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18 October 2021

Attention: Sheelagh Laguna

EPA Advice on State Significant Development 6666 – Modification 2

Dear Sheelagh,

Thank you for your request for advice from Public Authority Consultation (PAE-29592967), requesting input from the NSW Environment Protection Authority (EPA) on the Modification Report for the proposed Project Boundary and Aboriginal Heritage Amendment (Application SSD-6666-Mod-2) at the Hydro Aluminium Smelter, Hart Rd, Loxford NSW, submitted by Hydro Aluminium Kurri Kurri Pty Ltd.

The EPA has reviewed the following document:

- Ramboll (2021). *Hydro Remediation Project – Modification 2 to SSD 6666 – Project Boundary and Aboriginal Heritage Amendments*. 7 September 2021.

The EPA understands that the proposal is for:

- Revision of the project boundary which reduces the project footprint
- Reduction of the vegetation clearance area, and the associated re-calculated biodiversity credit requirements as described in Condition B41 of the development consent for SSD 6666
- Removal of the designation of the northern area east of the Clay Borrow Pit as a potential archaeological deposit/area of high archaeological sensitivity and therefore removal of Condition B38 of the development consent for SSD 6666
- Excavation of the fill material (including contaminated material) located within the previously determined potential archaeological deposit/area of high archaeological sensitivity

Based on the information provided, the EPA does not object to the proposal, however we provide the following comments.

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Excavation of fill material

It is noted that the Proposal includes additional remediation works for the northern area east of the Clay Borrow Pit as outlined in Section 2.1.4, 2.2 and 2.3 of the Modification Report. The EPA understand that clean excavated fill material won from the area will be utilised in other applications onsite. Material deemed to be contaminated will be stockpiled and managed on site before being placed into the Containment Cell.

The EPA does not object to the works, provided that the soil investigation/validation and remediation works are completed as per the Remediation Works Environmental Management Plan (RWEMP), the Smelter Site Remediation Action Plan (RAP) and Section 8.6 of the Environmental Impact Statement (EIS), and the proposed remediation works in the northern area east of the Clay Borrow Pit. Any contaminated material awaiting placement in the Containment Cell should be managed appropriately and in a timely manner to prevent leachate pollution of water.

If you have any questions about this request, please contact Kasey Williams on 0499 433 119 or via email at info@epa.nsw.gov.au.

Yours sincerely,



STEVEN JAMES
Unit Head Regulatory Operations Metro North
Environment protection Authority