OPERATIONAL COMPLIANCE REPORT

2021 – 22

DA 86-04-01 Mod 14 and LEC 10397 of 1995 Mod 12

MITCHELL AVE KURRI KURRI NSW

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2 of 2	NSW Department of Planning & Environment	Singleton, NSW

AMENDMENT LIST

Date	Section	Summary of Change
May 2023	Whole document	Update per DPE review comments

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1. EXECUTIVE SUMMARY

This 2021-22 Compliance Report has been prepared in accordance with Schedule 4, Condition 61 of Development Consent (DA 86-04-01 MOD 14 and LEC 10397 of 1995 MOD 12; identically worded, and referred to herein as the Consent), and per requirements of the (then) Department of Planning, Industry and Environment's *Compliance Reporting Post Approval Requirements* (PARs; 2020), to monitor and report on the compliance status of Weston Aluminium's Resource Recovery Facility.

Six (6) Non-Compliances occurred during the 2021-22 Compliance Reporting period.

2. INTRODUCTION

2.1 General

Weston Aluminium (WA) operates resource recovery facility at 129 Mitchell Avenue Kurri Kurri, NSW, traditionally recycling aluminium dross and scrap to produce aluminium sow, ingot and puck, and on-trading various forms of scrap. Spent Potlining residues, derived from the primary aluminium sector, are also detoxified and beneficiated for various reuse opportunities in the construction products manufacturing industry. The facility has the capacity to process up to a combined 40,000 t/yr of dross and SPL, and up to 35,000 t/yr of scrap.

As part of business diversification activities, WA undertook regulatory Trials designed to thermally process quantities of Pharmaceutical and Illicit Drug wastes in existing rotary furnaces, and in response to Trial successes, sought Regulatory Approval to construct and operate a Medical and Other Waste Thermal Processing Plant as a brownfield development at its Kurri Kurri facility, with Consent granted in December 2018 (SSD 7396). This facility has recently been constructed and is undergoing final commissioning.

In parallel with the SSD Consent, a Modification of conventional consents (DA 86-01-04 and LEC 10397 of 1995) was also sought to permit the ongoing thermal processing of pharmaceutical and illicit drug wastes (2,000 and 5 t/yr respectively; contributing to the combined 40,000 t/yr limit) in existing rotary furnaces, with Consent granted on 02 August 2019.

To improve operational efficiencies and to better align plant and equipment capacities with market demand, a further Modification was sought to reconfigure air emission control systems at the Plant – specifically, to separately ventilate Thermal Processing Facility and Reverberatory Furnace emissions. Modification Consents (DA 86-04-01 Mod 14 and LEC 10397 of 1995 Mod 12) was granted on 03 September 2021.

This Compliance Report has been prepared in accordance with Condition 61 of Development Consent (DA 86-04-01 Mod 14 and 10397 of 1995 Mod 12) for the 16 August 2021 – 15 August 2022 operational period.

2.2 Scope of Compliance Report

Compliance Monitoring and reporting requirements associated with the Development are defined in the Department's PARs, and Conditions 61 of the Consent. Consent wording is reproduced below:

> *61. Within three months after the first year of commencement of operation, 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:*
>
> *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*
>
> *c) describe what measures will be implemented over the next year to improve the environmental performance of the development.*

2.3 Project Name and Project Application Number

Name: Extensions to an existing aluminium dross recycling plant
Application Number: DA 86-04-01 Mod 14 and LEC 10397 of 1995 Mod 12

2.4 Project Address

129 Mitchell Avenue Kurri Kurri NSW 2327

The Development footprint and context is illustrated below in **Figure 1**.

Figure 1 – Development footprint and context
(Source: Nearmap image 31 March 2023; accessed 09 May 2023).

2.5 Project Phase

Operational

2.6 Compliance Reporting Period

16 August 2021 – 15 August 2022

2.7 Project Activity Summary

The following works are associated with the current Compliance Reporting period:

- Conventional site operations;
- Commencement of site investigation and rectification works in response to a significant fire incident at the Premises (14 November 2021), including investigation by various authorities (NSW Police, Arson Squad, FRNSW, DPE and EPA), preparation of various responses to DPE and EPA, fire-waste consolidation, classification and offsite disposal, partial demolition and temporary enclosure of fire-affected structures (to make-safe and to enable limited operational continuity), replacement of fire-damaged Baghouse 4, and preliminary consultation with Cessnock City Council with regard to post-fire restorations. Site operations since the fire event have been heavily constrained;
- Approval of Consent Modification Application (DA 86-04-01 MOD 14 and LEC 10397 of 1995 MOD12) on 03 September 2021 in relation to proposed air emission reconfiguration works, and subsequent project construction during May – September 2022. This project enabled the dedication of the existing Baghouse 5 fabric filter-scrubber complex to the Thermal Processing Facility, and redirection of process emissions from the Reverberatory Furnace to an upgraded Baghouse 1 fabric filter-scrubber complex (Reverberatory and Rotary Furnace operations thereafter to occur on a campaigned, non-concurrent basis). Operation of the reconfigured arrangement commenced on 03 August 2022 (i.e. after the current Compliance Reporting Period); and
- Environment Protection Licence Variation Application and Approval in relation to the operation of air emissions reconfiguration works (transitional arrangements granted 24 June 2022).

2.8 Key Project Personnel

Site Contact:	Mr Christopher McClung
Position:	Environment & Sustainability Manager
Company:	Weston Aluminium Pty Limited
Contact:	cmcclung@westonal.com.au / 0409 462 5432

3. COMPLIANCE STATUS SUMMARY

The Compliance Report prepared for the Operational stage of the Development is provided in **Appendix A**. The format of this Report is consistent with PAR requirements.

4. NON-COMPLIANCES

A total of six (6) Non-Compliances occurred during the 2021-22 Compliance Reporting period. A summary of the Non-Compliance particulars is provided in **Table 1**.

5. PREVIOUS COMPLIANCE REPORT ACTIONS

A total of two (2) non-compliances were reported for the previous Compliance Reporting period (16 Aug 2020 – 15 Aug 2021). A summary of action resolution and status is provided in **Table 2**.

6. INDEPENDENT AUDIT ACTIONS

Independent Environmental and Hazard Audits were undertaken during the 2020-21 Compliance Reporting period. In accordance with Condition 64 of the recently Consolidated Consent, Audits are next due within 1 year of commencement of DA 86-04-01 Mod 14 and LEC 10397 of 1995 Mod 12 operation (i.e. by 03 September 2023), and will be reported as part of the next Compliance Report.

As reported by the 2020-21 Compliance Report, all Environmental and Hazard Audit actions were effectively closed, with the exception of a single recommendation, which remains outstanding, as outlined in **Table 3**.

7. INCIDENTS

One (1) incident occurred during the 2021-22 Compliance Reporting period (refer **Table 4**), which was reported to NSW DPE and NSW EPA in relation to the 14 November 2021 fire event. Facility security has been significantly enhanced in response to the fire incident.

Table 1: Summary of Non-Compliances – 2021-22 Reporting Period

NC Number	ID	Compliance Requirement	Details of Non-Compliance	WA Response
1	Schedule 3 Condition 21	The Applicant must maintain a continuous fluoride emission monitoring system, which in the event that the concentration of fluoride emitted to atmosphere exceeds the limit value of 1.4 milligrams per cubic metre must activate visible and audible alarms.	Real-time, continuous fluoride emissions monitoring system installed at Discharge Point 1 (Stack 1). Controlled by Citect PLC (fluoride concentration, lime slurry density, fluoride monitor signal strength, duct and BH temps, etc.). EPL defines hourly average limit of 1.4 mg/m^3 and instantaneous limit of 2 mg/m^3. Visible and audible alarms activate conservatively at an instantaneous fluoride concentration of 1.2 mg/m^3. Lime slurry sprays activated from 0.6 mg/m^3 to effect early control. No exceedances reported during Compliance Period. The HF monitoring and control instrumentation was damaged by the 14Nov21 premises fire incident. The HF monitoring and control system was inoperable between 14Nov21 and 26Jul22 (when reinstated).	Per consultation with NSW EPA, no fluoride-containing furnace inputs were processed at the premises during the 14Nov21 and 26Jul22 interval, so no fluoride emissions or potential environmental impact will have occurred.
2	Schedule 3 Condition 23	A continuous recording and alarmed bag leak detector must be installed in each stack servicing the facility, excluding the stack 6, with calibration to detect bag failure. The results shall be included in the annual report required under condition 58 of this consent. In the event of a bag failure the failed bag shall be repaired or replaced as soon as possible within the current operational cycle.	Real-time, continuous and alarmed particulate monitors installed and operated on all stacks (excl Stack 6), and data used for broken bag detection and recovered for reporting. Strong history of air emissions compliance performance. Some controls and instrumentation associated with the monitoring systems were destroyed by the premises fire (14Nov21).	In conjunction with Insurers, replacement of particulate monitoring systems and recommissioning was completed after the end of the current Reporting Period (Mar23) in conjunction with post-fire restoration works (Note: Stacks 2 and 3 damaged by fire, and subsequently demolished, so no further monitoring applies to these sources). Following the post-fire repair/replacement of baghouses, such baghouses were only operational following authorisaton by NSW EPA. Independence compliance emissions testing continues, however, and verifies compliance with particulate limit requirements. Pollution Control Systems (baghouses and baghouse-scrubbers) and associated monitoring systems operated

