dated 19 November 2021 for Sediment Basin 2.</p>		
2.25	B	B21	<p>Pollution of Water</p> <p>Any servicing or repair work of motor vehicles or mobile plant must be carried out within a sealed area that has environmental controls appropriate for servicing or repair work. This must include bunding where this work could result in liquids being spilled.</p>	No servicing or repair work onsite. Not triggered.		Not Triggered
	B		TRAFFIC AND ACCESS			
2.26	B	B22	<p>Remediation Works Conditions</p> <p>The Applicant must ensure that:</p> <ul style="list-style-type: none"> (a) the development does not result in any queuing on the public road network unless otherwise approved by the relevant council; (b) all vehicular movement to and from the site must be in a forward direction; 	<p>The Smelter Access Plan (SAP) Rev 0 ref AS130415 and Traffic Management Plan (TMP) Rev 0 ref AS130415 dated 23 December 2020, developed by Ramboll Australia Pty Ltd, was reviewed as evidence of compliance for this condition.</p> <ul style="list-style-type: none"> (a) Table 3-2 Access Management Measures (SAP/TMP) > includes action to prohibit queuing on the public road network unless otherwise approved by Council, prior to and during activities. Responsibility of the Project Manager 		Compliant

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<ul style="list-style-type: none"> (c) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guideline; (d) all loading and unloading of materials are carried out on-site in designated areas; and (e) vehicle manoeuvring areas must always be kept clear of any obstacles, including parked cars. 	<ul style="list-style-type: none"> (b) Table 3-2 Access Management Measures (SAP/TMP) > states all vehicle movement to and from the site will be in a forward direction during activities. Responsibility of the WHS Manager. (c) Section 2.1 Internal Road Network (SAP) > the internal access roads have been designed in accordance with the Austroads Guide to Road Design Part 3: Geometric Design (2016) (d) Table 3-2 Traffic Management Measures (TMP) > confirms the ongoing loading and unloading of materials are carried out on-site in designated areas. Responsibility nominated to Remediation and Demolition Contractors. See also Demolition CEMP and Remediation IPMP (Appx 3) (e) Table 3-2 Access Management Measures (SAP) > confirms vehicle manoeuvring areas will always be kept clear of any obstacles, including parked cars, during activities. Responsibility nominated to WHS Manager. <p>No queuing of vehicles was sighted during the onsite inspection. Unloading of materials as per nominated sheds only (no material being moved to Containment Cell), with areas kept clear of obstacles. Refer to photos.</p>		
2.27	B	B23	<p>Parking</p> <p>The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public streets or public parking facilities.</p>	<p>Traffic Management Plan (TMP) Rev 0 ref AS130415 and Smelter Access Plan (SMP) Rev 0 ref AS130415 both dated 23 December 2020, developed by Ramboll Australia Pty Ltd, and both include Table 3-2 which confirms sufficient parking available on site during the Works so that vehicles are not required to park on public roads or spaces. As per SMP over 130 parking spaces would be available for the predicted peak personnel onsite during the works.</p> <p>Ample parking onsite confirmed during site inspection as per photos.</p>		Compliant
2.28	B	B24	<p>Long-term Access</p> <p>The Applicant must ensure ongoing access to the containment cell for maintenance works is provided in perpetuity in accordance with the VPA in Condition A5.</p>	<p>Long-term Access not yet triggered.</p>		Not Triggered

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	B		WASTE MANAGEMENT			
2.29	B	B25	<p>Statutory Requirements</p> <p>All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.</p>	<p>All waste is kept onsite. No offsite disposal occurring during this audit period.</p> <p>However, the Waste Management Plan (WMP) Rev 0, ref 318000533 dated 23 December 2020 was reviewed. Section 2.3.3 Waste Tracking, Transport and Disposal and Table 3-2 states that waste must be removed off site by a licenced contractor and transported to a licenced waste facility. A Waste Consignment Authorisation must be obtained, prior to transporting waste, for each type of waste to be disposed of. The licenced waste contractor who removes the waste is responsible for completing the Waste Consignment Authorisation. The types, quantity and receiving location for all wastes transported from the Smelter will be recorded within a database.</p> <p>Annual Waste Management Report was presented for 2020 for Spent Potlining (SPL) Recycling Status to Weston and Regain. 4126t of anode carbon was recovered by Boral for recycling through their Berrima cement works, PFAS Contaminated soils, PCB Scrap, PCB Contaminated Oils, Asbestos Containing Material (ACM). These all fall under the Demolition Consent.</p>		Not Triggered
2.30	B	B26	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal, except as expressly permitted by an EPL.	<p>No offsite waste occurring during this audit period. Not yet triggered.</p> <p>Table 3-2 of the WMP confirms that no waste generated outside of the EPL 1548 scheduled premise is to be brought onto the site.</p>		Not Triggered
2.31	B	B27	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the <i>Waste Classification Guidelines Part 1: Classifying Waste</i> (NSW EPA, November 2014), or its latest version and dispose of all wastes to a facility that may lawfully accept the waste.	<p>No offsite disposal occurring during this audit period.</p> <p>Table 3-2 of the WMP states that wastes will be classified and managed in accordance with the <i>Waste Classification Guidelines</i>. All wastes generated on site (whether transported off site for disposal or stockpiled on site) will be classified prior to removal from the Smelter or transported to its stockpile location. Waste shall be tracked and transported to a licenced waste facility.</p>		Not Triggered

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				<p>Section 2.3.1 Waste Classification defines the classes of waste in accordance with the Waste Classification Guidelines (EPA, 2014) as:</p> <ul style="list-style-type: none"> - Special waste - Liquid waste - General solid waste (putrescible) - General solid waste (non-putrescible) - Hazardous waste - Restricted solid waste 		
2.32	B	B28	The Applicant must retain all sampling and waste classification data in accordance with the requirements of the EPA.	<p>No waste entering or exiting site. Not yet triggered.</p> <p>Table 3-2 of the WMP identifies the type of waste, location source and destination of each truck load of waste will be recorded.</p>		Not Triggered
2.33	B	B29	<p>Pests, Vermin and Priority Weed Management</p> <p>The Applicant must:</p> <ul style="list-style-type: none"> (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area. <p><i>Note: For the purposes of this condition, 'priority weed' has the same definition as the term in the Biosecurity Act 2015.</i></p>	<p>The Biodiversity Management Plan (BMP) Rev 0, ref 318000533, 23 December 2020 as reviewed, identifies 2.1.3 Weed Species > Table 2-2 Noxious Weeds within the Cessnock and Maitland LGAs, and Section 2.1.4 Vertebrate Pest Species.</p> <p>As part of these Sections the BMP states that Hydro implements a weed management program to limit the spread and colonisation of terrestrial and aquatic weeds, and that regular inspections of the Hydro Land are undertaken to identify vertebrate pests requiring control measures.</p> <p>Weekly inspections are undertaken which include weed control measures are being adhered to and the effect on Flora and Fauna maintained – sighted reports from March to November 2021 e.g. Weekly Inspection Report – Element No. 17 Environment Items 12 and 14 dated 1 November 2021.</p>		Compliant
	B		AIR QUALITY			
2.34	B	B30	<p>Dust Minimisation</p> <p>The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.</p>	<p>The review of the Air Quality Management Plan (AQMP) Rev 0, ref 318000533 dated 23 December 2020 as evidence of compliance for this condition. The AQMP includes Table 3-2 Air Quality Management Measures, in which dust minimisation actions include watering during demolition, watering of areas and unsealed roads during dusty</p>		Compliant

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				<p>conditions, watering of crushing plant during operation, vehicles to use sealed roads, sealed roads will be cleaned of dust generating materials, equipment will be fitted with dust suppression techniques (water sprays), water supply to be maintained onsite. Works to be modified or suspended when forecast predicts strong winds, adverse meteorological conditions, or when dust is observed to be moving in the direction of sensitive receivers.</p> <p>Dust suppression implemented by water carts and sprinklers. Refer to photos.</p> <p>As per Erosion and Sediment Controls Plan, two wheel washes are to be installed, one at main entrance, the other at Dickson Road South once vehicle movement commences on and off site.</p>		
2.35	B	B31	<p>The Applicant must ensure that:</p> <ul style="list-style-type: none"> (a) trucks and vehicles entering and leaving the site that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading; (b) remediation works are not carried out during adverse meteorological conditions; (c) any works are carried out progressively on site to minimise exposed surfaces; (d) all operations and activities occurring during the remediation works must be carried out in a manner that minimises the emissions of air pollutants from the Development; and (e) trucks associated with the development do not track dirt onto the public road network. 	<p>The AQMP details the following as per Table 3-2 Air Quality Management Measures:</p> <ul style="list-style-type: none"> (a) All vehicles leaving the Smelter or Hydro Land and travelling on public roads must be loaded and managed to avoid generation of dust. Any dust, soil or other Smelter-related materials deposited on public roads from Smelter vehicles will be removed as soon as practicable. (b) Works will cease in the event that adverse meteorological conditions or extraordinary events lead to conditions that cause unacceptable dust generation. (c) Watering to be undertaken where practicable during induced demolition of buildings and structures. Watering of demolition areas and unsealed access roads during dusty conditions and if dust is noticed above the wheel height of vehicles. Watering of the crushing plant during the crushing of concrete and bricks. (d) Where possible vehicles and machinery will be turned off or throttled down when not in use. Vehicles and machinery will be maintained in accordance with manufacturer's requirements to maximise operational efficiencies and associated exhaust emissions. (e) Where possible, vehicles will use existing sealed roads to minimise dust generation. A speed limit of 20 km/hour will be 		Compliant

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				imposed on internal roads. Sealed roads at the Smelter will be cleaned of dirt and other deposited material that could generate dust. As per photos during site inspection, roads were clear of mud and dust.		
2.36	B	B32	<p>Air Quality Management Plan</p> <p>Prior to the commencement of remediation works, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the RWEMP required by Condition C2 and be prepared in accordance with Condition C1. The AQMP must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s); (b) detail all emission sources including odour and particulates from all remediation works; (c) describe the control measures that will be implemented for each emission source to minimise the potential risks to adverse air quality in the area, including the nominated measures described in the RAP; (d) detail the contingency measures to be implemented to respond to complaints or if dust impacts are identified; (e) include record keeping, a complaints register and compliance report to identify the control measures that will be implemented for each emission source; and (f) show the locations of five dust monitors with appropriate trigger values and report on the performance of the remediation works in relation to the results from the five dust monitoring stations when compared to the applicable NSW EPA <i>Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales</i> 	<p>The Air Quality Management Plan (AQMP) Rev 0 ref 318000533, dated 23 December 2020, developed by Ramboll Australia Pty Ltd was reviewed as evidence of compliance for this condition.</p> <p>The DPIE letter dated 25 January 2021 approving RWEMP Plans including: “Kurri Kurri Smelter Decommissioning and Remediation Air Quality Management Plan, prepared by Ramboll, Final Revision 0, dated 23/12/2020”, was presented as evidence.</p> <ul style="list-style-type: none"> (a) The AQMP was prepared by Ramboll Australia and includes under Appendix 1 the AQMP Preparation Team Details, including the names, roles, qualifications, years of experience, and relevant Air Quality Monitoring and Management Experience of the team. (b) Section 2.3 Potential Impacts details the emission sources including hazardous materials, plant and equipment, concrete and refractory crushing plant, stockpile management and environmental controls, material storage, demolition of structures including explosive techniques, excavation and earthworks (including Containment Cell preparation, contaminated soil removal, Capped Waste Stockpile), material transport (including gypsum and contaminants), movement of vehicles / machinery, odour / air contaminant emissions including asbestos. (c) Section 3, Table 3-2 Air Quality Management Measures details the control measures, actions, risks, timing / frequency, and further detail for each emission source e.g. Transportation > During remediation, all vehicles transporting gypsum on public roads will have covered loads. Load levels will not exceed the height of the truck, reducing the material’s potential wind and draft exposure. The gypsum will be unloaded and stored within the specified enclosed shed. 		Compliant

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			(NSW EPA 2017) and National Environment Protection (Ambient Air Quality) Measure (NEPC 2016).	<p>(d) Table 3-2 confirms a 24hr number is used for complaints. Dust suppression will be applied during activities e.g. watering of areas and water sprays on equipment, use of sealed roads to minimise dust generation, and modify or suspend works when strong winds are forecast.</p> <p>(e) Section 4.5 Complaints states that the handling of complaints will be undertaken in accordance with the RWEMP. Section 3.5.6 Complaints of the RWEMP states that correspondence relating to community complaints are filed by the Hydro Project Manager or Hydro Environmental Officer through the on-line Hydro Incident Reporting System. Only one dust complaint was received in July 2021 as per Project Feedback and Complaints Register, Rev 12 for remediation during the period of January to October 2021.</p> <p>(f) AQMP Appendix 2 – Dust Deposition Monitoring Locations shows five dust monitors surrounding the project site – DDG1 to DDG5. Section 4.1 confirms the monitors were established in December 2016, six months prior to demolition. Specifically Section 4.1 Impact Assessment Criteria details that the air quality assessment criteria applicable to the site are those specified by the NSW Environment Protection Authority (NSW EPA) within the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> (2005). Air quality compliance for dust generating activities impacts from PM10 and total suspended particulate (TSP) matter are considered the most relevant pollutants. Through the results at the five dust deposition monitoring stations, an annual incremental impact of deposited dust is estimated at 2g/m2/month. Appendix 3 – Dust Deposition Gauges Monitoring Results shows results from Nov-2016 to Jul-2020 with levels below the criteria aside from a spike period occurring in Dec-2020. Section 4 also confirms that internal and external environmental reporting requirements will be undertaken in accordance with the RWEMP. Dust Monitoring register and monitoring results for dust gauges DDG1-DDG5 was presented during the audit and DDG1 sighted during the inspection (see photos).</p>		