NC Number	ID	Compliance Requirement	Details of Non-Compliance	WA Response
				and maintained in accordance with manufacturer's requirements. Filters changed routinely. Strong history of compliance achieved (refer former AEMR, Annual Returns, Compliance Reporting). Compliance stack testing conducted by independent provider in accordance with EPL requirements.
3	Schedule 3 Condition 25A	All pharmaceutical waste must be stored in an enclosed (appropriately bunded and covered) area to prevent the contamination of stormwater.	In accordance with SOPs, process inputs are stored and handled within Process Buildings, preventing the contamination of stormwater. However, in response to heightened market demand during the Compliance Reporting period (principally due to increased waste generation and processing demand in response to the Covid-19 Pandemic; and limited processing capacity elsewhere within Australia), WA's internal storage capacities were exhausted, and some quantities of pharmaceutical wastes were stored outside.	All wastes have since been stored within enclosed and appropriately bunded areas to prevent the potential contamination of stormwater. Storage requirements defined, in conjunction with EPA, through the development of an Authorised Waste Storage Plan and Clinical Waste Receipt and Storage Plan.
4	Schedule 3 Condition 36	The Applicant shall store and handle all dangerous goods, as defined by the Australian Dangerous Goods Code, strictly in accordance with: a) all relevant Australian Standards; b) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and c) the EPA's Environment Protection Manual Technical Bulletin Bunding and Spill Management.	Plant Building dross/SPL storage bunkers designed in accordance with AS requirements. Structures roofed and bunded. Diesel facility bund also designed and constructed with >110% capacity of the tank (earlier 5,000L and then 8,000L USTs; approx 21,000L capacity bund). 2020 upgrade to tank to self-bunded 20,000L tank, which is still accommodated within the original bund for back-up containment. Secondary diesel storage facility in scrap yard (6,000L) is similarly a self-bunded design, and AS compliant). DG Notification and updates, as required, provided to SafeWork NSW, including designation of Depots, development of Manifest (contacts, site plans, SDSs, Risk Assessments and DG Register). Last Notification update Dec 2022. Manifest held in HAZCHEM cabinet at site entrance. In accordance with SOPs, process inputs are stored and handled within Process Buildings, preventing the contamination of stormwater. However, in	As above, all wastes have since been stored within enclosed and appropriately bunded areas to prevent the potential contamination of stormwater. Storage requirements defined, in conjunction with EPA, through the development of an Authorised Waste Storage Plan and Clinical Waste Receipt and Storage Plan.

NC Number	ID	Compliance Requirement	Details of Non-Compliance	WA Response
			response to heightened market demand during the Compliance Reporting period (principally due to increased waste generation and processing demand in response to the Covid-19 Pandemic; and limited processing capacity elsewhere within Australia), WA's internal storage capacities were exhausted, and some quantities of pharmaceutical wastes were stored outside.	
5	Schedule 3 Condition 45	Except as expressly permitted by an EPL, the Applicant shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing or disposal, or any waste generated at the site to be disposed of at the site.	A consignment of brushes (3.28 tonnes) was received on site during the compliance interval. These wastes were not classified under the EPA's Waste Classification Guidelines and are considered not expressly permitted by the EPL.	These wastes were destroyed by the premises fire event of 14Nov21. No additional consignments of this waste type have been received. Further, and as identified above, an Authorised Waste Storage Plan has been prepared in conjunction with the EPA to verify permissible wastes.
6	Schedule 4 Condition 57	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (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 C.	DPE was notified of the 14Nov21 fire incident by email and via Major Projects Portal on 19Nov21. Written Report (prepared in accordance with Appendix C requirements) was submitted on 17Dec21; which was later than the required 30 days from the date of the incident.	WA is committed to satisfying reporting requirements defined in the Consent and will ensure that timely reporting occurs in future.

Table 2: Summary of Action Closure Status - 2020-21 Non-Compliances

NC Number	ID Number	Details of Non-Compliance	WA Response	Action Closure Status
1	Schedule 3 Condition 11	**Whilst not strictly treated by the NSW EPA as a 'Non-Compliance'** (due to legitimate time constraints; refer below), WA has conservatively reported a single Non-Compliance as part of the 2020-21 Annual Return in relation to the Cyanide monitoring frequency (Point 1), as follows: Following EPL Variation (05 Nov 2020), the requirement for the monitoring of cyanide from Point 1 (Stack 1) was altered from an annual to a biannual frequency. Cyanide monitoring was only performed on a single occasion during the 2019-20 EPL Reporting Period, as insufficient time was available (owing to both production schedule and Consultant availability constraints owing to COVID-19) to schedule and perform an additional monitoring event before the EPL Anniversary Date (19 Dec 2020).	The 2020 cyanide monitoring finding, and those associated with subsequent 2021 monitoring events, have confirmed strong compliance with the limit criterion, and no environmental impact is attributed. Biannual cyanide emission monitoring events have been scheduled since the EPL Anniversary Date in accordance with EPL requirements.	**CLOSED**
2	Schedule 4 Condition 65	Timing of Audits delayed due to COVID-19: Initial Audit due within 52 weeks following Modification commencement (i.e. on or before 16 Aug 2020), and 3-yearly thereafter. Initial Audit tentatively scheduled for early Aug 2020. Supporting documentation and pre-Audit Meetings conducted. Audit site visit rescheduled due to COVID-19 and isolation of an Audit Team Member. The Audit site was visit was subsequently performed on 1 and 2 Sep 2020.	Dialogue maintained with (the then) DPIE in relation to COVID impact upon timing of Audits. COVID impact upon Audit schedule was out of WA control, despite conscious planning and mitigation by all parties. WA elects to perform Audit program in advance of due date to further mitigate potential impact on future Audit schedule.	**CLOSED**

Table 3: Summary of Outstanding Action Closure Status – 2020 Independent Hazard Audit (Observations and Actions)

Audit Reference	Auditor Comments and Recommendation	Weston Aluminium Response	Status
9/2020 Human Health Monitoring – Management of Change is Lead/Acid Battery Recycling in Introduced	**Issue**: Human Health Monitoring - Management of Change if Lead/Acid Battery Recycling is introduced. **Recommendation**: Examine the change management and risk assessment regime in light of the health monitoring requirements to be introduced when/if a lead/acid battery recycling facility is to be introduced to the eco-industrial park. It is recommended that such a facility be located to minimise the impact of lead contamination upon adjacent business units and a comprehensive human health monitoring program be proactively introduced at the site. Such a move will ensure that a human health management regime is established from the outset. It is considered that any proactive human health management regime will be more effective where all business development decisions in relation to a lead/acid battery recycling development are made within the context of an existent human health management regime. **Priority**: Low	WA understands that the Battery Recycling Facility development proposed (by others) for the eastern adjoining property is unlikely to proceed – the Proponent has since purchased and upgraded a facility in Wagga Wagga NSW, and market demand has not yet justified the establishment of the proposed Kurri Kurri facility. Nevertheless, WA is conscious of the potential health effects associated with lead in dust and potential impact to surrounding operations (and broader Hunter Industrial Ecology Park). Should the Battery Recycling Facility be developed, WA will review the implementation of a health surveillance monitoring program, in consultation with its workforce.	**Outstanding**

Table 4: Summary of Incidents – 2021-22 Reporting Period

Incident Number	Incident Particulars	Agencies Notified	Corrective and Preventative Action Required	Incident Response
1	At approximately 0930 on Sunday 14 November 2021, a fire occurred within material storage areas - initially confined to a localized external hardstand area, and later progressing to Front Bays (southern portion of the Plant Building), and the eastern-most reach of the Aldex Building, fanned by strong westerly winds. Remaining site facilities were unaffected. Detection of the fire was initially made by passers-by, at which point, emergency services were contacted. Building fires were extinguished during the evening of Sunday 14 November, with localized and contained fire control (stockpiles) continuing through to Tuesday 16 November. Return of site control from Fire & Rescue NSW to WA occurred on Wednesday 17 November 2021 at approximately 1755, at which point WA staff were able to access limited safe zones and commence an assessment of facility status. The fire incident was not willful, nor relating to site operational activities as the plant was closed. The cause of the fire, initially involving two discrete and isolated areas of rain-soaked hand sanitiser stocks on the south-western hardstand (not spontaneously combustible), appears to be arson.	NSW RFS, NSW EPA and SafeWork NSW.	• Emergency Services support; • Stormwater isolations, diversions and containment; • Fire waste management plan preparation for EPA approval prior to disposal; • Verification of pollution control system status prior to operational continuity; and • Assessment of authorised storage requirements and capacity.	• Weston Aluminium worked closely with Fire & Rescue NSW, NSW RFS, Hazmat, NSW Police and EPA throughout the incident, and worked in conjunction with the EPA as part of site cleanup and restoration efforts; • Stormwater isolations, diversions, containment and subsequent disposal; • Fire waste management plan preparation, waste consolidation, management, classification and subsequent disposal; • Removal of residual flammable wastes from site (following consultation with EPA); • Commencement of site restoration works (including partial structure demolition, confirmation of pollution control system status, and de-isolation of site utilities (natural gas and electricity); • Assessment of authorised waste storage; • Augmentation and enhancement of site security systems, including increased attended security patrols, repairs to security fencing, and significant expansion of the closed-circuit camera network throughout the site, including all boundary lines and points of entry; and • Preparation of various formal notifications and written reports for DPE and EPA.

8. COMPLAINTS

A total of seven (7) complaints were received during the Reporting Period and are summarised below in **Table 9**.

Table 9: Summary of Complaints – 2021-22 Reporting Period.

Nature of Complaint	No. of complaint received by WA	No. of complaints attributable to WA	Comments
Odour	2	0	
Dust / smoke / visible emission	3	1	Contaminated scrap; fan over-temperature shutdown
Noise	1	0	
Other	1	0	
Total	**7**	**1**	

The following comments are made in relation to complaints received during the Reporting Period:

- Of the seven complaints received, only one can be attributable to Weston Aluminium operations;

- Written summaries of complaint particulars, possible contributing factors, and actions taken by Weston Aluminium (where applicable) were provided to the NSW EPA (Hunter Region) following the receipt of each complaint;

- The visible smoke complaint attributable to WA operations related to the processing of a single bale of domestic scrap (later determined to have contained concealed contaminants such as rubber, plastic and timber), which was fed to the Reverberatory Furnace, creating smoke and elevated temperatures in the air exhaust. This elevated temperature condition caused the baghouse fan to undergo an emergency over-temperature shutdown. Operators immediately discontinued baled scrap feed, and re-started the baghouse fan, thus restoring furnace ventilation. Following further scrap inspection and investigation, the remaining consignment of bailed scrap was subsequently shredded to remove any entrained contaminants. Weston Aluminium continues to apply its existing protocols in relation to scrap procurement, inspections and quality control (acceptance/rejection), including regular liaison with the scrap market in relation to quality standard expectations.

- Other complaints made in relation to dust / smoke / visible emission were either attributable to other sources (i.e. fire at Hart Rd responded to by NSW RFS or vegetative matter deposition from nearby bushland; unrelated to WA activities), or were related to a visible emission of steam from WA's Plant Building, which is typical during furnace casting operations under certain meteorological conditions (calm, generally low temperature, high humidity conditions). No smoke or pollutants are associated with steam emissions;

- Odour complaints received during the reporting period were not attributable to WA operations – WA was either non-operational at the time of the complaint observations, or otherwise was positioned downwind of the complainant. No operational or maintenance issues were experienced, nor were any odours observed on each occasion. Weston Aluminium continues to operate and maintain its plant, equipment and combustions systems in accordance with manufacturer's specification and preventative maintenance requirements. Staff members continue to make observations of night time odour and are instructed to document any findings in an attempt to ascertain odour source(s). No further action is considered;

- Similar to the complaints received during the prior reporting interval, the noise complaint related to an observed 'intermittent' and 'fading' 'roaring air' / 'roaring fan' / 'air blowing' / 'jet engine'-like sound, particularly during calm weather conditions, as reported by a resident located approximately 1.0 – 1.5 km to the south of Weston Aluminium operations. Coincidently, WA's compliance noise monitoring was conducted on the night of the complaint. The Acoustics Consultant was unable to observe the style of noise reported during his attended monitoring, and furthermore, confirmed compliance with WA's noise limits. Nevertheless, Weston Aluminium's Maintenance Department continues to perform regular inspection of fans and discharge points, and noise attenuation devices remain in place and in service. Team Leaders continue to maintain an awareness of plant operations, and observe the nature of noise and possible noise sources beyond our Plant boundary. No further action is considered.

9. MONITORING TRENDS

A comparison of 2021-22 air emission monitoring results with regulatory limits and historical assessment predictions is provided in **Appendix B**. Commentary regarding the trending of air emissions control performance as well as comparisons with assessment predictions is also provided therein.

A summary of findings is given below:

- All regulatory emission limits were complied with. No air emissions exceedences occurred during the 2021-22 reporting period;
- Emissions reported during the 2021-22 reporting period were either consistent with or below historical levels;
- The fine particulate (PM_{10}) result for EPL Point 1 was slightly above the 2017 EA predicted levels but below 2007 SEE predicted levels (and lower than the EPL limit);
- The nitrogen Oxides (NO_X) result for EPL Point 1 was slightly above 2007 EA predicted levels but below 2017 SEE predicted levels (and lower than the EPL limit);
- The fine particulate (PM_{10}) result for EPL Point 13 was slightly above 2017 EA predicted levels but below 2001 and 2007 SEE predicted levels (and lower than the EPL limit); and
- All other air emission monitoring results were below levels predicted in environmental impact assessment studies.

The upgrade of baghouse dust collectors No.1 and No.4 during the 2021-22 reporting period demonstrates Weston Aluminium's commitment to continuous improvement and environmental performance. Weston Aluminium is also in the process of upgrading its scrap-melting reverberatory furnace with state-of-the-art technology, which will further improve the environmental performance of the development.

Weston Aluminium is committed to operating and maintaining its plant and equipment in a responsible, effective and competent manner, and to maintaining full compliance with regulatory air quality limit criteria.