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2.37	B	B33	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence remediation works until the AQMP required by Condition B32 is approved by the Planning Secretary; and (b) implement the most recent version of the AQMP approved by the Planning Secretary for the duration of the remediation works. 	<ul style="list-style-type: none"> (a) DPIE letter dated 25 January 2021 presented as evidence of compliance for this condition, approving RWEMP Plans which includes the: “Kurri Kurri Smelter Decommissioning and Remediation Air Quality Management Plan, prepared by Ramboll, Final Revision 0, dated 23/12/2020”. Remediation Works commenced 27 January 2021. (b) The Dust Monitoring register and monitoring results for five dust gauges DDG1-DDG5 were verified. (Refer to photo of DDG1). DDR exceedance noted, occurred December 2019 during the bushfires. 		Compliant
2.38	B	B34	<p>Odour Management</p> <p>The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).</p>	Waste or material is not being moved at this stage. Not yet triggered.		Not Triggered
2.39	B	B35	<p>Gas Monitoring</p> <p>Two months prior to the completion of filling of the containment cell, the Applicant must prepare a Gas Monitoring Plan (GMP) to the satisfaction of the Secretary. The GMP must form part of the LTEMP required by Condition B7. The GMP must:</p> <ul style="list-style-type: none"> (a) describe the location, frequency and duration of gas monitoring; (b) outline trigger levels for the implementation of contingency measures; and (c) contain a range of contingency measures to respond to exceedances of the trigger levels. 	<p>At this stage a Gas Monitoring Plan (GMP) is not yet required as the Containment Cell is still under construction. Not yet triggered.</p> <p>Drawing No. 22-18015-C141 including Gas Vent – Landfill Gas Management Systems detailed design for Containment Cell by GHD, Rev 0 was presented during this audit.</p>		Not Triggered
	B		NOISE			
2.40	B	B36	<p>The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.</p> <p><i>Table 1 Hours of Work</i></p>	Review of the Noise and Vibration Management Plan (NVMP) Rev 0 , ref 318000533, dated 23 December 2020, approved by DPIE as per letter dated 25 January 2021 as evidence of compliance for this condition.		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement			Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			Activity	Day	Time			
			Remediation works	Mondays – Fridays Saturdays	7 am to 6 pm 7 am to 1 pm	Section 2.3 Hours of Operation defines activities to be undertaken Mondays to Fridays between 7am and 6pm and Saturdays 7am to 1pm. Working hours are included in the Hydro Aluminium Site Remediation Works – WHS & Enviro induction – Summary of Environmental Requirements (Slide 39) as presented. Also refer to photos.		
2.41	B	B37	<p>Works outside of the hours identified in Condition B36 may be undertaken in the following circumstances:</p> <ul style="list-style-type: none"> (a) works that are inaudible at the nearest sensitive receivers; (b) works agreed to in writing by the Planning Secretary; and (c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm. 			<p>NVMP Appendix 1 – Out of Standard Construction Hours Maximum Permissible Equipment identifies the activities and types of machinery that can be used at the Smelter for activities outside of standard construction hours and continue to comply with the noise criteria for the Smelter activities.</p> <p>Ecoline (lining installation sub-contractor) has advised that the lining material would need to be welded at night time / early morning during summer (specifically predicted as January 2022) due to the heat. Sighted letter to DPIE 27 September 2021 requesting 6pm to 7am Monday to Saturday and possibly Saturday to Sunday. Also sighted DPIE approval letter dated 6 October 2021 for Out of Hours Work (OOHW) – hours for works occurring November 2021 to March 2022 with the conditions to manage complaints in accordance with the Stakeholder Engagement Plan and undertake noise monitoring.</p>		Compliant
2.42	B	B38	<p>Remediation Works Noise Limits</p> <p>Remediation works must be undertaken to achieve the construction noise management levels detailed in <i>the Interim Construction Noise Guideline</i> (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 2 of this development consent and outlined in <i>the Interim Construction Noise Guideline</i> (DECC, 2009).</p>			<p>NVMP Appendix 3 – Noise Criteria Levels at Identified Sensitive Receivers outlines the receiver, daytime, evening, night-time criteria.</p> <p>No noise complaints received as presented in the Project Feedback and Complaints Register (October 2021), and construction is within the working hours. OOHW will commence January 2022 and will be operating within the set limits as approved.</p>		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2.43	B	B39	<p>Vibration Criteria</p> <p>Vibration caused by the remediation works at any residence or structure outside the site must be limited to:</p> <ul style="list-style-type: none"> (a) for structural damage: German Standard DIN 4150 Part 3 Structural Vibration in Buildings; and (b) for human exposure: the acceptable vibration values set out in Environmental Noise Management Assessing Vibration: A Technical Guideline (DECC, 2006). 	<p>NVMP Section 4.1.2 Vibration makes reference to <i>Assessing Vibration: A Technical Guideline</i> (DECC, 2006), and <i>DIN 4150-3 Structural Vibration Part 3: Effects on buildings and structures</i> with limitation on levels to occur when a complaint is received. The vibration dose values (VDV) levels are presented in Table 4-1 Acceptable vibration values for intermittent vibration in various buildings (m/s^{1.75}).</p> <p>It is noted that the location of the site is not close to any residential or structural areas.</p>		Compliant
	B		ABORIGINAL HERITAGE			
2.44	B	B40	<p>To prevent impacts to subsurface archaeological deposits, stockpiles in the area of high archaeological sensitivity, as shown in Figure 23 of the Aboriginal Cultural Heritage Assessment and titled <i>Archaeological Sensitivity Figure</i>, must be placed on geo-matting.</p>	<p>Figure 2-1 of the Aboriginal Heritage Management Plan, Rev 0 ref 318000533, 23 December 2020 (Appendix J) was reviewed as evidence of compliance for this condition, which includes the site boundary, locations of artefacts (8 identified), and isolated finds (12 located). The artefacts and finds all fall outside the project boundary, aside from HYDRO-IA35-1 which is located on the NNW of the site. This was identified in 2014. A 2.5cm stone was found which was determined to be a tool used for skinning animals. The artefact was removed and taken to Mindaribba.</p> <p>Heritage NSW application for transfer of artefact to Mindaribba Aboriginal Land Council 22 February 2021 presented as evidence. Consultation emails also sighted to Registered Aboriginal Party (11 February 2021) for confirmation of removal of artefact.</p>		Compliant
2.45	B	B41	<p>Unexpected Finds Protocol</p> <p>If any previously unidentified item or object of Aboriginal heritage significance is identified on site:</p> <ul style="list-style-type: none"> (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately; (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and 	<p>Hydro Aluminium follow the Unexpected Finds procedure as noted in the Aboriginal Heritage Management Plan, Rev 0 ref 318000533, 23 December 2020 (Appendix J) – Section 4 in which will include:</p> <ol style="list-style-type: none"> 1. All works would cease immediately in the area to prevent any further impacts to the site. 2. Notify the Hydro Environment Officer. 3. Engage a suitably qualified archaeologist and RAP representative to determine the nature, extent and significance of the Aboriginal site and provide appropriate management advice. Management action(s) would vary according to the type 		Not Triggered

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(c) Biodiversity and Conservation Division, Environment, Energy and Science Group of the Department must be contacted immediately.	of evidence identified, its significance (both scientific and cultural) and the nature of potential impacts. 4. Prepare and submit an AHIMS site card for the Aboriginal site. No unexpected finds under this Condition of Consent.		
2.46	B	B42	Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the <i>National Parks and Wildlife Act 1974</i> (NSW).	No Aboriginal items within the vicinity of the works.		Not Triggered
	B		BIODIVERSITY			
2.47	B	B43	<p>Prior to vegetation clearing for remediation works, or within another timeframe agreed with the Planning Secretary, the Applicant must retire:</p> <p>(a) 155 ecosystem credits, including:</p> <p>(i) 94 ecosystem credits for removal of 1.35 ha of Parramatta Red Gum – Narrow-leaved Apple – Prickly-leaved Paperbark shrubby woodland in the Cessnock-Kurri Kurri area; and</p> <p>(ii) 61 ecosystem credits for removal of 1.15 ha of Spotted Gum – Red Ironbark – Narrow-leaved Ironbark – Grey Box shrub-gross open forest of the lower Hunter; and</p> <p>(b) 582 species credits, including:</p> <p>(i) 19 species credits for Green-thighed frog (<i>Litoria brevipalmata</i>);</p> <p>(ii) 35 species credits for Koala (<i>Phascolarctos cinereus</i>);</p> <p>(iii) 313 species credits for Southern Myotis (<i>Myotis macropus</i>);</p> <p>(iv) 89 species credits for Regent Honeyeater (<i>Anthochaera phrygia</i>);</p> <p>(v) 56 species credits for <i>Eucalyptus parramattensis</i> subsp. <i>decadens</i> (<i>Eucalyptus parramattensis</i> subsp. <i>decadens</i>); and</p>	<p>The Biodiversity Management Plan (BMP) Rev 0, ref 318000533 dated 23 December 2020 identifies the threatened species as Parramatta Red Gum and Small-flower Grevillea (Table 2-1). Section 2.2.1.1 The Smelter confirms that the Containment Cell development would require the clearance of approximately 1.35 hectares of Kurri Sand Swamp Woodland in the Sydney Basin Bioregion EEC and approximately 1.15 hectares of the Lower Hunter Spotted Gum - Ironbark Forest in the Sydney Basin Bioregion EEC, with the Area of EEC Proposed for Clearance and Present in the Hydro Land (Table 2-3).</p> <p>Appendix 1 of the BMP highlights the project site vegetation mapping for the Parramatta Red Gum – Narrow-leaved Apple – Prickly leaved Paperbark shrubby woodland, and the Spotted Gum – Red Ironbark – Narrow-leaved Ironbark – Grey Box shrub-gross open forest.</p> <p>Daracon Drawing presented as evidence for clearing of vegetation 3 March 2021. Project clearing boundary was reduced by 1.5ha.</p>		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(vi) 70 species credits for Small-flower Grevillea (<i>Grevillea parviflora</i> subsp. <i>parviflora</i>).</p> <p>to offset the removal of 2.5 hectares of vegetation on site.</p> <p><i>Note: If the Applicant seeks a variation to the offset rules, the Applicant must demonstrate that reasonable steps have been taken to find like-for-like offsets in accordance with Section 10.5.4.2 of the FBA and Appendix A of the OEH's NSW Biodiversity Offsets Policy for Major Projects 2014.</i></p>	<p>DIPE letter dated 12 March 2021 presented with confirmation of amendment to biodiversity credit timeframe from 27 January 2021 to 26 January 2023 to retire credits.</p> <p>Also sighted GHD Report for retired credits report (draft) 28 April 2021.</p>		
2.48	B	B44	<p>Biodiversity Management Plan</p> <p>Prior to vegetation clearing for remediation works, the Applicant must prepare a Biodiversity Management Plan (BMP) for the development in consultation with the Biodiversity and Conservation Division of the Department to the satisfaction of the Planning Secretary. The BMP must be approved by the Planning Secretary prior to the commencement of clearing for remediation works and must form part of the RWEMP in accordance with Condition C2. The BMP must include the following:</p> <ul style="list-style-type: none"> (a) pre-clearing surveys; (b) supervision during vegetation clearing; (c) hygiene protocols, including vehicle wash-down, for all plant machinery; and (d) nest box installation and a monitoring strategy to compensate for hollow bearing tree loss. 	<p>A Biodiversity Management Plan (BMP) has been developed by Ramboll Australia Pty Ltd, as sighted: ref 318000533 dated 23 December 2020 Rev 0.</p> <p>The BMP was approved on the 25 January 2021 as part of the DIPE letter (sighted), approval of the RWEMP and "Hydro Aluminium Kurri Kurri Smelter Decommissioning, Demolition and Remediation Biodiversity Management Plan, prepared by Ramboll, Final Revision 0, dated 23/12/2020".</p> <p>The BMP – Table 3-2 Biodiversity Management Measures states that any clearance of native vegetation will be undertaken in accordance with the approval conditions and/regulatory requirements, as well as any ecologist recommendations. The Table also includes the following Management Measures and Actions:</p> <ul style="list-style-type: none"> (a) survey and marking of the approved vegetation clearance areas (b) a pre-clearance survey will be undertaken by an appropriately qualified ecologist for the presence of any hollow bearing trees, nests or burrows for native animals. (c) machinery to be used for native vegetation clearance is to be cleaned of mud and any accumulated materials to avoid the importation of weed species seeds or propagules (d) No hollow bearing trees have previously been identified in any areas to be cleared. In the event that a hollow bearing tree is identified during a pre-clearance survey, the following would be undertaken: 		Compliant