APPENDIX A

COMPLIANCE TABLE

ID NO.	COMPLIANCE REQUIREMENT (MOD 14)	DEVELOPMENT PHASE	LEAD TIME	MONITORING METHODOLOGY	EVIDENCE REQUIRED	RECEIVING AUTHORITY/DEPARTMENT	EVIDENCE AND COMMENTS	COMPLIANCE STATUS
Schedule 2 Condition 1	The Applicant shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction and/or operation of the development.	All Development stages	At all times	Implementation of CEMP and OEMP and adherence to management and mitigation commitments.	Incident reports. Incident Notification. AEMRs. Compliance Reporting	Department of Planning & Environment (DPE), NSW Environment Protection Authority (EPA) and Cessnock City Council (CCC), as required.	Mature Standard Operating Procedures, operator competency training, Environmental Management System, Environmental Management Plans, routine testing and inspection and Preventative Maintenance Program implemented. Plans updated to reflect Modifications to operations, activites and any changes to environmental aspects, as required. Strong compliance and high standard of environmental management history. Certification to ISO14001 achieved 2020 and maintained since.	Compliant
Schedule 2 Condition 2	The Applicant shall carry out the development generally in accordance with the: a) EIS as modified by the SEE; b) site plans (see Appendix A); c) conditions of this approval; and, during the spent potlining material processing trial, d) modification application DA-86-04-01 Mod 4 and 10397 Mod 2, and the enclosed Letter dated 26 May 2010 and Attachments 1, 2 and 3. e) Modification application DA-86-04-01 Mod 5 and 10397 Mod 3, and the enclosed SEE, dated November 2010, prepared by GHD; and f) during the extended spent potlining material processing trial, modification application DA-86-04-01 Mod 6 and 10397 Mod 4, and the enclosed Environmental Assessment, dated June 2011 and the Response to Submissions dated 17 August 2011, prepared by Weston Aluminium. g) Modification application DA-86-04-01 Mod 7 and 10397 DA 10397 of 1995 Mod 5, and the enclosed Environmental Assessment, dated 10 May 2012, prepared by AECOM and the Response to Submissions dated 21 June 2012, prepared by Weston Aluminium. h) Modification application DA-86-04-01 Mod 8 and DA 10397 of 1995 Mod 6, and the enclosed Environmental Assessment, dated 30 November 2012, prepared by Weston Aluminium. i) Modification request DA 86-04-01 Mod 9 and DA 10397 of 1995 Mod 7 and the enclosed Environmental Assessment, dated 12 March 2015, prepare by Weston Aluminium and the Response to Submissions, dated 15 July 2015, prepared by Weston Aluminium. j) Modification request DA 86-04-01 Mod 10 and DA 10397 of 1995 Mod 8 and the enclosed Environmental Assessment, dated 8 September 2016, prepared by AECOM and the Response to Submissions, dated 13 December 2016, prepared by AECOM. k) Modification request DA 86-04-01 Mod 12 and DA 10397 of 1995 Mod 10 and the enclosed Environmental Assessment, dated 10 July 2017, prepared by AECOM and the Response to Submissions, dated 3 November 2017 as amended by the additional information received on 12 April 2018, 30 August 2018, 22 October 2018, 13 December 2018, 28 February 2019, 8 April 2019 and 3 May 2019. l) Modification application DA 86-04-01 MOD 14 and the enclosed Statement of Environmental Effects, dated 4 June 2020 prepared by AECOM and the letter dated 24 Jul 2020 prepared by Todoroski Air Sciences including the Emissions Testing Report October 2013 Stack 5 and 6 dated 22 November 2013 prepared by AECOM. as amended by the Weston Aluminium Facility Emission Reconfiguration Modification Report dated 9 March 2021 prepared by AECOM and the letter dated 29 July 2021 prepared by Todoroski Air Sciences. If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of any inconsistency.	All Development stages	At all times	Implementation and monitoring of design, management and mitigation measure commitments and performance. Annual Returns. Compliance Monitoring and Reporting. This tool.		DPE and/or EPA, as applicable	Development and associated Modifications undertaken generally in accordance with Development Applications and associated Environmental Assessments. Management and Mitigation measures incorporated into Operational Environmental Management Plan, and updated on routine basis, or as part of Change Management.	Compliant
Schedule 2 Condition 3	The Applicant shall comply with any reasonable requirement/s of the Planning Secretary arising from the Department's assessment of: a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.	All Development stages	At all times	Implementation and monitoring in accordance with strategies and plans	Compliance Reporting	DPE and/or EPA, as applicable	Plan / Strategy updates performed in accordance with Department requirements (refer Modifications).	Compliant
Schedule 2 Condition 4	Prior to each of the events listed below, or within such period otherwise agreed by the Planning Secretary, the Applicant shall certify in writing to the satisfaction of the Planning Secretary, that it has complied with all conditions of this consent applicable prior to that event: a) commencement of any physical works associated with the development; and b) commencement of operations.	Construction and Operation	Prior to commencement of construction and commencement of Operational Phase	Notification to Department	Written Notification to Department	DPE (and predecessors)	**COMPLETED.** Notification requirements associated with historical Modifications satisfied. Updated Air Quality Monitoring Program, outlining reconfigured operations provided via MP Portal 14Sep22.	Compliant
Schedule 2 Condition 5	The Applicant shall not process on site more than a combined total of 40,000 tonnes of dross aluminium, SPL and illicit and pharmaceutical waste and 35,000 tonnes of scrap aluminium metal per year.	Operational	Annual (historically reported as part of AEMR; coinciding with EPL anniversary (19 Dec - 18 Dec).	AEMR (historically (pre-2019) and now Compliance Monitoring	Compliance Reporting	Historically DPE, EPA and CCC. Now DPE	Historically Compliant. Current Reporting period - well-below limits (Reporting Period 16 Aug21 -15 Aug22): Combined dross, SPL, illicit and pharma waste: 2,432 T (no SPL processed since Mar 2020; pharma waste (and much of the illicit drug waste) was diverted to the TPF to support commissioning activities); Scrap aluminium processed: 10,275 T	Compliant
Schedule 2 Condition 5A	The Applicant shall not process on site more than 2,000 tonnes of pharmaceutical waste and 5 tonnes of illicit drug waste per year.	Operational	Annual (historically reported as part of AEMR; coinciding with EPL anniversary (19 Dec - 18 Dec).	AEMR (historically (pre-2019) and now Compliance Monitoring	Compliance Reporting	Historically DPE, EPA and CCC. Now DPE	Negligible quantities processed: Illicit waste: 0.1 T; Pharmaceutical Waste: 0 T. As above, illicit drug and pharmaceutical wastes have beed diverted to the Thermal Processing Facility during the Reporting Period to support commissioning activities.	Compliant
Schedule 2 Condition 5B	No more than 5 % by mass of pharmaceutical and illicit drug waste is to be co-processed with Aluminium Dross and/or SPL in the furnaces.	Operational	At all times	SOPs and training. Operational Data Sheets and SiteTracker	Operational Data Sheets Excursions to be reported via Compliance Reporting.	DPE	Single Charge during Reporting Period, with illicit drug waste co-processed at a rate of 2.9% with Dross. Co-processing ratios defined in Standard Operating Procedures.	Compliant
Schedule 2 Condition 5C	The Applicant must not process liquid pharmaceutical or illicit drug waste unless approval is granted by the EPA.	Operational	Following commencement of MOD 12	Operations-coordination and recommencement following Consent and EPL Variation issue.	Thermal Processing Assessment per Condition E2 of EPL required to support EPL Variation Application.	EPA	No liquid pharmaceutical or illicit wastes were processed during the Reporting Period. Thermal Processing Assessment commissioned Oct 22 to evaluate thermodynamics and verify processing approach, subsequently submitted to EPA to support an EPL Variation. Liquid waste processing approved by EPA in Mar 2023.	Not triggered
Schedule 2 Condition 6	The Applicant shall not process more that 15,000 tonnes per year of dross aluminium sourced from overseas smelters and secondary aluminium processors.	Operational	Annual (historically reported as part of AEMR; coinciding with EPL anniversary (19 Dec - 18 Dec).	Weighbridge reporting database, Rotary Furnace Operational Sheets and SiteTracker Database	Internal reporting	DPE	No overseas dross processed since 2011 (clean-slating of NZ Dross). Secondary dross processing well-below 15,000 tpa limit. Recent history (Reporting Period 16 Aug 21 -15 Aug 22): 527 T	Compliant
Schedule 2 Condition 6A	The Applicant shall ensure that the combined total of Second Cut SPL and aluminium dross stored on site does not exceed 5,000 tonnes at any time.	Operational	Annual (historically reported as part of EHC Act Licence reporting (04 Oct- 04 Oct).	Monthly stocktaking records	Stocktake records and photographs	DPE & EPA (for SPL - as part of Environmentally Hazardous Chemicals Act Licence reporting obligations)	No SPL processed since Mar 2020. Zero SPL stocks on site beyond Mar 2020. Max aluminium dross storage during Reporting Period: 1360 T.	Compliant
Schedule 2 Condition 6B	The Applicant shall ensure that DA-86-04-01 Mod 8: a) is undertaken over a period of 12 months only; and b) during the operation of DA-86-04-01 Mod 8: i. no more than 3,000 tonnes of mixed spent potlining material is received on site over the 12 month trial period; and ii. no more than 1,000 tonnes of mixed SPL is stored on site at any one time.	Operational (during 12-mth Trial)	For duration of Mod 8 Trial program. Reporting as part of Monitoring & Verification Report (following Trial completion)	Furnace Operational Sheets, SiteTracker Database, Weighbridge database and monthly Stocktake records	Furnace Operational Sheets, SiteTracker Database, Weighbridge database and monthly Stocktake records and photographs	DPE, EPA, CCC	**COMPLETED.** Trial performed Aug 2015 - Apr 2016 (< 12 months). Total tonage delivered and processed: 352 tonnes. Stock quantity limit (<1,000 tonnes at any time) satisfied. Reported as part of Monitoring & Verification Report (20 May 2016). Regulatory approval for the Mixed SPL Processing Trial was granted by the NSW Department of Planning & Environment and the NSW Environmental Protection Authority (EPA) on 17 Feb 2013 and 15 Mar 2013 respectively. A variation to our Environmental Protection Licence (EPL) was subsequently sought from the EPA to improve the consistency of EPL wording with that of the Development Consent (approved 10 Jul 2014). Sourcing constraints.	Compliant
Schedule 2 Condition 6C	The Applicant shall ensure that DA 86-04-01 Mod 9: a) is undertaken over a trial period of not more than 24 consecutive months only; and b) during the operation of DA 86-01-01 Mod 9: i) no more than 200 tonnes of illicit drug waste is received or processed on site over the 24 month trial period; and ii) no more than 1,000 tonnes of pharmaceutical waste is received, stored or processed on site over the 24 month trial period.	Operational (during 24-mth Trial)	For duration of Mod 9 Trial program. Reporting as part of Monitoring & Verification Report (following Trial completion)	Furnace Operational Sheets, SiteTracker Database, Weighbridge database and monthly Stocktake records	Furnace Operational Sheets, SiteTracker Database, Weighbridge database and monthly Stocktake records and photographs	DPE, EPA, CCC	**COMPLETED.** Trial performed Dec 2015 - Oct 2017 (<24 months). 1.9 tonnes illicit drugs received and processed during the Trial. 141 tonnes of pharmaceutical drugs received, stored and processed during Trial. Reported as part of Monitoring & Verification Report (10 Nov 2017).	Compliant
Schedule 2 Condition 7	With the approval of the Planning Secretary, the Applicant may submit any management plan or monitoring program required by this approval on a progressive basis.	All Development stages	As required by the Planning Secretary	Compliance Reporting	Management Plan / Monitoring Program	DPE, EPA, CCC, as required	Various Plans required by Mod 14, including updated Air Quality Monitoring Program (AQMP; per Condition 13) and Construction Environmental Management Plan (CEMP; per Condition 55A). Refer below.	Compliant
Schedule 2 Condition 8	Within six months of the commencement of DA-86-04-01-Mod 3, the Applicant shall obtain and provide copies of all necessary building certificate(s) from Cessnock City Council to the Planning Secretary, for the following works: a) extension of the ALDEX building; b) eight dross storage bays within the ALDEX building; c) pre-processing plant within the ALDEX building; d) annex to the Plant Building; e) covered conveyor between the ALDEX building and the Plant Building; f) Workshop in the north-western corner of the site; and g) Stack 6.	Within six-months of Mod 3 commencement	Within six-months of Mod 3 commencement	Engagement of PCA (AcroCert)	Building Certification	Planning Secretary	**COMPLETED.** Certification conducted by AcroCert as nominated PCA and issued to DPE (24 Jul 2008). Building Certificate (CCC-issued) also held in archives dated 21 Jul 2010. Original Construction Consent Certificates (80161001 & 80161002) issued 27 Sep 2001 and 10 Oct 2001.	Compliant
Schedule 2 Condition 9	The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the Building Code of Australia. Notes: • *Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.* • *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*	Construction	Prior to commencement of operations				**COMPLETED.** Refer Archives (circa 1998)	Compliant
Schedule 2 Condition 10	The Applicant shall ensure that all plant and equipment used on the site is maintained and operated in an efficient manner, and in accordance with relevant Australian Standards.	Operational	At all times	Maintenance Database. Equipment supplier specifications	Maintenance Database		MEX Maintenance system - Asset Register and Preventative Maintenance programs developed, implemented and plant operated in accordance with Australian Standards and equipment suppplier requirements / specifications.	Compliant
Schedule 2 Condition 10A	Prior to the commencement of the DA-86-04-01 Mod 8, the Applicant must: a) obtain an updated EPL allowing DA-86-04-01 Mod 8 to proceed; and b) notify the Planning Secretary, Council and the EPA's Regional Manager Hunter in writing, 1 week prior to the commencement of DA-86-04-01 Mod 8 and within 2 days of the conclusion of the trial.	Prior to Mod 8 commencement (EPL) and 1 week prior to commencement and within 2 weeks of conclusion of Trial (Notification)	Prior to Mod 8 commencement (EPL) and 1 week prior to commencement and within 2 weeks of conclusion of Trial (Notification)		EPL variation issue and written notification	Planning Secretary, EPA and CCC	**COMPLETED.** Regulatory approval for the Mixed SPL Processing Trial was granted by the NSW Department of Planning & Environment and the NSW Environmental Protection Authority (EPA) on 17 Feb 2013 and 15 Mar 2013 respectively. A variation to our Environmental Protection Licence (EPL) was subsequently sought from the EPA to improve the consistency of EPL wording with that of the Development Consent (approved 10 Jul 2014). Notification to Authorities provided 14 Oct 2015 (Trial Commencement) and 12 May 2016 (Trial conclusion).	Compliant
Schedule 2 Condition 10B	Prior to the commencement of the DA-86-04-01 Mod 9, the Applicant must: a) obtain an updated EPL allowing DA-86-04-01 Mod 9 to proceed; and b) notify the Planning Secretary, Council and the EPA's Regional Manager Hunter in writing, two weeks prior to the commencement of DA-86-04-01 Mod 9 and within two weeks of the conclusion of the trial.	Prior to Mod 9 commencement (EPL) and 1 week prior to commencement and within 2 weeks of conclusion of Trial (Notification)	Prior to Mod 9 commencement (EPL) and 1 week prior to commencement and within 2 weeks of conclusion of Trial (Notification)		EPL variation issue and written notification	Planning Secretary, EPA and CCC	**COMPLETED.** EPL Variation received 01 Oct 2015 (Notice 1534264). Email Notification to Authorities by email 29 Sep 2015 (commencement) and 07 Nov 2017 (conclusion).	Compliant
Schedule 3 Condition 11	The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements, as specified in the EPL applicable to the site.	Operational	At all times	Real-time, continuous emissions monitoring systems, routine (independent) compliance stack emisisons monitoring.	Emissions monitoring Reports, Compliance Reporting, Annual Returns	DPE and EPA, as required	Strong history of air emissions compliance performance. Pollution Control Systems (baghouses and baghouse-scrubbers) and associated montoring systems operated and maintained in accordance with manuracturer's requirements. Filters changed routinely. Strong history of compliance achieved (refer former AEMR, Annual Returns, Compliance Reporting). Compliance stack testing conducted by independent provider in accordance with EPL requirements.	Compliant
Schedule 3 Condition 13	The Applicant shall update its existing Air Quality Monitoring Program for the development to the satisfaction of the Planning Secretary. This program must: a) be prepared in consultation with the EPA; b) be submitted to the Planning Secretary for approval within one month from the commencement of DA-86-04-01-Mod 14; and c) include: • a program to validate the air emissions of the development, which involved carrying out monitoring of the emissions from the development; • mitigation measures and timeframe for their implementation in case of non-compliances with the emission limits referred to in condition 11; and • a program to monitor the ongoing performance of the development.	Operational	Within 1 month of commencement of Mod 12		EPA advice re: recommended conditions of Approval - defining Mod requirements. Formal submission of updated AQMP	DPE	AQMP update prepared Aug22 and issued to EPA 31Aug22, and to DPE via the Planning Portal 14Sep22 (following consultation with EPA). EPA response 08Sep22 (EPA does not review or comment on management plans). DPE acknowledgement received 28Sep22. AQMP further updated in Mar23 to reflect the EPL Variation permitting the processing of pharmaceutical and illicit drug waste in Rotary Furnace No. 2.	Compliant