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				<ul style="list-style-type: none"> • Where possible, a section of the hollow would be retained from the tree to construct the next box. Alternatively, a manufactured nest box would be sourced. • An ecologist would identify the most suitable location for installation of the nest box in the vicinity of the cleared tree. • The nest box would be inspected six months and 12 months after. <p>The Table includes columns defining the Timing / Frequency, who is responsible (e.g. Remediation Contractor/Environmental Officer), and where further detail can be found e.g. RWEMP Section 3.3 / Section 5.2 / Section 5.4.</p> <p>The GHD ecologist report 24 February 2021 for Clearance Works was presented as evidence of compliance for this condition, which includes pre-clearance survey results: one hollow bearing tree, 2 large log piles, 2 small waterbodies. Sighted photo of nest box; only one required to replace hollow bearing tree.</p>		
	B		VISUAL AMENITY			
2.49	B	B45	Lighting The Applicant must ensure the lighting associated with the development: <ul style="list-style-type: none"> (a) complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network. 	No Out of Hours Work have commenced therefore there is no need for the use of lighting at night time. Not triggered.		Not Triggered
2.50	B	B46	Landscaping Management Plan Two months prior to the completion of filling of the containment cell, the Applicant must prepare, to the satisfaction of the Planning Secretary, a containment cell Landscaping Management Plan	Not triggered.		Not Triggered

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(LMP). The LMP must form part of LTEMP required by Condition B7 and must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with Environmental Services Group of H&P Group or its successors; (b) include provision for the planting of shallow rooted locally endemic grass species and non-invasive hybrid grass species where appropriate; and (c) include details of the management of landscaping post remediation. 			
	B		HAZARDS AND RISK			
2.51	B	B47	<p>Pre-construction Studies</p> <p>One month prior to the commencement of remediation works (except for preliminary works that are outside the scope of the hazard studies), or within another timeframe agreed to by the Planning Secretary, the Applicant must prepare the studies set out under subsections (a) and (b) below. Remediation works, other than preliminary works, must not commence until study recommendations have been considered and, where appropriate, acted upon.</p> <ul style="list-style-type: none"> (a) A Fire Safety Study for the development which covers the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper No. 2, '<i>Fire Safety Study Guidelines</i>' and the New South Wales Government's '<i>Best Practice Guidelines for Contaminated Water Retention and Treatment Systems</i>'. The study must meet the requirements of Fire and Rescue NSW. (b) A Construction Safety Study, prepared in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 7, 'Construction Safety'</i>. The Construction Safety Study shall also review Appendix 03 of the CCDDR and address all relevant requirements. 	<p>The DPIE letter dated 21 May 2021 – Approval of the Pre-Construction Hazards and Risks Studies confirming review of the Comparative Health Risk Assessment was presented as evidence. Also sighted Ramboll letter 8 April 2021 with request.</p> <p>Remediation Works commenced 27 January 2021, 4 months prior to the study which was submitted on 11 March 2021 as stated in the Department's letter.</p> <p>The letter also confirms that the Planning Secretary is satisfied that a separate Fire Safety Study and Construction Safety Study are not required.</p>		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
2.52	B	B48	<p>Pre-commissioning</p> <p>Prior to commencement of filling of the containment cell, the Applicant must develop and implement the plans and systems set out under subsections (a) and (b) below.</p> <p>(a) Emergency Plan: the plan must include detailed emergency procedures and be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'.</p> <p>(b) Safety Management System: the system must cover all on-site operations and associated transport activities involving hazardous materials and be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.</p>	<p>Containment Cell still under construction and filling works have not commenced. Plans to be developed and implemented prior to March 2022. However, this is not yet triggered.</p> <p>The outcome of Workshop of Daracon / EPS's Work Method Statement for Load, Haul & Compact Waste to the ECC (Containment Cell): Risk workshop completed 14 October 2021 was presented which includes waste movement, asbestos requirements, air monitoring, Capped Waste Stockpile controls and load out, Gypsum management, Containment Cell placement – 1.5m thick fluffy layer over drainage aggregate and separation geotextile to protect geosynthetic liners, internal bunds. Also includes photos.</p>		Not Triggered
2.53	B	B49	<p>Pre-start-up Compliance</p> <p>One month prior to the commencement of filling of the containment cell, or within another timeframe agreed to by the Planning Secretary, the Applicant must submit to the Planning Secretary a Pre-start-up Compliance Report detailing compliance with Condition B47 and Condition B48.</p>	<p>Not yet triggered. Containment Cell still under construction and filling works have not commenced.</p>		Not Triggered
2.54	B	B49 A	<p>Dangerous Goods</p> <p>The quantities of dangerous goods stored and handled for MOD 1 must be below the threshold quantities listed in the Department of Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 at all times</p>	<p>Dangerous goods will be in relation to Temporary Water Treatment Plant (TWTP) which is currently under construction. Currently no dangerous goods stored or accepted on site.</p>		Not Triggered
2.55	B	B49 B	<p>Dangerous Goods</p> <p>Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:</p> <p>(a) all relevant Australian Standards;</p> <p>(b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and</p>	<p>Dangerous goods will be in relation to Temporary Water Treatment Plant (TWTP) which is currently under construction. Currently no dangerous goods stored or accepted on site.</p>		Not Triggered

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management – technical bulletin (EPA, 1997).			
2.56	B	B49 C	Dangerous Goods In the event of an inconsistency between the requirements of conditions B49B(a) to B49B(c), the most stringent requirement must prevail to the extent of the inconsistency.	Dangerous goods will be in relation to Temporary Water Treatment Plant (TWTP) which is currently under construction. Currently no dangerous goods stored or accepted on site.		Not Triggered
2.57	B	B50	Bunding The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> (Department of Environment and Climate Change, 2007).	Spill kits onsite however no chemicals stored onsite. Mobile trucks come to refuel onsite plant.		Not Triggered
2.58	B	B51	Fire management The Applicant must: (a) maintain the existing fire breaks and a service road around the containment cell for the duration of the remediation works; and (b) construct a perimeter road at least 4.6 m wide, around the containment cell on the completion of construction of the containment cell.	The Containment Cell Management Plan (CCMP) Rev 0 ref 318000533, 23 December 2020 includes detailed drawings (Appendix 1) of the containment cell e.g. Drawing No. 22-18015-C021 which clearly shows the perimeter road with access. Perimeter road verified during inspection which was built as per plans. It is accessible, maintained and kept clear of vegetation. There are also access points via the South West corner and North East corner.		Compliant
	B		COMMUNITY ENGAGEMENT			
2.59	B	B52	The Applicant must consult with the community regularly throughout the remediation works, including consultation with nearby and adjacent landowners, sensitive receivers, relevant regulatory authorities and other interested stakeholders.	The Stakeholder and Community Engagement and Notification Plan , ref 22/18982, June 2021 developed by GHD was reviewed as evidence of compliance for this condition.		Compliant

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				<p>The Project Website includes Our Community tab. Community Reference Group includes meeting minutes for 2021:</p> <ul style="list-style-type: none"> - Hydro CRG Minutes – Meeting #46 – 19 August 2021 - Hydro CRG Minutes – Meeting #45 – 17 June 2021 - Hydro CRG Minutes – Meeting #44 – 22 April 2021 - Hydro CRG Minutes – Meeting #43 – 18 February 2021 <p>Previous years (2014-2020) also included.</p>		
2.60	B	B53	<p>The Applicant must advise the community to refrain from using rainwater as a potable water supply during the remediation works.</p>	<p>Stakeholder and Community Engagement and Notification Plan, ref 22/18982, June 2021 developed by GHD includes the following under Section 1.4.1: Section 5.3.2.2 of the Response to Submissions Report (Ramboll, 2020) provided a detailed response as to why deposited dust would not present a risk of harm to those who used water from rainwater tanks as potable water. This included reference to relevant sections of the Human Health Risk Assessment that formed part of the Environmental Impact Statement (EIS) (Ramboll Environ, 2016). The key point from Section 5.3.2.2 of the Response to Submissions Report was to reiterate the following point from the Human Health Risk Assessment that “any potential health risks to users of rainwater tanks in the vicinity of the Project Site are also considered to be negligible”.</p> <p>Hydro emailed a letter to Hunter England Health on 26 February 2021 asking them to confirm that they agree with the above, and the notification of residents is not required. On 30 April 2021 Hydro received the letter presented in Appendix 1 confirming that they agreed it was reasonable not to notify residents to refrain from using rainwater as a potable water supply. As such Hydro has not developed a community notification area, and such notification does not form part of this SEP.</p> <p>The Stakeholder Management Plan approved by DPIE as per letter presented, dated 27 July 2021 following resubmission. Also sighted: Hunter New England Health District and Hunter New England Population Health Letter dated 16 April 2021 confirming agreement not to notify residents to refrain from using rainwater as a potable water supply.</p>		Compliant

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3	Part	C	ENVIRONMENTAL MANAGEMENT, REPORTING AND	AUDITING		
	C		ENVIRONMENTAL MANAGEMENT			
3.1	C	C1	<p>Management Plan Requirements</p> <p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> (a) detailed baseline data; (b) details of: <ul style="list-style-type: none"> (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (iii) the specific performance indicators that are proposed to be used to judge the performance of, or (iv) guide the implementation of, the development or any management measures; (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; (d) a program to monitor and report on the: <ul style="list-style-type: none"> (i) impacts and environmental performance of the development; and (ii) effectiveness of the management measures set out pursuant to paragraph (c) above; (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; 	<p>Ramboll Australia has prepared a Remediation Works Environmental Management Plan (RWEMP), Rev 0 ref 318000533, 23 December 2020. The RWEMP also includes several sub-plans as appendices.</p> <ul style="list-style-type: none"> (a) Baseline data has been included in the various sub-plans as sighted e.g. Air Quality Management Plan (AQMP) Rev 0, ref 318000533, 23 December 2020 – Section 2.2 and Appx 3; Noise and Vibration Management Plan (NVMP) Rev 0 ref 318000533, 23 December 2020 – Section 2, Table 2-1. (b) Included under RWEMP Section 2.2 Planning Approvals, 2.3 Licences, 2.4 Legislative and Regulatory Requirements. Performance measures as per sub-plans e.g. sighted Air Quality Management Plan Section 4.2 for relevant limits, performance measures and criteria. Specific performance indicators included in sub-plans e.g. Noise and Vibration Management Plan Section 3.2 sighted. As per sub-plans Table 3-2 e.g. sighted Biodiversity Management Plan as part of Section 3. (c) RWEMP Section 4 Implementation defines Environmental Management Activities and Controls, Environmental Management Procedures (Table 4-1 and applicable management plan/sub-plan) and Enquiries and Information (Stakeholder Management Plan) to comply with the relevant statutory requirements, limits, performance measures and criteria. (d) RWEMP Section 3.5 Reporting and Section 5 Monitoring and Review addresses the requirement to monitor and report of the impacts and environmental performance and effectiveness of management measures of the development. (e) RWEMP Section 5.4 Corrective Action defines the process for the implementation of corrective and preventative actions. 		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <p>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</p> <p>(ii) complaint;</p> <p>(iii) failure to comply with statutory requirements; and</p> <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>	<p>(f) RWEMP Section 5 Monitoring and Review outlines the process for Inspections, Internal/External auditing and compliance, Corrective Action, RWEMP Review and Improvement (continual improvement), and Remediation Project and RWEMP Modification.</p> <p>(g) RWEMP Section 3.5.4 Environmental Incidents defines the process for incidents and 3.5.5 for non-compliances, 3.5.6 Complaints, and 5.4 Corrective Action.</p> <p>(h) RWEMP Section 5.5 RWEMP Review and Improvement states that the RWEMP will be revised within three months of the submission of a Compliance Report, Incident Report, Independent Audit, approval of any modification of SSD-6666, and as requested by the Planning Secretary. It is noted that the RWEMP and sub-plans are currently being reviewed and will be updated to align with the Modification (Mod 1). These will soon be submitted to the DPIE for approval and following approval of the Irrigation Management Plan and Water Quality Monitoring Program as required by Mod 1.</p> <p>It is also noted that the three-month deadline included in the RWEMP be updated to an achievable timeline e.g. 6 months.</p> <p>Internal Monthly Environmental Performance Reports have been prepared by Ramboll (reviewed for the period of February 2021, dated 5 March 2021) showing review of the development, performance by Hydro and Daracon, monitoring (inspections) and implementation.</p> <p>Monitoring results presented for 2021. Surface Water Monitoring conducted (monthly), Sampling (fluoride and gas), Dust monitoring, Forage and leaf sampling. The following evidence was also presented: Site Water Monitoring data from January to November 2021. Yawarra register for Bowditch Avenue: Ambient particulate fluoride from 2017 to 2021 with 7, 30, and 90-day average results. 2021 levels have been well within range. 2021 Dust Deposition Graphs (DDG) and Surface Water register . No changes are required after the submission of the compliance report. Surface Water Environmental Testing results (Certificate of Analysis) by Eurofins Report No. 820495-W, 30 August 2021.</p>		