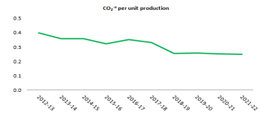
COMPLIANCE TABLE

ID NO.	COMPLIANCE REQUIREMENT (MOD 14)	DEVELOPMENT PHASE	LEAD TIME	MONITORING METHODOLOGY	EVIDENCE REQUIRED	RECEIVING AUTHORITY/DEPARTMENT	EVIDENCE AND COMMENTS	COMPLIANCE STATUS
Schedule 3 Condition 13A	Within 12 months of commencement of DA 86-04-01 Mod 12, the Applicant must prepare, to the satisfaction of the Planning Secretary, and submit to the EPA, an Air Emissions Verification Report. The Air Emissions Verification Report must include: a) air emissions sampling results undertaken for the previous 12 months; b) a comparison of the emission sampling results against the discharge limits specified for point 1 in the EPL for the site; and c) the approach, including timeframe for implementation, to resolve any non-compliances with the EPL, and the *Protection of the Operations (Clean Air) Regulation 2010.*	Operational	Within 12 months of commencement of DA 86-04-01 Mod 12			DPE and EPA	**COMPLETED.** AEVR submitted to DPE and EPA 16 Dec 2020. Approved by DPE 10 Mar 2021.	**Compliant**
Schedule 3 Condition 14	The Applicant shall ensure that discharge points serving the facility are designed, constructed and operated generally in accordance with the parameters outlined in the EPL for the Development.	Construction and Operational	At all times	Discharge point design, construction and operation (routine compliance monitoring)	Emissions monitoring reports, describing stack dimensions, configuration and flow parameters	N/A	All discharge points constructed and operated in accordance with planning assessments and EPL requirements.	**Compliant**
Schedule 3 Condition 15	During construction, the Applicant shall ensure that: a) all trucks entering or leaving the site with loads have their loads covered; b) trucks associated with the development do not track dirt onto the public road network; and c) the public roads used by these trucks are kept clean.	Construction	At all times	Routine inspection		Upon request	**COMPLETED.** Traffic management commitments defined in original EIS (1996), subsequent assessments and Management Plans have been adhered to. Vehicle washbay used for wheel washing, as required. WA staff monitor adherance in regards to load and vehicle management (per NHVR (National Heavy Vehicle Regulator)) requirements on an ongoing basis.	**Compliant**
Schedule 3 Condition 16	The Applicant shall implement all reasonable and feasible measures to minimise the dust generated by the development.	All Development stages	At all times	Routine inspection	Routine inspection and housekeeping records	N/A	Production areas enclosed within buildings and ventilated to fabric filter dust collectors (temporary walls constructed on southern and eastern ends of Plant and ALDEX Buildings following the fire incident of 14Nov21 to maintain building enclosure. Clean emissions discharged via respective stacks. Internal and external housekeeping performed routinely to mitigate dust generation from trafficable and/or storage areas. Dust suppression used during sweeper and mobile shredder operations.	**Compliant**
Schedule 3 Condition 17	Within three months of the commencement of DA-86-04-01-Mod 3, the Applicant shall isolate each of the eight dross storage bays by curtains to improve the collection efficiency of dust from the localised area.	Operational	Within 3 months of Mod 3 commencement		Confirmation to DPE (DoP)	DPE (DoP)	**COMPLETED.** Mod 3 determined 4 Sep 2009; commencement of Mod 3 date to be confirmed. Confirmation of curtain installation by end Nov 2009 provided 12 Apr 2010 as part of responses to DoP Orders.	**Compliant**
Schedule 3 Condition 18	Within 6 months of the commencement of DA-86-04-01-Mod 3, the Applicant shall certify to the Planning Secretary that it has installed and commenced the operation of bag house No 7 in accordance with the SEE.	Operations	Within 6 months of Mod 3 commencement		Confirmation to DPE (DoP)	DPE (DoP)	**COMPLETED.** Confirmation provided 12 Apr 2010 and 27 Jul 2010 (delayed installation and commissioning program explained). Commencement of operations occurred 23 Jul 2010 (per 27 Jul 2010 correspondence).	**Compliant**
Schedule 3 Condition 19	Within 9 months of the commencement of DA-86-04-01-Mod 3, the Applicant shall certify to the Planning Secretary that it has installed and commenced the operation of bag house No 3 in accordance with the SEE, should the air quality monitoring referred to in condition 13 indicate that the air emission limit for BH No 7 referred to in condition 11 is exceeded.	Operational	Within 9 months of Mod 3 commencement	Assessment of Baghouse 7 emissions control performance upon commissioning	Confirmation of Baghouse 7 performance	DPE (DoP)	**COMPLETED.** Confirmation provided 17 Sep 2010 of compliance Baghouse 7 emissions control performance. Confirmation that Baghouse 3 relocation will not be required. DPI letter received 23 Dec 2010 acknowledging BH7 emissions control performance, no requirement to relocate BH3, and confirmation of Condition satisfaction.	**Compliant**
Schedule 3 Condition 20	Within 6 months of the commencement of DA-86-04-01-Mod 3, the Applicant shall certify to the Planning Secretary that bag house No 2 has being detached from the ALDEX building and is servicing the dross storage area in the Plant Building only.	Operational	Within 6 months of Mod 3 commencement		Written confirmation of ducting arrangement modification	DPE (DoP)	**COMPLETED.** Confirmation of ducting decommissioning and removal between Aldex Building and Baghouse 2 provided 27 Jul 2010 (Item 5).	**Compliant**
Schedule 3 Condition 21	The Applicant must maintain a continuous fluoride emission monitoring system, which in the event that the concentration of fluoride emitted to atmosphere exceeds the limit value of 1.4 milligrams per cubic metre must activate visible and audible alarms.	Operational	At all times	Real-time emissions monitoring system	System operation	DPE (DoP)	Real-time, continuous fluoride emissions monitoring system installed at Discharge Point 1 (Stack 1). Controlled by Citect PLC (fluoride conc, lime slurry density, fluoride monitor signal strength, duct and BH temps, etc.). EPL defines hourly average limit of 1.4 mg/m^3 and instantaneous limit of 2 mg/m^3. Visible and audible alarms activate conservatively at an instantaneous fluoride concentration of 1.2 mg/m^3. Lime slurry sprays activated from 0.6 mg/m^3 to effect early control. **No exceedances reported during the Compliance Period. The HF monitoring and control instrumentation was damaged by the 14Nov21 premises fire incident. The HF monitoring and control system was inoperable between 14Nov21 and reinstated on 26Jul22. Per consultation with NSW EPA, no fluoride-containing furnace inputs were processed at the premises during this interval, so no fluoride emissons or potential environmental impact will have occurred.**	**Non-Compliant**
Schedule 3 Condition 22	If the one hour average concentration of gaseous fluoride emitted to atmosphere exceeds 1.4 milligrams per cubic metre at discharge point 1, then the plant or the section of the plant where the exceedance occurred, must cease operating until the Applicant is able to ensure compliance with the emission limits specified in the EPL for the Development.	Operational	At all times	Real-time emissions monitoring system	Monitoring data history	N/A	In event of approaching instantaneous and/or hourly average limits, furnace operations are idled and burners lowered until fluoride concentration lowered; also allowing Maintenance intervention (e.g. lime blockage), as required. This operating protocol is reflected in Standard Operating Procedures and reinforced by Environmental Bulletins. **No exceedances reported during Compliance Period.** As above, no fluoride-containing inputs were processed between the fire incident and monitoring system reinstatement.	**Compliant**
Schedule 3 Condition 23	A continuous recording and alarmed bag leak detector must be installed in each stack servicing the facility, excluding the stack 6, with calibration to detect bag failure. The results shall be included in the annual report required under condition 58 of this consent. In the event of a bag failure the failed bag shall be repaired or replaced as soon as possible within the current operational cycle.	Operational	At all times	Real-time emissions monitoring systems (all stacks, excluding Stack 6)	Monitoring data history	DPE, EPA and CCC	Real-time, continuous and alarmed particulate monitors installed and operated on all stacks (excl Stack 6), and data used for broken bag detection and recovered for reporting. Strong history of air emissions compliance performance. Real-time particulate (all stacks; excl stack 6) monitoring systems operated until the premises fire incident of 14Nov21. Some controls and instrumentation associated with the monitoring systems were destroyed by the fire. In conjunction with Insurers, replacement of particulate monitoring systems and recommissioning was completed after the end of the Reporting Period (Mar23) in conjunction with post-fire restoration works (Stacks 2 and 3 damaged by fire, and subsequently demolished, so no further monitoring applies to these sources). Following the post-fire repair/replacement of baghouses, such baghouses were only operational following authorisaton by NSW EPA. Independence compliance emissions testing continues, however, and verifies compliance with particulate limit requirements. Pollution Control Systems (baghouses and baghouse-scrubbers) and associated montoring systems operated and maintained in accordance with manufacturer's requirements. Filters changed routinely. Strong history of compliance achieved (refer former AEMR, Annual Returns, Compliance Reporting). Compliance stack testing conducted by independent provider in accordance with EPL requirements.	**Non-Compliant**
Schedule 3 Condition 23A	The Applicant must ensure all SPL is appropriately bunded and covered to prevent the emission of SPL dust, flammable gases and the contamination of stormwater.	Operational	At all times	Standard Operating Protocols. Incoming waste receipt and storage inspections.	Inspection Sheets		No SPL received since March 2020 (prior to current Reporting Period). Nevertheless, all historical SPL consignments were stored undercover to prevent windblown dust and contact with stormwater.	**Compliant**
Schedule 3 Condition 24	The Applicant shall participate and implement recommendations from any regional Health Impact Assessment to the satisfaction of the Planning Secretary.	Operational					No request made for regional Health Impact Assessment to date. WA will participate in the event of future Health Impact Assessment being sought.	**Not triggered**
Schedule 3 Condition 25	Except as may be expressly provided in an EPL for the development, the Applicant shall comply with Section 120 of the *Protection of the Environment Operations Act 1997* .	All Development stages	At all times	EPL monitoring	Monitoring data history	DPE and EPA	Annual and rainfall-event-based water quality monitoring performed at Main Pond discharge point (Point 12) in accordance with EPL requirements. Between 2012 and the November 2021 fire event, treated first flush waters (removal of particulates, metals, nutrients and oil & grease) were reused on site for irrigation purposes. No direct discharges to the environment occured. In response to the November 2021 fire event, and as requested by EPA, all site flows were directed to the Main Pond, and the former first flush by-pass service isolated to prevent discharge of stormwaters to the environment. Contained stormwaters were recovered by tanker for offisite discharge (interim arrangement), and subsequently disposed of to Trade Waste following consultation with Hunter Water. This post-fire configuration (capture and containment of all site flows (clean and potentially dirty), followed by Trade Waste discharge, has been maintained.	**Compliant**
Schedule 3 Condition 25A	All pharmaceutical waste must be stored in an enclosed (appropriately bunded and covered) area to prevent the contamination of stormwater.	Operational (Mod 9 and Mod 12)	At all times	Routine site inspections. Protocols followed for receipt and storage of pharmaceuticals in accordance with SOP.	Stocktake records and photos, weekly Enviro Inspection records		In accordance with SOPs, process inputs are stored and handled within Process Buildings, preventing the contamination of stormwater. However, in response to heightened market demand during the Compliance Reporting period (principally due to increased waste generation and processing demand in response to the Covid-19 Pandemic; and limited processing capacity elsewhere within Australia), WA's internal storage capacities were exhausted, and some quantities of pharmaceutical wastes were stored outside. All wastes have since been stored within enclosed and appropriately bunded areas to prevent the potential contamination of stormwater. Storage requirements defined, in conjunction with EPA, through the development of an Authorised Waste Storage Plan and Clinical Waste Receipt and Storage Plan.	**Non-Compliant**
Schedule 3 Condition 26	Prior to commencement of construction, the Applicant shall implement erosion and sediment controls in accordance with the Department of Housing and Landcom's *Managing Urban Stormwater: Soils and Construction* .	Construction	Prior to Construction	Site inspections			E & S controls installed and maintained in accordance with the original EISs (1996 and 2001) and Erosion, Sediment and Water Management Plan (1997) - approved by EPA 17 Jul 97. Stormwater network and Main Pond continues to manage stormwater flows. Main Pond and network of Pits are routinely cleared as part of Preventative Maintenance Program. Following the November 2021 fire event, improvements were made to the network, including earthworks to increase containment freeboard, isolation of the bypass chamber, dredging of the Pond Forebay, installation of screens on stormwater inlets/pits, management of fire wastes (consolidation, tarping, boom installation, and subsequent offsite disposal), installation of secondary containment booms, and formalisation of Trade Waste discharge arrangements.	**Compliant**
Schedule 3 Condition 27	The Applicant shall prepare and implement its Erosion and Sediment Control Plan, Site Rehabilitation Plan and Water Management Plan detailing monitoring requirements and measures to control runoff from the site, contain spillages, minimise stormwater contamination, and dispose of contaminated water and process effluent. These plans shall be submitted to Council and EPA for approval prior to the commencement of construction of the development.	Pre-Construction	Prior to Construction				**COMPLETED.** CEMP and OEMP prepared as part of 2001 EIS. Plans prepared byt Boyden & Partners 03 May 1997 and approved by EPA, CCC and DLWC. Plans reflected therein and implemented.	**Compliant**
Schedule 3 Condition 28	The Applicant shall comply with the restrictions in Table 3, unless otherwise agreed by the Planning Secretary. *Table 3: Construction Hours for the Development* **Activity** / **Day** / **Time** Construction / Monday – Friday / 7:00am to 6:00pm Saturday / 8:00am to 1:00pm Sunday and Public Holidays / Nil *Note: Construction activities may be conducted outside the hours in Table 3 provided that the activities are not audible at any residence beyond the boundary of the site.*	Construction	At all times	CEMP implementation			**COMPLETED.** Single breach regarding construction works carried out on Sunday 30 Nov 1997 without prior approval. Letter issued by CCC 1 Dec 1997 in reference to Complaint. At all other times, construction activities strictly limited to times defined in the Consent. Compliant during Compliance Reporting period. Construction time constraints adhered to throughout Mod 14 construction works.	**Compliant**
Schedule 3 Condition 29	The Applicant shall ensure that the noise from the operation of the development does not exceed the noise limits presented in Table 4. *Table 4: Development Noise Limits (dB(A))* **Location** / **Daytime** / **Evening** / **Night time** Residences at the corner of Government Street and 10th Street: 48 / 48 / 40 / 47 / 35 / 57 Residences on Northcote Street: 44 / 44 / - / 44 / 40 / 57 Residences in the Light Industrial Zone on Mitchell Avenue and Railway Road: 43 / 43 / - / 43 / 41 / 55 *Note: Condition 30 of this consent does not impose maximum allowable noise limits for residences on Horton Road and McCarvie Road as the Applicant has established a negotiated agreement with the landowner of those properties in regard to noise.*	Operational	At all times	Independent Noise Surveys performed in accordance with EPL requirements and frequency	Noise Monitoring Reports	EPA (accompany Annual Return)	Monitoring performed on a triannual basis in accordance with EPL requirements - both attended monitoring and modelling assessment. Strong compliance achieved to date. Minor predicted (modelled) exceedances (1 or 2 dB(A)) not considered notable in accordance with INP. A targetted night-time monitoring survey was performed in November 2020 in response to local noise complaints, though noise described could not be observed. Noise levels attributble to WA operations were found to be within limits. Attended compliance monitoring event performed in 2021 verified compliance with noise limits at all monitoring locations under stable meteorological conditions.	**Compliant**
Schedule 3 Condition 30	The Applicant shall ensure that trucks are not entering and leaving the site outside the hours of 7.00am to 10.00pm.	Operational	At all times	Contract arrangements, weighbridge manning hours and Main Gate closure			Truck access and egress from the site typically limited to 7am - 5pm Monday to Friday. Occasionally trucks may access and exit site as late as 6pm by special arrangement only. Typically, no weekend deliveries or outgoings. Main Gate openning hours typically restricted to 7:00am - 5:00pm, Monday - Friday.	**Compliant**
Schedule 3 Condition 30A	All doors adjacent to the briquetting plant are to be closed at all times.	Operational	At all times				**COMPLETED.** Doors remained closed at all times. Briquetting Plant decommissioned and removed in 2020. No noise issues or complaints historically in relation to Briquetting Plant operation. Eastern portion of the Aldex Building destroyed by the November 2021 fire event. Condition no longer relevant.	**Compliant**
Schedule 3 Condition 31	The Applicant shall prepare and implement a Noise Monitoring Program, in consultation with the EPA. The Program shall be submitted for the approval of the Planning Secretary within three months of the commencement of operation of the development, and must include a noise monitoring protocol to evaluate compliance with development noise limits specified in Condition 28 and management measures to address any exceedances.	Operational	Prior to commencement of operations		Noise Monitoring Program development	EPA and DPE	**COMPLETED.** Monitoring methodology defined as part of OEMP development (2001). Agreed Monitoring methodology is reflected in Noise Compliance Study Reports, which includes attended monitoring and modelling assessment.	**Compliant**
Schedule 3 Condition 31A	If noise limits specified in Condition 28 are exceeded as a result of the briquetting plant modification, the Applicant shall fully enclose the concrete slab on the southern side of the Aldex building to the satisfaction of the Planning Secretary.	Operational	Following commencement of Briquetting plant (Mod 5)	Compliance noise monitoring	Compliance noise moitoring reports		**COMPLETED.** No exceedances to date as a result of Mod 5 activities. Therefore, no requirementto enclose concrete slab. Update: Briquetting Plant decommissioned in 2020. Condition no longer relevant.	**Compliant**