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				It is noted that the management plans will be reviewed based on SSD-6666 (Mod 1) by December 2021.		
	C		REMEDICATION WORKS ENVIRONMENTAL MANAGEMENT	PLAN		
3.2	C	C2	<p>The Applicant must prepare a Remediation Works Environmental Management Plan (RWEMP) to the satisfaction of the Planning Secretary in accordance with the requirements of Condition C1. The RWEMP must:</p> <ul style="list-style-type: none"> (a) be approved by the Planning Secretary prior to the commencement of remediation works; (b) identify the statutory approvals that apply to the development; (c) outline all environmental management practices and procedures to be followed during remediation works associated with the development; (d) describe all activities to be undertaken on the site during remediation works, including a clear indication of construction stages; (e) detail how the environmental performance of the remediation works will be monitored, and what actions will be taken to address identified adverse environmental impacts; (f) describe the roles and responsibilities for all relevant employees involved in remediation works associated with the development; and (g) include the management plans required under Condition C3 of this consent. 	<p>The Remediation Works Environmental Management Plan Rev 0 ref 318000533, 23 December 2020, was reviewed as evidence of compliance for this condition.</p> <ul style="list-style-type: none"> (a) DPIE letter dated 25 January 2021 - Approval of the Remediation Works Environmental Management Plan presented (b) RWEMP Section 2.2 Planning Approvals identifies the statutory approvals applicable to the development (c) RWEMP Section 4 Implementation and Table 4-1, outline the environmental management practices and procedures to be followed e.g. to minimise dust generation and off-site air quality impacts, implement the Air Quality Management Plan (Appx D); protection of water quality and local hydrology – implement Soil and Water Management Plan (Appx F). (d) RWEMP Table 4-1 also outlines the activities associated with the works. Remediation Works are not staged. (e) RWEMP Section 5 Monitoring and Review includes weekly inspections (undertaken by WHS Manager & Environmental Officer), and auditing and compliance reviews (both internal and external). Actions in response to an environmental incident are undertaken as part of the incident investigation process. Non-conformances will be resolved and reported back through the on-line Hydro Incident Reporting System. Any non-compliances with the conditions of SSD 6666 will be reported to the Department within seven days after Hydro becomes aware of the non-compliance (Section 5.4 Corrective Action). Sighted Weekly Inspection Reports e.g. 11 November 2021. Daracon Environmental Inspection Report 29 July 2021. (f) The RWEMP includes roles and responsibilities throughout the plan but specifically described under Section 3.2.1 Project Team and Table 3-1 Hydro Personnel and Environmental Management Responsibilities. 		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
				<p>(g) The RWEMP also includes management plans required listed as per Condition C3.</p> <p>The RWEMP and sub-plans are to be reviewed by December 2021 to align with the Modification (Mod 1) and shall be submitted to the Department for approval.</p>		
3.3	C	C3	<p>As part of the RWEMP required under Condition C2 of this consent, the Applicant must include the following:</p> <ul style="list-style-type: none"> (a) Containment Cell Management Plan (see Condition B5); (b) Erosion and Sediment Control Plan (see Condition B17); (c) Air Quality Management Plan (see Condition B32); (d) Biodiversity Management Plan (see Condition B44); (e) Health and Safety Plan (see Condition B14); and (f) Community Consultation and Complaints Handling. 	<p>The RWEMP includes the following appendices as per CoC C3:</p> <ul style="list-style-type: none"> (a) Appendix A: Containment Cell Management Plan (b) Appendix F: Soil and Water Management Plan (c) Appendix D: Air Quality Management Plan (d) Appendix I: Biodiversity Management Plan (e) Appendix L: Work Health and Safety Management Plan (f) Appendix K: Stakeholder Engagement Plan <p>The RWEMP also includes other sub-plans applicable to the development e.g. Appendix C Traffic Management Plan, Appendix G Waste Management Plan.</p> <p>Implementation of sub-plans as per Conditions B5, B17, B32, B44.</p> <p>The project website was reviewed which includes the Our Community – Community Reference Group > meeting minutes, and Complaints Register under Statutory Information. Only one complaint received to date.</p>		Compliant
3.4	C	C4	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence remediation works until the RWEMP is approved by the Planning Secretary; and (b) carry out the construction of the development in accordance with the RWEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time. 	<p>The RWEMP is approved as per DPIE letter dated 25 January 2021 - Approval of the Remediation Works Environmental Management Plan.</p> <p>Remediation works commenced 27 January 2021.</p>		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	C		REVISION OF STRATEGIES, PLANS AND PROGRAMS			
3.5	C	C5	<p>Within three months of:</p> <ul style="list-style-type: none"> (a) the submission of a Compliance Report under Condition C12; (b) the submission of an incident report under Condition C7; (c) the submission of an Independent Audit under Condition C14; (d) the approval of any modification of the conditions of this consent; or (e) the issue of a direction of the Planning Secretary under Condition A2(b) which requires a review, <p>the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.</p>	<p>Development Consent SSD-6666 (Mod 1) was approved 13 September 2021 as per Planning Approval website. The RWEMP and sub-plans are to be reviewed by December 2021 to align with the Modification (Mod 1), and (if amendments are required) shall be submitted to the Department for approval within the timeframe identified in Condition C6..</p>		Compliant
3.6	C	C6	<p>If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.</p> <p><i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<p>Modification 1 (Mod 1) was approved 13 September 2021. A Modification Application is currently being prepared (Mod 2) which is not yet triggered during this audit.</p>		Not Triggered
	C		REPORTING AND AUDITING			
3.7	C	C7	<p>Incident Notification, Reporting and Response</p> <p>The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development</p>	<p>The SSD-6666 Incident and Non-Compliance Register was presented as evidence. The register is available to capture any incidents and non-compliances.</p>		Not Triggered

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 4 .	No reportable incidents or non-compliances raised.		
3.8	C	C8	Non-Compliance Notification The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.	No non-compliances requiring notification.		Not Triggered
3.9	C	C9	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	No non-compliances during this audit period.		Not Triggered
3.10	C	C10	A non-compliance which has been notified as an incident does not need to also be notified as a noncompliance.	No non-compliances or incidents.		Not Triggered
3.11	C	C11	Compliance Reporting Within three months after the commencement of remediation works, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department, 2020) and must also: <ul style="list-style-type: none"> (a) identify any trends in the monitoring data over the life of the development; (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and 	Review of Compliance Report 1 dated 27 April 2021 for the reporting period 27 January – 24 April 2021, as evidence of compliance for this condition. Submitted 27 April 2021 – three months after the commencement via DPIE portal as per receipt and email confirmation presented. Compliance Report 1: <ul style="list-style-type: none"> (a) identifies trends in monitoring data as per Sections 4.2.2 dust monitoring from Dec-2016 to Mar-2021 (figure 6-1), 4.3.2 noise and vibration (no complaints received), 4.4.2 vegetation clearance (completed Feb-2021), 4.5.2 ERSED control monitoring, 4.6.2 surface water Jan-2021 to Mar-2021 (figure 6-2), 4.7.2 groundwater monitoring (no impacts), 4.8.2 waste (not yet commenced for remediation). Figure 6-1 Air Quality 		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			(c) describe what measures will be implemented over the next year to improve the environmental performance of the development.	<p>monitoring data shows an exceedance above the dust deposition level criteria due to the Jan-2021 bushfires.</p> <p>(b) Identifies actual versus predicted impacts as per Sections 4.2.3 Air Quality (consistent), 4.3.3 Noise and Vibration (consistent), 4.4.3 Biodiversity (confirms reduction in clearance), 4.5.3 ERSED controls (consistent), 4.6.3 Surface Water (consistent), 4.7.3 Groundwater (no predicted impact), 4.8.3 Waste (not yet commenced)</p> <p>(c) Describes recommended improvement actions as per Section 5 Summary of Actions – Table 5-1</p>		
3.12	C	C12	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.	<p>The Compliance Report was reviewed on the project website: https://regrowthkurrikurri.com.au/statutory-information/</p> <p>Compliance Report 1 dated 27 April 2021 for the reporting period 27 January – 24 April 2021.</p>		Compliant
3.13	C	C13	<p>Independent Audit</p> <p>Within one year of the commencement of remediation works, and every three years thereafter, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:</p> <p>(a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020);</p> <p>(b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and</p> <p>(c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).</p>	<p>This is the first independent environmental audit on the development conducted on the 30 November, 1 and 2 December 2021, within one year of the commencement of remediation works and is in compliance with this requirement (commencement of Remediation Works 27 January 2021).</p> <p>The endorsement letter from DPIE dated 5 August 2021 approving the nominated AQUAS team including nominated Lead Auditors and Auditors was presented as evidence of compliance for this condition.</p>		Compliant

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
3.14	C	C14	<p>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department, 2020), the Applicant must:</p> <ul style="list-style-type: none"> (a) review and respond to each Independent Audit Report prepared under Condition C13 of this consent; (b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations; (c) implement the recommendations to the satisfaction of the Planning Secretary; and (d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done. 	<p>This is the first independent environmental audit on the development. The report will be submitted within 2 months' of undertaking the audit.</p>		Not Triggered
3.15	C	C15	<p>Monitoring and Environmental Audits</p> <p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.</p> <p><i>Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i></p>	<p>This is the first independent environmental audit on the development. One Compliance Report has been raised – Compliance Report 1 dated 27 April 2021 for the reporting period 27 January – 24 April 2021 submitted to DPIE 27 April 2021.</p> <p>Monthly Environmental Performance Reports are issued internally and are ongoing. Weekly Inspection Reports also sighted e.g. 22 March 2021, 25 November 2021 conducted by Hydro and Daracon Environmental Inspection Report 29 July 2021.</p> <p>The internal audit: Audit Information & Report (FRM-00503) HAKK Integrated Management System (IMP) audit undertaken 3 September 2021 for Safety, Environmental and Quality was presented. 2 minor NCs, 7 Observations; zero Environmental findings. Closed out 12 October 2021 by the HSEQT Division Manager.</p>		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	C		ACCESS TO INFORMATION			
3.16	C	C16	<p>At least 48 hours before the commencement of remediation works until the completion of all works under this consent, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> (i) the documents referred to in Condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (ix) the Compliance Report of the development; (x) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report; (xi) any other matter required by the Planning Secretary; and <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	<p>The ReGrowth Kurri Kurri website was reviewed: https://regrowthkurrikurri.com.au/statutory-information/</p> <p>(a) The website includes the Environmental Protection Licence (EPL), Pollution Incident and Response Management Plan, Compliance – Report and Complaints Register, Monitoring Data (e.g. 2020 Annual Groundwater Monitoring Report ref 318000894 dated 4 February 2021), Site Remediation documents including EMPs, SSD-6666, Response to Submissions (RtS), and the Environmental Impact Statement (EIS). 'About Regrowth' shows the Project Status (early works and Stage 1 demolition complete, Remediation approved). The website menu also includes 'Contact' (also contained within the footer) which details the PO Box address, 1800 number, email address, and the option to fill in a contact form. Aside from these contact details, the website also shares the Community Reference Group (CRG) members and meeting minutes, Community Input as well as an FAQ page. 'The Site' showcases Demolition and Remediation, Rezoning (including Residential/Employment/Conservation Land), History and Remembrance, and the Statutory information described above (EPL, etc) It is noted that this is the first independent audit of the development.</p> <p>(b) The website information is generally up to date. It is noted that under 'Media/News' the newsletter described as the latest community newsletter is dated 2016. However the relevant development information (documentation, approvals, statutory information and the current stage) were found to be current at the time of this audit.</p>		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
4	APPX	3	APPLICANT'S MANAGEMENT AND MITIGATION MEASURES			
	APPX	3	SITE ESTABLISHMENT			
4.1	APPX	3	<p>General</p> <ol style="list-style-type: none"> All Works personnel would be informed during the site induction of their obligations to minimise environmental impacts and the need to take reasonable and practical measures to minimise impacts. The Stakeholder Engagement Plan (as discussed in Section 8.1.4 of the EIS) would continue to be implemented to engage with government agencies, Cessnock and Maitland City Councils, landowners, community members and other stakeholders to provide a single consultation framework. The Stakeholder Engagement Plan would define the method and persons responsible for the dissemination of information regarding the Project. This would include the procedure for receiving and responding to comment or complaints from the community. Local residents would be notified in advance of the Project of the nature and estimated timescales for completion of the Project. Thereafter ongoing notifications and updates on new or changes to Works activities would be provided in accordance with the Stakeholder Engagement Plan. A 24-hour telephone number would be provided as a contact point for any complaints, issues or general enquiries regarding the Project. 	<ol style="list-style-type: none"> Daracon's 1640 Induction and Training Register was presented during the audit. All workers have undertaken the Project Induction (Green, Y) as sighted. Induction presentation slides also sighted – Hydro Aluminium Remediation Works – WHS & Enviro which includes Environmental Considerations (Slide 31). Sighted Stakeholder and Community Engagement and Notification Plan developed by GHD ref 22/18982, June 2021, approved as per DPIE letter 7 July 2021. The Project Website > Our Community tab includes the Community Reference Group (CRG) meeting minutes #43 (18 February 2021) to #46 (19 August 2021). Section 7 Stakeholder communication protocols defines the approach for communicating project information. This includes the information line and project email address, the use of Consultation Manager database, stakeholder contact/response actioned by Hydro's Project Team or GHD's Stakeholder Engagement Team. All media enquiries should be directed to GHD's Stakeholder Engagement Manager, who will manage statements and responses to questions through close liaison with the designated Hydro spokesperson for this project. Section 6 – Table 3 Engagement tools, Item 6 confirms notification letters will be issued seven days prior to remediation commencement. No timing was specified for communication materials however the Media/News includes the latest news, newsletters when required. Sighted email communication regarding Remediation Approval 17 January 2021 to affected Community Groups including Neighbours to the site – Local Community, Federal and State Members (Paterson, Cessnock, Maitland), Cessnock and Maitland Councils, Mindaribba Local Aboriginal Land Council, Cessnock Business Chamber, and Local interest groups (e.g. Speedway). A 24-hour 1800 telephone number has been provided, visible onsite and included on the project website: https://regrowthkurrikurri.com.au/ 		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
4.2	APPX	3	<p>Air Quality</p> <p>Establish four dust deposition monitoring locations around the Project Site. Where practicable the monitoring locations would be established a minimum of three months prior to the Project to establish baseline conditions.</p>	<p>The development has established five dust deposition monitoring locations surrounding the project boundary as confirmed in the Air Quality Management Plan AQMP Appendix 2 – Dust Deposition Monitoring Locations – DDG1 to DDG5. Section 4.1 confirms the monitors were established in December 2016, six months prior to demolition.</p>		Compliant
4.3	APPX	3	<p>Soil and Water</p> <p>Erosion and sediment controls would be installed prior to the commencement of the Works. This would include installation of geotextile fabric downstream of Works areas. These controls would continue to be managed and maintained throughout the Works.</p> <p>Undertake any required additional maintenance of the existing surface water drainage and dams prior to commencing the Works.</p>	<p>Erosion and Sediment controls are installed as per design. Refer to photos.</p> <p>Dewatering Permit 1640-DP08 in accordance with EPL 1548 presented as evidence for 18 November 2021 including VGT report 11814 Rev 00 dated 18 November 2021 for Sediment Basins 1 and 2.</p> <p>Also presented: Dewatering Permit 1640-DP09 in accordance with EPL 1548 for 19 November 2021 including VGT report 11821 Rev 00 dated 19 November 2021 for Sediment Basin 2, and</p> <p>Survey Report 28 June 2021 on Sediment Basin 1, ref: 20210625D51640A.</p> <p>Monitoring results presented for 2021. Surface Water Monitoring conducted (monthly), Sampling (fluoride and gas). The following evidence was also presented: Site Water Monitoring data from January to November 2021. Yawarra register for Bowditch Avenue: Ambient particulate fluoride from 2017 to 2021 with 7, 30, and 90-day average results. 2021 levels have been well within range. Surface Water register (current) . The Monthly Environmental Performance Report also includes as Appendix 1, Surface Water Monitoring data e.g. February 2021 report dated 12 March 2021. Surface Water Environmental Testing results (Certificate of Analysis) by Eurofins Report No. 820495-W, 30 August 2021.</p>		Compliant
4.4	APPX	3	<p>Traffic and Access</p> <ol style="list-style-type: none"> In consultation with Cessnock City Council and Roads and Maritime, general signposting of the demolition vehicle 	<p>As per Traffic Management Plan Rev 0 ref AS130415 23 December 2020:</p> <ol style="list-style-type: none"> Table 3-2 Consultation with Cessnock City Council and Roads and Maritime Services regarding general signposting of the demolition vehicle routes with appropriate heavy vehicle and 		Compliant

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ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<p>routes with appropriate heavy vehicle and construction warning signs.</p> <ol style="list-style-type: none"> Review of speed restrictions along Hart Road and additional signposting of speed limitations. Installation of specific warning signs at Dickson Road to warn existing road users of entering and exiting demolition traffic. The initial internal access restrictions and alternative access routes would be established for the initial Works phase. 	<p>construction warning signs. The TMP submitted to Council and RMS for review and comment. TMP to be finalised to address feedback (as appropriate) from Council and RMS.</p> <ol style="list-style-type: none"> 20km speed limit for Hart Rd, 12km at HAKK site entrance. Table 3-2 Installation of specific warning signs at Dickson Road to warn public road users of entering and exiting heavy vehicle Demolition traffic. A Traffic Control Plan is to be prepared in consultation with Council. This is not yet triggered. Figure 2-1 Haulage Traffic Routes: Access is presented in site induction and provided to relevant personnel / truck operators not subject to induction. This is not yet triggered. 		
4.5	APPX	3	<p>Aboriginal Heritage</p> <p>Precautionary fencing of Hydro-IA35-15 prior to surface collection. Surface collection and relocation of newly identified isolated artefact Hydro-IA35-15.</p>	<p>The located artefact has been relocated to Mindaribba Local Aboriginal Land Council as per AIHMS dated 17 April 2021.</p>		Compliant
4.6	APPX	3	<p>Biodiversity</p> <ol style="list-style-type: none"> The Project Site boundary would be clearly delineated to limit the extent of vegetation clearance to that described in this EIS, and to restrict access during the Works. This would include erection of security fencing around the Containment Cell and maintaining the security fencing around the Smelter Site. Pre-clearing surveys would be undertaken by an appropriately qualified ecologist prior to vegetation clearance. Where required (such as the felling of hollow bearing trees) vegetation clearance would be supervised by an appropriately qualified ecologist or animal handler. 	<ol style="list-style-type: none"> Verified during site inspection. Refer to photos. Not yet triggered. Containment Cell still under construction. Reviewed GHD ecologist report dated 24 February 2021 for Clearance Works which includes pre-clearance survey results: one hollow bearing tree, 2 large log piles, 2 small waterbodies. As per pre-clearance survey included as part of the GHD ecologist report, 24 February 2021, one hollow bearing tree was identified by ecologist. Sighted photo of nest box; only one required to replace hollow bearing tree. 		Compliant
4.7	APPX	3	<p>Waste</p> <p>The designated storage and stockpile areas would be established, including the installation of the environmental controls described in Section 8.2.1 of the EIS.</p>	<p>Potentially contaminated materials are stored in Sheds 1-10. Recyclable materials such as concrete, aggregates were stockpiled separately.</p> <p>Refer to photos.</p>		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	APPX	3	THE WORKS			
4.8	APPX	3	<p>General</p> <p>The TWTP would be serviced as recommended by the manufacturer. In the event that the inspection identified potential operational issues, TWTP operation would be immediately suspended and serviced as soon as practicable.</p> <p>The TWTP would be inspected generally on a weekly basis whenever the TWTP is required to be operated, except during dry periods where there is no water to treat.</p>	Construction on the TWTP has only commenced. Not yet triggered.		Not Triggered
4.9	APPX	3	<p>Air Quality</p> <ol style="list-style-type: none"> Accumulated fines from within the buildings would be removed where safe, reasonable and feasible to do so prior to building demolition. Dust suppression to be applied during induced collapse of buildings or structures. Watering of the demolition areas and unsealed access roads. Vehicles would use wherever practicable existing sealed roads. A speed limit of 20km/hr would be imposed on internal roads. Where possible construction vehicles and machinery would be turned off or throttled down when not in use. Construction vehicles and machinery would be maintained in accordance with manufacturer's requirements. The erosion and sediment control measures described in Section 8.2.1 would assist in controlling dust generation. Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken. Record any exceptional incidents that cause dust and/or air emissions, either on or offsite, and the action taken to resolve the situation in the log book. 	<p>The Air Quality Management Plan (AQMP) Rev 0, ref 318000533 dated 23 December 2020 was reviewed as evidence of compliance for this condition. As per Table 3-2: Air Quality Management Measures:</p> <ol style="list-style-type: none"> No demolition was conducted during this audit period. No demolition was conducted during this audit period. No demolition was conducted during this audit period. Where possible, vehicles will use existing sealed roads to minimise dust generation, during activities. A speed limit of 20 km/hour will be imposed on internal roads, during activities. Vehicles will be operated and maintained to minimise exhaust emission impacts. Where possible vehicles and machinery will be turned off or throttled down when not in use, during activities. Vehicles and machinery will be maintained in accordance with manufacturer's requirements to maximise operational efficiencies and associated exhaust emissions, prior to and during activities, and as per manufacturers requirements. ERSED controls are implemented as per photos. Water carts used for dust suppression. As per Table 3-2: Air Quality Management Measures. Also sighted Project Feedback and Complaints Register Rev 3 October 2021. Only one complaint received during the period of January to October 2021 in regards to dust particles, 23 July 2021. The response to complainant was that the 5 dust deposition gauges and results were within limits and quite low 		Compliant

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			<ol style="list-style-type: none"> 11. Carry out regular site inspections to monitor compliance with the AQMP, record inspection results, and make an inspection log available to the EPA and/or Cessnock City Council when asked. 12. Keep site fencing, barriers and scaffolding clean using wet methods. 13. Only use cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction. 14. Provide and maintain an adequate water supply on the Project Site for effective dust/particulate matter suppression/mitigation, using non-potable water where possible and appropriate. 15. Use enclosed chutes and conveyors and covered skips where possible and appropriate. 16. Minimise drop heights from conveyors, loading shovels, hoppers and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate. 17. Vehicles entering and leaving the Project Site would be covered to prevent escape of materials during transport. 18. Haul routes would be inspected for integrity and, where required, instigate necessary repairs to the surface as soon as reasonably practicable. 19. All vehicles transporting gypsum on public roads would have covered loads. 20. The gypsum would be unloaded and stored within an enclosed shed. The shed was originally constructed for the storage of spent pot lining and therefore designed to minimise dust leaving the shed. 21. A small daily quantity would be stockpiled at the gypsum application station. Where required due to weather conditions (such as wind) the amount would be reduced and more regularly transported from the stockpile within the shed. 22. The Capped Waste Stockpile material is expected to have some inherent moisture. If required due to climatic conditions the material (including the placed gypsum) 	<p>recently. Investigation found that a water cart had been in operation on roads, with no visible dust emissions. Some residential chimneys were in use nearby. No other obvious sources. Wind was from SW. Advised resident and status was Closed.</p> <ol style="list-style-type: none"> 10. No incidents have occurred. 11. Weekly inspections undertaken e.g. Report dated 1 November 2021. 12. Site fencing and barriers maintained as per photos. 13. As per Table 3-2: Air Quality Management Measures: Cutting, grinding or sawing equipment will be used with fitted or suitable dust suppression techniques such as water sprays or local extraction where reasonably practical, during activities. No activities were sighted during inspection. 14. Provide and maintain an adequate water supply on the site for effective dust/particulate matter suppression/mitigation. Water sources for dust suppression are: <ul style="list-style-type: none"> • Use of water from the Smelter water management system. • Potable water supply, prior to and during activities. Refer to photos. 15. Use enclosed chutes and conveyors and covered skips where possible and appropriate, during activities. Not yet occurring onsite. 16. Minimise drop heights from loading or handling equipment and use fine water sprays on equipment during dusty conditions, during activities. No activities noted during site inspection due to rain. 17. Vehicles entering and leaving the Smelter and travelling on public roads with potentially dust generating loads will be covered to prevent escape of materials during transport. Transportation not yet occurring. 18. Haul routes will be inspected for integrity and, where required, instigate necessary repairs to the surface as soon as reasonably practicable. Weekly and monthly inspection reports e.g. 25 November 2021. 19. All vehicles transporting gypsum on public roads will have covered loads, during remediation activities as per AQMP. Gypsum is currently retained on site and was not being transported during the site inspection. 		

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			<p>would be subjected to mist spraying to suppress dust generation.</p> <p>23. Load levels would not exceed the height of the truck, reducing the material's potential wind and draft exposure.</p> <p>24. Mist spraying facilities would be available at the Containment Cell if required due to climatic conditions to suppress dust generation.</p>	<p>20. The gypsum will be unloaded and stored within the specified enclosed shed, during remediation activities. Sighted shed containing gypsum, transported by Regain Australia Pty Ltd.</p> <p>21. A small daily quantity will be stockpiled at the gypsum application station. Where required due to weather conditions (such as wind) the amount would be reduced and more regularly transported from the stockpile within the shed, during remediation activities. Stockpiling of gypsum not yet triggered. Shed storage as per photos.</p> <p>22. Capped Waste Stockpile (CWS) materials (including the placed gypsum) are to be subjected to mist spraying to suppress dust generation if required due to climatic conditions, during remediation activities. Removal of CWS materials not yet occurring.</p> <p>23. Load levels will not exceed the height of the truck, reducing the material's potential wind and draft exposure, during remediation activities. Waste relocation has not commenced.</p> <p>24. Mist spraying facilities are to be available at the Containment Cell if required due to climatic conditions to suppress dust generation, during remediation activities. No dust was noted during the site inspection due to rain.</p>		
4.10	APPX	3	<p>Noise and Vibration</p> <p>1. Truck drivers are to be informed of site access routes, acceptable delivery hours and must minimise extended periods of engine idling.</p> <p>2. Demolition vehicles and machinery would be selected with consideration of noise emissions. Where possible the sound power level of equipment and plant would comply with the sound power levels listed in the Noise and Vibration Impact Assessment in Appendix 7 or it should be replaced with less noise intensive equipment.</p> <p>3. Activities that would generate an audible noise at sensitive receivers would be limited to occur between 7:00 am to 6:00 pm Mondays to Fridays and 7:00 am to 1:00 pm on Saturdays.</p> <p>4. Activities outside these standard hours would be undertaken with the equipment restrictions described in</p>	<p>Review of the Noise and Vibration Management Plan Rev 0, ref 318000533, 23 December 2020 as evidence of compliance for this condition. Table 3-2 Noise Mitigation Measures includes the following:</p> <p>1. Truck drivers are to be informed of site access routes, acceptable delivery hours and must minimise extended periods of engine idling, prior to and during activities. Verified as per WHS & Enviro Induction presentation – Vehicle Site Access Requirements (Slide 22).</p> <p>2. Undertake a review of vehicles and machinery so that plant are selected with consideration of noise emissions. Contractors and machinery suppliers are to consider the sound power level of equipment and plant listed in Appendix 2 and provide comparable equipment and machinery. This is relevant to the demolition stage of the development and does not apply to this audit (remediation).</p>		Compliant

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			<p>the Noise and Vibration Impact Assessment in Appendix 7.</p> <ol style="list-style-type: none"> 5. Machines found to produce excessive noise compared to typical noise levels should be removed and replaced, or repaired or modified prior to recommencing works. 6. Where possible construction vehicles and machinery would be turned off or throttled down when not in use. 7. Equipment would be inspected and maintained in accordance with manufacturer's requirements. 8. Use less noise-intensive equipment where reasonable and feasible. 9. Construction equipment with the most effective mufflers, enclosures and low-noise tool bits and blades must be procured and utilised where practicable for the Project. 10. Where possible mains power should be utilised for temporary traffic signals / work area lighting. Where this is not feasible silenced generator sets are to be used instead. 11. Avoid unnecessary revving of engines and turn off plant that is not being used / required where practicable. 12. Use only non-tonal reverse alarms (broadband alternatives are needed). Where possible organise the site so that delivery trucks and haulage trucks only drive forward to avoid the use of reversing alarms. 13. Where practical fixed plant should be positioned as far away as possible from sensitive receivers. 14. Upon receiving a noise complaint regarding demolition activities, the following steps would be undertaken: <ul style="list-style-type: none"> - The person nominated in the Stakeholder Engagement Plan would investigate the source of the complaint. The aim would be to initiate an investigation no later than two hours after the complaint has been made (dependent on the nature of the complaint). - Where practicable a visit would be made to the complainant to verify the nature of the complaint. - Where justified, appropriate action would be taken to amend the activity causing the complaint. 	<ol style="list-style-type: none"> 3. Section 2.3 and Table 3-2: Activities that will generate an audible noise at sensitive receivers will be undertaken between the hours of 7:00 am to 6:00 pm Mondays to Fridays and 7:00 am to 1:00 pm on Saturdays. 4. Section 2.3, Table 3-2: If activities are to be undertaken outside of the standard activity hours, concurrently operating machinery are to be consistent with those described in Appendix 1. 5. Machines found to produce excessive noise compared to typical noise levels will be removed and replaced, or repaired or modified prior to recommencing works, during activities. 6. Where practicable vehicles and machinery will be turned off or throttled down when not in use, prior to and during activities. 7. Equipment will be inspected and maintained in accordance with manufacturer's requirements, prior to and during activities. Equipment included in weekly inspection reports. 8. Vehicles and machinery will be selected with consideration of noise emissions. 9. Equipment with effective mufflers, enclosures and low-noise tool bits and blades must be procured and utilised, where practicable, prior to and during activities. 10. If required mains power will be utilised for temporary traffic signals / work area lighting where possible. Where this is not feasible silenced generator sets are to be used instead, prior to and during activities. Sighted generators onsite. 11. Where practicable vehicles and machinery will be turned off or throttled down when not in use, prior to and during activities. Sighted stationary vehicles onsite. 12. Site inspection required travel by vehicle in which non-total reverse alarm was activated. 13. No fixed plant onsite. 14. No noise complaints have been received to date. This requirement is related to demolition activities therefore is not relevant to this stage of the development (remediation). 		

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			<ul style="list-style-type: none"> - Where three or more substantiated complaints of a similar nature are received (from at least two complainants), the work element must be reviewed in order to consider whether the work methods can be changed or if additional mitigation methods can be employed in order to prevent or reduce the likelihood of further complaints being made. - Attended monitoring should also be undertaken in response to substantiated complaints in order to validate and assess the source(s) giving rise to complaint(s). - Attended monitoring would be undertaken every three months to assess compliance with the relevant noise limits. 			
4.11	APPX	3	<p>Soil and Water</p> <ol style="list-style-type: none"> 1. Erosion and sediment controls would be inspected and maintained as required on a weekly basis and after a rain event. 2. The surface water drainage system would be inspected and maintained as required on a monthly basis. 3. Vehicles exiting the Project Site onto public roads would be inspected for mud and dirt. If required vehicles would be manually cleaned prior to exiting the Smelter. 4. Vehicle refuelling would be undertaken using mobile refuelling vehicles equipped with spill containment equipment and a spill kit. 5. All chemicals on-site would be stored in accordance with the applicable Safety Data Sheet. 6. An appropriate spill kit is to be on-site at all times and any spillage is to be immediately cleaned up. In the event of a large or hazardous spill, the fire brigade, police, ambulance and OEH would be contacted as required. 7. The bulk gypsum would be unloaded and stored within an enclosed shed and protected from rainfall, and therefore avoiding the potential for erosion. The shed was originally constructed for the storage of spent pot lining and therefore designed to protect the stored material from water. 	<p>The Soil and Water Management Plan (SWMP) Rev 0 ref 318000533, 23 December 2020, as evidence of compliance for this condition. The SWMP includes Table 3-2: Soil and Water Management Measures:</p> <ol style="list-style-type: none"> 1. Erosion and sediment controls will be inspected on a weekly basis and after a rain event (greater than 5mm in any one period up to 24 hours in duration), during activities, fortnightly and after a rain event. Verified as per Weekly Inspection reports e.g. 22 March 2021 post rain event, and Daracon Environmental Inspection Report 29 July 2021 including ERSED controls. 2. The surface water drainage system will be inspected on a monthly basis, during activities and as required. Monitoring results presented for 2021. Surface Water Monitoring conducted (monthly), Sampling (fluoride and gas). Evidence presented as the Site Water Monitoring data from January to November 2021. The current (live) Surface Water register also presented. 3. Vehicles exiting the Smelter site will not track mud or dirt onto public roads. Undertake inspection of vehicles exiting the site to ensure that vehicles are free of mud and dirt. Vehicles that do not meet this requirement will need to be manually cleaned, during activities. In the event that mud or dirt has been trucked onto public roads, appropriate action (based on the quantity of material) is to be taken to remove the deposited material, as 		Compliant

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			<ol style="list-style-type: none"> 8. A small daily quantity would be stockpiled at the gypsum application station within a bunded area. The material would be returned to the storage shed in the event of rain. 9. The gypsum application station would be cleaned on a weekly basis. Cleaned material would be placed within a loaded truck for disposal within the Containment Cell. 10. In the event that gypsum does get washed away by stormwater, the water would be collected within the Smelter water management system prior to reuse for dust control or discharged in accordance with the EPL. 11. The TWTP will be constructed inside a bund designed to contain any spillage/leaks if they are to occur. 12. The Containment Cell Leachate Pond transfer pipe would be inspected on a weekly basis. 13. And damage observed during the inspection would be immediately repaired. 14. Treated leachate will be tested against the target values in Table 2 3 prior to discharge. 15. Treated leachate will not be discharged if an exceedance of any of the criteria occurred. 16. In the event that the two storage dams are at capacity and the four tanks in the TWTP are also full, leachate water will be pumped back into the Containment Cell. 	<p>required. No mud tracking sighted during inspection. Refer to photos.</p> <ol style="list-style-type: none"> 4. Vehicle refuelling will be undertaken using mobile refuelling vehicles equipped with spill containment equipment and a spill kit, during activities. Confirmed as per Weekly Inspection reports e.g. 11 November 2021. 5. All chemicals and fuels on site will be stored in accordance with the applicable Safety Data Sheet, during activities. No chemicals currently stored onsite. 6. An appropriate spill kit is to be on site at all times and any spillage is to be immediately cleaned up. In the event of a large or hazardous spill, the fire brigade, police, ambulance and EPA will be contacted as appropriate, in accordance with Emergency Services Cooperation Agreement, during activities. Spill kit sighted during inspection as per photos. 7. Stored and temporarily stockpiled gypsum will be managed to minimise the potential for runoff. The gypsum will be unloaded and stored within the specified enclosed shed, during remediation. Refer to photos. 8. A small daily quantity will be stockpiled at the gypsum application station within a bunded area. The material will be returned to the storage shed at the end of the day and in the event of rain, during remediation. This is not yet triggered. 9. The gypsum application station will be cleaned on a weekly basis. Cleaned material will be placed within a loaded truck for disposal within the Containment Cell, during remediation. Containment Cell currently under construction. This is not yet triggered. 10. In the event gypsum enters the stormwater system, the water will be collected within the Smelter water management system prior to reuse for dust control or discharged in accordance with the EPL, during remediation. Has not occurred. 11. The TWTP is being constructed as per design. Refer to photos. 12. The Containment Cell Leachate Pond has been constructed with the Containment Cell and transfer pipe are still under construction. 13. The transfer pipe is still under construction. 		

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				<p>14. The Containment Cell is still under construction – sighted Leachate Management Plan Rev 0, ref 318000533, 23 December 2020.</p> <p>15. The Containment Cell is still under construction – sighted Leachate Management Plan Rev 0, ref 318000533, 23 December 2020.</p> <p>16. The Containment Cell is still under construction – sighted Leachate Management Plan Rev 0, ref 318000533, 23 December 2020.</p>		
4.12	APPX	3	<p>Traffic and Access</p> <ol style="list-style-type: none"> 1. The promotion of carpooling for construction demolition staff and other shared transport initiatives. 2. Management of the transportation of demolition materials/waste to maximise vehicle loads to therefore minimise vehicle movements. 3. Regular consultation with the Kurri Kurri Speedway and the Kurri Kurri Junior Motorcycle Club would be undertaken to understand their planned activities and to advise of the proposed Project program. 4. The initial internal access restrictions and alternative access routes would be altered as required to reflect the progression of the Works. 5. A speed limit of 20km/hr would be imposed on internal roads. 	<p>Review of the Traffic Management Plan (TMP) Rev 0 ref AS130415, 23 December 2020 as evidence of compliance for this condition.</p> <ol style="list-style-type: none"> 1. Carpooling promotion was identified as per Energy Efficiency Plan, Rev 0 ref 318000533, 23 December 2020 – Table 3-2. Also included in WHS & Enviro Induction presentation – Vehicle Site Access Requirements (Slide 22) 2. Table 3-2 of the TMP: Management of the transportation of demolition and other materials to and from the Smelter will be undertaken to maximise vehicle loads to therefore minimise vehicle movements. Vehicles are to be loaded to their maximum permitted capacity, with consideration to safety and environmental considerations (avoidance of materials spilling/falling from vehicle on public roads). Transportation of waste materials is not triggered. 3. Table 3-2: Consultation with the Kurri Kurri Speedway and the Kurri Kurri Junior Motorcycle Club will be undertaken by the Environmental Officer to understand their planned activities and to advise of activities that could impact on events at the facilities. In the event that out of standard hours heavy vehicle movements are proposed when events at the Speedway and/or Motorcycle Club are held (weekends) Hydro would notify in writing the Speedway and Motorcycle Club operators one week prior to proposed activities. The Speedway and Motorcycle Club operators would be requested to advise of upcoming events. Hydro would advise writing of any activities that could impact on access to the facilities two weeks prior to activities. Sighted Remediation Project Approval email communication on 27 January 2021 to Community Group including the Kurri Kurri 		Compliant

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				<p>Speedway which included letter about the approval and remediation and project Fact Sheet.</p> <p>4. Figure 2-1 Haulage Traffic Routes: Access is presented in site induction and provided to relevant personnel / truck operators not subject to induction. Sighted WHS & Enviro Induction presentation – Vehicle Site Access Requirements (Slide 22). No alteration of routes required.</p> <p>5. A speed limit has been implemented as 12km at Hydro front gate, 20km onsite as evidenced in photo daily pre-shift brief and information board onsite. Refer to photos.</p>		
4.13	APPX	3	<p>Aboriginal Heritage</p> <p>Where possible, avoid the need to stockpile material in the area of high archaeological sensitivity. In the event that stockpiling in this area is required, geo-matting would be placed on the surface of the area prior to stockpiling.</p> <p>An unexpected finds procedure would be implemented in the event that a potential Aboriginal site was identified during the Works. This procedure would include:</p> <ol style="list-style-type: none"> 1) All works would cease immediately in the area to prevent any further impacts to the site. 2) Notify the Works' Environment Officer. 3) Engage a suitably qualified archaeologist and RAP representative to determine the nature, extent and significance of the Aboriginal site and provide appropriate management advice. Management action(s) would vary according to the type of evidence identified, its significance (both scientific and cultural) and the nature of potential impacts. <p>Prepare and submit an AHIMS site card for the Aboriginal site. A standard procedure would be implemented for the management of any potential human skeletal remains identified throughout the Works. This procedure would include:</p>	<p>No stockpiling located near archaeological sensitive areas. Verified during site inspection.</p> <p>The Aboriginal Heritage Management Plan Rev 0, ref 318000533 dated 23 December 2020 was reviewed as evidence of compliance for this condition. One Aboriginal archaeological site (an isolated stone artefact, Hydro-IA35-15) had been identified. An area of high archaeological sensitivity was located within the northern section of the proposed Containment Cell material stockpile area (as sighted Figure 2-1) which has been registered on the Aboriginal Heritage information System (AHIMS) as "Hydro PAD 1" with a Site ID of 17-6-3872. Section 2.2 identifies a potential Impact as follows: in the event this area was used for stockpiling materials, physical impacts to the integrity of natural soil profiles within this area could occur as a result of sediment deposition and removal activities (including associated heavy vehicle movements). This could in turn impact on Aboriginal archaeological relics present in this area.</p> <p>Section 4 Finds Procedure states that an Unexpected Finds Procedure (4.2) will be implemented which includes:</p> <ol style="list-style-type: none"> 1) All works would cease immediately in the area to prevent any further impacts to the site. 2) Notify the Hydro Environment Officer. 3) Engage a suitably qualified archaeologist and RAP representative to determine the nature, extent and significance of the Aboriginal site and provide appropriate management advice. Management action(s) would vary according to the type 		Compliant

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			<p>1) All work in the vicinity of the remains should cease immediately.</p> <p>2) The location should be cordoned off and the appropriate authorities notified.</p> <p>3) A physical or forensic anthropologist should be commissioned to inspect the remains in situ and make a determination of ancestry (Aboriginal or non-Aboriginal) and antiquity (pre-contact, historic or modern).</p> <p>Following completion of task three, the applicable action/s listed below would be implemented:</p> <ul style="list-style-type: none"> - If the remains are identified as non-human, work can recommence immediately. - If the remains are identified as modern and human, the area would become a crime scene under the jurisdiction of the NSW Police. - If the remains are identified as pre-contact or historic Aboriginal, the site would be secured and OEH and all RAPs notified in writing. <p>Where impacts to exposed Aboriginal skeletal remains cannot be avoided, remains would be retrieved via controlled archaeological excavation and reburied outside of the Disturbance Boundary in a manner and location determined by RAPs.</p> <p>If the remains are identified as historic non-Aboriginal, the site would be secured and the NSW Heritage Branch contacted.</p>	<p>of evidence identified, its significance (both scientific and cultural) and the nature of potential impacts.</p> <p>4) Prepare and submit an AHIMS site card for the Aboriginal site.</p> <p>It is noted that the stone artefact has now been removed and relocated to Mindaribba Local Aboriginal Land Council as per AIHMS sighted, dated 27 April 2021.</p> <p>Section 4 Finds Procedure states that a Skeletal Remains Finds Procedure (4.1) will be implemented which includes:</p> <ol style="list-style-type: none"> 1) All work in the vicinity of the remains will cease immediately. 2) The location will be cordoned off and the NSW Police notified. 3) A physical or forensic anthropologist should be commissioned to inspect the remains in situ and make a determination of ancestry (Aboriginal or non-Aboriginal) and antiquity (pre-contact, historic or modern). <p>Following completion of task three, the applicable action/s listed below will be implemented:</p> <ul style="list-style-type: none"> • If the remains are identified as non-human, work can recommence immediately. • If the remains are identified as modern and human, the area will become a crime scene under the jurisdiction of the NSW Police. • If the remains are identified as pre-contact or historic Aboriginal, the site will be secured and OEH and all RAPs notified in writing. Where impacts to exposed Aboriginal skeletal remains cannot be avoided, remains will be retrieved via controlled archaeological excavation and reburied outside of the Disturbance Boundary in a manner and location determined by RAPs. • If the remains are identified as historic non-Aboriginal, the site will be secured, and the OEH contacted. <p>No skeletal remains have been found to date.</p>		

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4.14	APPX	3	<p>Non-Indigenous Heritage</p> <p>In the event that a potential heritage item is unearthed during construction works would cease and the Office of Environment and Heritage would be notified.</p> <p>Photographs and drawings (from construction, operation and demolition) of the Smelter would be made available to interested historical societies or community groups.</p> <p>Hydro would work with the community on how to recognise the history of the Smelter.</p>	No Non-Indigenous finds to date.		Not Triggered
4.15	APPX	3	<p>Biodiversity</p> <p>To minimise the potential for the spreading of weeds hygiene protocols, including vehicle wash-downs, would be implemented for machinery used in vegetation clearance.</p> <p>Appropriate shallow rooted native grass species would be used in the vegetation cover for the Containment Cell.</p> <p>Appropriate hybrid grass species (that cannot become weed issues in adjoining native vegetation) would be used in stabilising surfaces following completion of the Works.</p>	<p>Vegetation clearance has been completed and was noted as verified during this audit.</p> <p>Wheel washes will be installed once vehicles are mobile on and off-site.</p> <p>The Containment Cell is still under construction.</p>		Not Triggered
4.16			<p>Visual</p> <p>In recognition of the likely community interest in the demolition of the stacks, Hydro would consider establishing viewing areas, including suitable parking and traffic control.</p> <p>Mobile lighting installed on the TWTP would be consistent with AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting and would be mounted, screened and directed in such a manner that it</p>	<p>Demolition of the stacks has already occurred and is not relevant to this audit.</p> <p>The TWTP is still under construction. Mobile lighting is not yet triggered.</p>		Not Triggered

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			does not create a nuisance to surrounding properties or the public road network.			
4.17	APPX	3	Energy Efficiency/Greenhouse Gas <ol style="list-style-type: none"> 1. Implementation of the measures described in Section 8.5.4 and Section 8.8.1 of the EIS to minimise the exposure of the waste material to moisture during the stockpiling, transport and placement activities (to reduce the potential for generation of methane emissions). 2. Use light emitting diode (LED) lighting in offices, contractor compounds and temporary site lighting. 3. Energy efficient inverter split system units would be installed in contractor compounds where practical and timers set so that air conditioning systems are switched off after hours. 4. Personnel would be instructed to turn off lights and office equipment when these are not in use such as before and after the working day. 5. Modern and fuel efficient vehicles and machinery would be used during the Works wherever possible. All vehicles would be maintained in accordance with manufacturer's requirements to maintain efficiency. 6. The potential for use of biodiesel blend fuels in its vehicles and machinery would be investigated. 7. Personnel would be encouraged during the site induction to travel to and from the Smelter by carpooling. 	<p>The Energy Efficiency Plan Rev 0, ref 318000533, 23 December 2020 was reviewed as evidence of compliance for this condition. Table 3-2 Energy Efficiency Management Measures includes the following:</p> <ol style="list-style-type: none"> 1. Minimise the exposure of the waste material to moisture during the stockpiling, transport and placement activities to reduce the potential for generation of methane emissions. Implementation of the measures described in the Soil and Water Management Plan (Rev 0, ref 318000533, 23 December 2020) 2. Applicable when in operation. Currently not triggered. 3. Energy efficient inverter split system units will be installed in contractor compounds where practical and timers set so that air conditioning systems are switched off after hours, prior to and during activities. 4. Personnel will be instructed to turn off lights and office equipment when these are not in use such as before and after the working day, prior to and during activities. 5. Modern and fuel efficient vehicles and machinery will be used during the Works wherever possible. Equipment will be inspected and maintained in accordance with manufacturer's requirements, prior to and during activities. 6. The potential for use of biodiesel blend fuels in its vehicles and machinery will be investigated, prior to and during activities. 7. Personnel will be encouraged during the site induction to travel to and from the Smelter by carpooling, prior to and during activities + RWEMP Section 3.32 Inductions and Training. 		Compliant
4.18	APPX	3	Waste <ol style="list-style-type: none"> 1. Promotion of efficient resource use, waste avoidance and waste minimisation. 2. Compounds and the stockpile area would be maintained in an organised condition, with waste materials to be transported to and stockpiled in the designated storage area. 	<ol style="list-style-type: none"> 1. Daracon's induction presentation slides – Hydro Aluminium Remediation Works – WHS & Enviro which includes Environmental Considerations (Slide 31). 2. Verified during onsite inspection. Refer to photos of stockpiles. 3. Waste stored appropriately onsite. Refer to photos. 4. Materials are not yet being removed. This is not triggered. 5. Verified during onsite inspection. Refer to photos. 		Compliant

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			<ol style="list-style-type: none"> 3. Wastes would be managed to minimise the potential for windblown wastes spreading within or beyond the Project Site, including into watercourses. 4. Implementation of the materials tracking system described in Section 8.5.5, Section 8.6 and Section 8.7.6 of the EIS. 5. Where possible recyclable wastes generated at the contractor's compound (paper, cans and bottles) would be collected by a recycling contractor. Remaining wastes would be collected for disposal at a licensed waste management facility. 6. Trucks transporting recyclable demolition materials from the Project site on public roads would be covered. 7. Waste removal contractors transporting material from the Project Site would be required to provide dockets to confirm that waste was transported to a licensed waste management facility. 8. The environmental controls and containment measures placed on waste stockpiles would be inspected and maintained as required on a weekly basis and after rain and strong wind events. 9. Spent media (GAC, IX resin, zeolite, sand) wastes would be disposed of within the Containment Cell once used/saturated. If they cannot be disposed of within the Containment Cell (such as being generated following the capping of the Containment Cell) they would be sampled and analysed as per the Environmental Protection Authority Waste Classification Guidelines, then disposed of at a facility licenced to accept them. 10. Sludge would be pumped to a geotube for de watering then disposed of within the Containment Cell. If it cannot be disposed of within the Containment Cell, sludge would be sampled and analysed as per the Environmental Protection Authority Waste Classification 11. Guidelines and disposed of at a facility licenced to accept it. 12. Consumables (IBC, Carboys, containers) would generally be returned to the supplier for reuse. Where this is not possible, they will be recycled. 	<ol style="list-style-type: none"> 6. No transportation of demolition materials occurring during this audit. 7. No transportation of materials occurring during this audit. 8. Stockpiles are monitored during Weekly Inspection as per records presented e.g. 1 November 2021. 9. Not yet triggered. Containment Cell is still under construction. 10. Not yet triggered. Containment Cell is still under construction. 11. Not yet triggered. No waste is being transported off-site during this audit period. 12. Not yet triggered. No waste is being transported off-site during this audit period. 		

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
4.19	APPX	3	<p>Human Health</p> <p>Appropriate personal protective equipment would be provided to workers who are undertaking activities in or near the Capped Waste Stockpile. The equipment would remove exposure pathways relating to dermal exposure, incidental ingestion and inhalation.</p> <p>This would include:</p> <ul style="list-style-type: none"> - Waterproof boots, pants and long sleeved shirt as a minimum. Face shields would be required for personnel working in close proximity to exposed groundwater (when in locations and situations where splashing could result in incidental ingestion of groundwater and/or eye and skin contact). - Appropriate masks would be required to prevent dust (including asbestos) inhalation. - A respirator appropriate for ammonia, methane, hydrogen, hydrogen cyanide and hydrogen sulfide (available and ready to be used for all workers at the Capped Waste Stockpile). <p>Real-time ambient air monitoring would be undertaken at several locations around the Capped Waste Stockpile when waste from the Capped Waste Stockpile is exposed. At a minimum, the ambient air would be monitored for concentrations of ammonia and hydrogen cyanide gases, and airborne asbestos fibres.</p> <p>Real-time ambient air monitoring would be undertaken inside machinery housings, and workers within these housings would also have appropriate respirators available.</p> <p>Personnel involved in the handling of the gypsum would be required to wear the applicable personal protective equipment.</p>	<p>Specific PPE is identified in the Asbestos Management Procedure Rev 2, May 2020 which forms as part of the WHS Management Plan Rev 12, 23 December 2020 (Appx L of the RWEMP). The procedure includes coveralls, boots/boot covers, gloves, respiratory protective equipment (RPE) as per Section 6.11 PPE and RPE Requirements.</p> <p>Daracon’s 1640 Induction and Training Register was presented during the audit. All workers have undertaken the Project Induction (Green, Y) as sighted. Induction presentation slides also sighted – Hydro Aluminium Remediation Works – WHS & Enviro which includes PPE requirements (Slide 26).</p> <p>The Asbestos Management Plan Section 6.11.5 Plant Operators states “As plant operators will remain within their cabin (fitted with HEPA filters) with all doors and windows closed they are not required to wear asbestos PPE whilst in their machine. Whilst walking between the decontamination unit and their machine plant operators will be required to wear the following PPE;</p> <ul style="list-style-type: none"> • P2 respirator • Boot covers” <p>Section 7 Decontamination details the process for all personnel exiting the asbestos work area and all plant and equipment used in the asbestos work area.</p> <p>It is noted that removal of waste / contaminated material has not occurred from the Capped Waste Stockpile into the Containment Cell. Monitoring is therefore not triggered during this audit period.</p>		Compliant

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
	APPX	3	CONTAINMENT CELL MANAGEMENT			
4.20	APPX	3	<p>Visual</p> <p>The Containment Cell vegetation cover would be maintained (as described in Section 9.1.2 of the EIS).</p>	Containment Cell is still under construction. Vegetation cover is not yet triggered.		Not Triggered
4.21	APPX	3	<p>Air Quality</p> <p>As discussed in Section 9.1.1.3 of the EIS gas monitoring would be completed from the gas monitoring vents on a quarterly basis, until results indicate that gas generation is not an issue. Gas monitoring would be completed for ammonia and methane.</p> <p>In the event that gas concentration trigger levels outlined in the OEMP are exceeded, appropriate contingency responses would be implemented.</p>	Gas vent is yet to be installed. Monitoring is not yet triggered.		Not Triggered
5	APPX	4	INCIDENT NOTIFICATION AND REPORTING	REQUIREMENTS		
	APPX	4	WRITTEN INCIDENT NOTIFICATION REQUIREMENTS			
5.1	APPX	4.1.	A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under Condition C7 or, having given such notification, subsequently forms the view that an incident has not occurred.	No incidents have occurred. This is not yet triggered.		Not Triggered
5.2	APPX	4.2.	<p>Written notification of an incident must:</p> <p>a. identify the development and application number;</p>	No incidents have occurred. This is not yet triggered.		Not Triggered

Audit Descriptors Compliance Codes: Compliant; Non-Compliant; Not Triggered

ID No.	SSD Part	Req. No.	SSD Requirement	Audit Evidence	Audit Findings / Recommendations	Compliance Rating
			<ul style="list-style-type: none"> b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); c. identify how the incident was detected; d. identify when the applicant became aware of the incident; e. identify any actual or potential non-compliance with conditions of consent; f. describe what immediate steps were taken in relation to the incident; g. identify further action(s) that will be taken in relation to the incident; and h. identify a project contact for further communication regarding the incident. 			
	APPX	4	INCIDENT REPORT REQUIREMENTS			
5.3	APPX	4.3.	<p>Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.</p>	<p>No incidents have occurred. This is not yet triggered.</p>		<p>Not Triggered</p>
5.4	APPX	4.4.	<p>The Incident Report must include:</p> <ul style="list-style-type: none"> a. summary of the incident; b. outcomes of an incident investigation, including identification of the cause of the incident; c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and d. details of any communication with other stakeholders regarding the incident. 	<p>No incidents have occurred. This is not yet triggered.</p>		<p>Not Triggered</p>

Appendix E. Audit Photos



Photo 1 – Project Sign board located at main entrance



Photo 2 – Main entrance to site with speed limit of 12km per hour

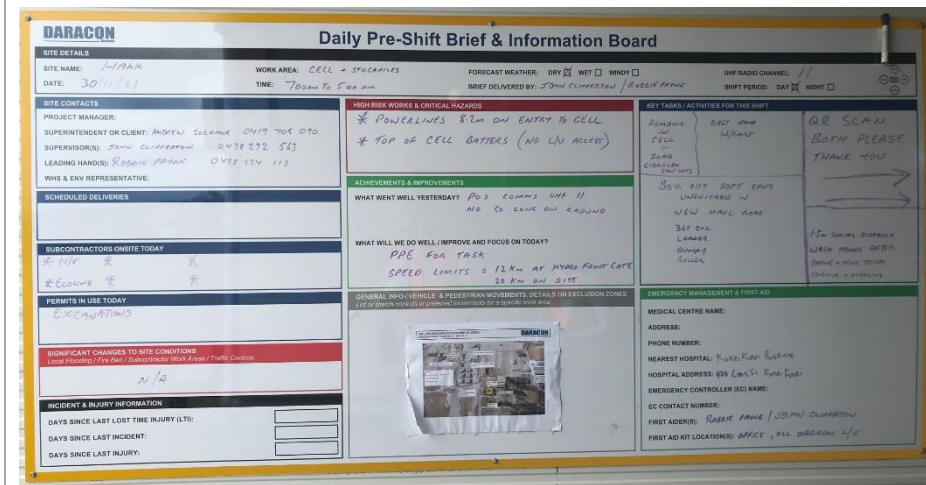


Photo 3 – Daily pre-start board. Includes speed of 20km per hour on roads



Photo 4 – Vehicle Movement Plan (VMP) Site map



Photo 5 – Watercourse alongside site boundary with gabion wall



Photo 6 – Fencing alongside the eastern boundary of the former Smelter Site.



Photo 7 – Fencing at Capped Waste Stockpile



Photo 8 – Project Boundary Fencing with silt fence at the Containment Cell.



Photo 9 – Shed haul route



Photo 10 – Shed haul route



Photo 11 – Containment Shed area. Sheds 5, 6 and 9 contain Spent Potlining (SPL).



Photo 12 – Shed 6 stored with sediment from West Surge pond



Photo 13 – Shed 10 stored with Gypsum



Photo 14 – Interior of waste containment shed



Photo 15 – Waste materials stored in existing onsite shed



Photo 16 – Waste materials stored in existing onsite shed



Photo 17 – Existing shed used for non-contaminated process waste storage



Photo 18 – Temporary Water Treatment Plant (TWTP) - construction of the bunding commenced.



Photo 19 – Leachate Pond lined and operating, adjacent to TWTP to be used for collecting leachate from the Capped Waste Stockpile.



Photo 20 – View from Capped Waste Stockpile



Photo 21 – Stockpile with Erosion and Sediment Controls



Photo 22 – Stockpile of crushed concrete with Erosion and Sediment Controls



Photo 23 – Stockpile of Recyclable Concrete will be crushed and reused



Photo 24 – Stockpile of imported sand for the leak detection layer in the Containment Cell with Erosion and Sediment Controls and work boundary flagging.



Photo 25 – Newly constructed Sediment Basin at ECC with depth marker and safety ring.



Photo 25 – Newly constructed Sediment Basin at ECC with depth marker and safety ring.



Photo 27 – Water Cart in operation near the East Surge Pond



Photo 28 – Spill kit and pump generator at the East Surge Pond



Photo 29 – Containment Cell with geosynthetic lining looking south



Photo 30 – Containment Cell with geosynthetic lining - northern batter



Photo 31 – Containment Cell looking towards the southern batter



Photo 32 – Containment Cell – northern sump and northern batter



Photo 33 – Containment Cell testing marks



Photo 34 – Containment Cell testing marks



Photo 35 – Leachate Pond adjacent to Containment Cell



Photo 36 – Perimeter Road surrounding Containment Cell



Photo 37 – Containment Cell - Erosion and sediment controls in place – Culvert 04 at the northeast ramp into the cell



Photo 38 – Spill kit and fire extinguisher placed near the pump and generator at the former smelter West Surge Pond which was undergoing remediation.



Photo 39 – Remediation of the former smelter West Surge pond was ongoing.



Photo 40 – Irrigation Area with sprinkler system



Photo 41 – Dust Gauge located near Speedway (DDG1) – fenced and with hard case to protect from vandalism.



Photo 42 – Ample parking at main entrance



Photo 43 – Parking at the Daracon compound and water tank located onsite



Photo 44 – Hart Road – no mud tracking or dust



Photo 45 – Hart Road – no mud tracking or dust



Photo 46 – Onsite road – no mud tracking or dust

Closed out issues – 2 December 2021



Photo 1A: Recommendation to maintain pit drains and use coir logs in place of sandbags



Photo 1B: Pit drain cleaned and coir logs established. CLOSED.



Photo 2A: Recommendation to reduce height of mulch pile



Photo 2B: Mulch pile reduced to 1.5 metres. CLOSED



Additional coir logs have been put in place.



Panoramic view of the Engineered Containment Cell – looking north.

Appendix F. Consultation Records

Department of Planning, Industry & Environment (DPIE) consultation:

Tungol, Annabelle

From: Cacdac, Joseph
Sent: Friday, 6 August 2021 7:15 PM
To: Tungol, Annabelle
Subject: Fwd: Initial Independent Audit - Warringah Freeway Upgrade

FYI

Please reply on behalf of the audit team.

Regards,

Joseph
Get [Outlook for iOS](#)

From: Alex McGuirk <Alex.McGuirk@dpi.e.nsw.gov.au>
Sent: Friday, August 6, 2021 7:06 pm
To: Cacdac, Joseph
Subject: RE: Initial Independent Audit - Warringah Freeway Upgrade

Hi Joseph,

Thank you for consulting with the Department of Planning, Industry and Environment (Department) on the scope of the audit for the Warringah Freeway Upgrade (SSI-8863; the Approval). Please be advised that consultation commences only after the Department has agreed in writing to the proposed independent auditor(s) as required by Condition A37 of the Approval, and is submitted to the Department at compliance@planning.nsw.gov.au.

Please ensure the audit is conducted in accordance with Condition A38 of the Approval, which requires the audit to be carried out in accordance with the Independent Audit Post Approval Requirements (May, 2020; PARs). I understand that due to COVID-19 restrictions currently in force, a desktop audit will be carried out on 10-11 August 2021. Should the current COVID-19 restrictions change within two months of this date, the Department requests that a physical site inspection be carried out and documented in the independent audit report as an addendum.

Should the auditor not be able to conduct the site inspection component of the audit within two months of this date then please contact the Department within seven days following the two month period to discuss a revised updated timeframe.

In relation to sections 3.3, 3.6 and 4.2 of the PARs, please ensure that the scope of the desktop audit, and any subsequent physical site inspection, is clearly documented including "If the auditor considers restricted access has limited their ability to adequately undertake the audit as scoped, it must be noted in the Independent Audit Report. Recommendations to overcome the restricted access (where feasible) must be proposed for subsequent independent audits".

Please ensure that careful consideration is given to those conditions related to:

- Community information and reporting;
- Management of the Rosalyn Street and Cammeray Golf Course early works sites with respect to management of any contaminated material identified during these works;
- Noise and vibration; and
- Construction traffic and transport.

DPIE consultation:

Pater, Barbara

From: Heidi Watters <Heidi.Watters@Planning.nsw.gov.au>
Sent: Tuesday, 30 November 2021 10:36 AM
To: Pater, Barbara
Cc: Sheelagh Laguna; Matthew.King@hydro.com; Tungol, Annabelle
Subject: RE: Hydro Aluminium Kurri Kurri - Independent Environmental Audit

Follow Up Flag: Flag for follow up
Flag Status: Flagged

EXTERNAL

Hi Barbara

Thanks for the invitation for consultation for the IEA.

In addition to compliance with conditions of consent SSD 6666, please also provide commentary on the:

- Adequacy and implementation of the approved management plans
 - Remediation Works Environmental Management Plan
 - Containment Cell Management Plan
 - Erosion and Sediment Control Plan
 - Air Quality Management Plan
 - Biodiversity Management Plan
 - Have the pre-clearing surveys, supervision during clearing, hygiene protocols and nest box installation and monitoring been implemented as described?
 - Health and Safety Management Plan
 - Community Consultation and Complaints Handling
- Biodiversity offset requirements

Regards

Heidi Watters
Team Leader Compliance

Planning & Assessment
Department of Planning, Industry and Environment
T 02 6575 3401 | M 0472 820 374 | E heidi.watters@planning.nsw.gov.au
PO Box 3145 | Singleton NSW 2330
www.dpie.nsw.gov.au

If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via compliance@planning.nsw.gov.au.

The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).



Planning,
Industry &
Environment

Cessnock City Council consultation:

Pater, Barbara

From: Iain Rush <Iain.Rush@cessnock.nsw.gov.au>
Sent: Wednesday, 24 November 2021 2:32 PM
To: Pater, Barbara; council
Cc: Matthew King; Tungol, Annabelle; Peter Giannopoulos
Subject: RE: Hydro Aluminium Kurri Kurri - Independent Environmental Audit

Follow Up Flag: Follow up
Flag Status: Completed

EXTERNAL

Hi Barbara,

Council has no comments to provide in response to your email below.

If you have any further questions, please contact me on 4993 4155, or by email at iain.rush@cessnock.nsw.gov.au

Regards,



Iain Rush Senior Strategic Planner
62-78 Vincent St | PO Box 152 | Cessnock NSW 2325
p 02 4993 4155
www.cessnock.nsw.gov.au



Integrity, Respect, Teamwork, Accountability and Excellence

I acknowledge Aboriginal people as the traditional custodians of the land on which Cessnock City Council offices and operations are located, and pay my respects to Elders past, present and future.

From: Pater, Barbara <Barbara.Pater@aquas.com.au>
Sent: Tuesday, 23 November 2021 1:50 PM
To: council <council@cessnock.nsw.gov.au>
Cc: Matthew King <Matthew.King@hydro.com>; Tungol, Annabelle <Annabelle.Tungol@aquas.com.au>
Subject: Hydro Aluminium Kurri Kurri - Independent Environmental Audit

Dear Sir/Madam,

I am writing to advise that AQUAS will be conducting the Independent Environmental Audit of the Hydro Aluminium Kurri Kurri Smelter Remediation project as a requirement of SSD 6666.

The audit will be conducted on the **30th November, 1st and 2nd December 2021** and will review compliance with SSD 6666 Schedule 2, Parts A, B, and C, and Appendices 3 and 4.

In line with the consultation requirements of the DPIE guideline *Independent Audit Post Approval Requirements 2020* Section 3.2, AQUAS seeks your input into the scope of the audit, and if there are any particular areas where you would like us to focus on at this stage of the project.

Regards,

EPA consultation:

Pater, Barbara

From: Hamish Rutherford <Hamish.Rutherford@epa.nsw.gov.au>
Sent: Tuesday, 23 November 2021 7:25 PM
To: Pater, Barbara
Subject: RE: Hydro Aluminium Kurri Kurri - Independent Environmental Audit

EXTERNAL

Dear Barbara,
Please be advised that the NSW EPA is not a consent authority under the EP&A Act. As such the EPA does not have a role in administering or enforcing development consents/project approvals, and therefore does not get involved in the auditing of these statutory instruments.

Regards,

Hamish Rutherford
Senior Operations Officer
Regulatory Operations Metro North
NSW Environment Protection Authority
D 02 4908 6824 | M 0459 073 635



www.epa.nsw.gov.au @NSW_EPA

The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal elders past, present and emerging.

Report pollution and environmental incidents 131 555 or +61 2 9995 5555

From: Pater, Barbara <Barbara.Pater@aquas.com.au>
Sent: Tuesday, 23 November 2021 1:48 PM
To: Hamish Rutherford <Hamish.Rutherford@epa.nsw.gov.au>
Cc: Matthew King <Matthew.King@hydro.com>; Tungol, Annabelle <Annabelle.Tungol@aquas.com.au>
Subject: Hydro Aluminium Kurri Kurri - Independent Environmental Audit

Dear Hamish,

I am writing to advise that AQUAS will be conducting the Independent Environmental Audit of the Hydro Aluminium Kurri Kurri Smelter Remediation project as a requirement of SSD 6666.

The audit will be conducted on the **30th November, 1st and 2nd December 2021** and will review compliance with SSD 6666 Schedule 2, Parts A, B, and C, and Appendices 3 and 4.

In line with the consultation requirements of the DPIE guideline *Independent Audit Post Approval Requirements 2020* Section 3.2, AQUAS seeks your input into the scope of the audit, and if there are any particular areas where you would like us to focus on at this stage of the project.

Regards,