COMPLIANCE TABLE

ID NO.	COMPLIANCE REQUIREMENT (MOD 14)	DEVELOPMENT PHASE	LEAD TIME	MONITORING METHODOLOGY	EVIDENCE REQUIRED	RECEIVING AUTHORITY/DEPARTMENT	EVIDENCE AND COMMENTS	COMPLIANCE STATUS
Schedule 3 Condition 32	At least one month prior to construction of the development (except for construction of preliminary works that are outside the scope of the hazard studies), the Applicant shall submit for the approval of the Director General, the following studies: a) a Hazard and Operability Study for the process operations and fuel supply. This shall include the rotary cooler cooling water system, safeguards for hydrogen fluoride release, rotary furnaces and holding furnaces. The study shall be chaired by an independent qualified person approved by the Planning Secretary; b) a Final Hazards Analysis (FHA) prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No.6 'Guidelines for Hazard Analysis'; and c) arrangements covering the transport of hazardous materials including details of routes to be used for the movement of trucks. Further, the applicant shall enter into contractual arrangements with contract drivers to require the use of routes determined under this condition except where necessary for local deliveries. This should include a management plan and emergency procedures.	Pre-Construction	Prior to commencement of construction		Study preparations	DPE	COMPLETED. Studies undertaken by Steve Sylvester (Granherne) as part of original Development. HAZOP, FHA, Fire Safety Study and Transport Risk Assessment Study forwarded to DUAP 09 Apr 1997. DUAP approved 28 Apr 1997. Studies subsequently updated in accordance with Modifications/SSD Approval requirements. All updated studies prepared and issued to DPE (Jan-Feb 19). CSS approved 15 Mar 2019. FHA approved 10 May 2019. FSS updated (as single, stand-alone document) to reflect DPE review comments (7 May 2019), and submitted 26 Nov 2019 (Approved by DPE 16 Jan 20). HAZOP updated per DPE comments (07 May 2019) and submitted 23 Dec 2019. HAZOP approved by DPE (16 Dec 2020; inadvertent delay with written approval).	Compliant
Schedule 3 Condition 33	At least two months prior to commissioning of the development, the Applicant shall prepare and submit for the approval of the Planning Secretary a Preliminary Hazards Implementation Update, certifying that the recommendations made in following studies have been fully implemented: a) Dross Processing Plant Additions at Weston Kurri Kurri, NSW - Preliminary Hazard Analysis, prepared by Granherne and dated 25 October 1999; and b) Proposed Additional Facilities at the Weston Dross Processing Plant Weston, NSW - Molten Metal Transportation Risk Assessment. Where it has been decided not to implement a particular recommendation, the reasons shall be clearly stated.	Pre-comissioning	2 months prior to commissioning of original Development				COMPLETED. Refer archives.	Compliant
Schedule 3 Condition 34	Prior to the commencement of operation of the development, the Applicant shall develop an Emergency Services Cooperation Agreement in consultation with the emergency response teams relevant to the site and proposed haulage routes for molten aluminium (NSW Fire and Rescues, State Emergency Services and local bushfire fighting services, where relevant). The Agreement shall provide, but not necessarily be limited to: a) policies and procedures for the on-going supply of hazards information to the emergency response teams in relation to the site, molten aluminium transport and dross transport, including quantities and locations of hazardous materials and possible hazardous events associated with the site and dross/ molten aluminium haulage; b) policies and procedures for communication with the emergency response teams, and notification in the event of an emergency; c) any agreement for access to water stores at the development in the event of a bushfire; and d) any agreement for the provision of suitably qualified and appropriately trained employees from the site to assist where relevant in the event of a bushfire or emergency. The Emergency Services Cooperation Agreement shall be consistent with the Emergency Plan required under this consent. The Applicant shall supply a copy of the Emergency Services Cooperation Agreement to the Planning Secretary prior to the commencement of operation.	Pre-operational	Propr to commencement of operations				COMPLETED. Original intent was to facilitate molten aluminum transfers between Weston Aluminium and Hydro Alumnium Kurri Kurri (then VAW). Transfer of molten alumnuim was not performed however, and is no longer part of the Development. Hydro Aluminium closure occurred in 2011.	Not triggered
Schedule 3 Condition 35	Dross sourced from overseas smelters and secondary aluminium processors must be inspected prior to processing in accordance with the Inspection Protocol for Imported Dross, approved by the Land and Environment Court on 7 April 2000.	Operational	At all times		Protocol and Inspection records	Available upon request	COMPLETED. Dross inspection protocol developed (2002) and implemented for first 10 batches of dross delivered (NZAS dross).	Compliant
Schedule 3 Condition 36	The Applicant shall store and handle all dangerous goods, as defined by the Australian Dangerous Goods Code, strictly in accordance with: a) all relevant Australian Standards; b) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and c) the EPA's Environment Protection Manual Technical Bulletin *Bunding and Spill Management* .	Operational	At all times				Plant Building dross/SPL storage bunkers designed in accordance with AS requirements. Structures roofed and bunded. Diesel facility bund also designed and constructed with >110% capacity of the tank (earlier 5,000L and then 8,000L USTs; approx 21,000L capacity bund). 2020 upgrade to tank to self-bunded 20,000L tank, which is still accomodated within the original bund for back-up containment. Secondary diesel storage facility in scrap yard (6,000L) is similarly a self-bunded design, and AS compliant). DG Notification and updates, as required, provided to SafeWork NSW, including designation of Depots, development of Manifest (contacts, site plans, SDSs, Risk Assessments and DG Register). Last Notification update Dec 2022. Manifest held in HAZCHEM cabinet at site entrance. In accordance with SOPs, process inputs are stored and handled within Process Buildings, preventing the contamination of stormwater. However, in response to heightened market demand during the Compliance Reporting period (principally due to increased waste generation and processing demand in response to the Covid-19 Pandemic; and limited processing capacity elsewhere within Australia), WA's internal storage capacities were exhausted, and some quantities of pharmaceutical wastes were stored outside. All wastes have since been stored within enclosed and appropriately bunded areas to prevent the potential contamination of stormwater. Storage requirements defined, in conjunction with EPA, through the development of an Authorised Waste Storage Plan and Clinical Waste Receipt and Storage Plan.	Non-Compliant
Schedule 3 Condition 37	At the commencement of DA-86-04-01-Mod 3, The Applicant shall have in operation emergency stop systems in ALDEX and Plant buildings, including a temperature sensor and an alarm, in the event of a fire.	Operational	Commencement of Mod 3		Annual Fire Safety Certification	CCC - annual basis (21 July anniversary)	COMPLETED. Emergency stops, alarms and associated signage installed in both Plant and Aldex Buildings following Mod 3. Conveyor motor had overtemperature sensor, and will stop in event of fire. Systems inspected routineley and form part of the Fire Safety Measures assessed and certified annually in accordance with CCC's schedule. Physical connections between the Plant and Aldex Buildings were subsequently removed in 2014. Condition no longer relevant. Thereafter, buildings have been treated as isolated buildings.	Compliant
Schedule 3 Condition 38	The Applicant shall ensure that that haulage of molten aluminium is via Main Road 588 (Renshaw Drive) when travelling towards the Sydney- Newcastle Freeway (F3), rather than via Main Road 195 (Kurri Kurri-Mulbring Road) and Main Road 220 (Lake Road).	Operational	At all times				COMPLETED. Original intent was to facilitate molten aluminum transfers between Weston Aluminium and Hydro Alumnium Kurri Kurri (then VAW). Transfer of molten alumnuim was not performed and is no longer part of the Development. Hydro Aluminium closure occurred in 2011.	Not triggered
Schedule 3 Condition 39	The Applicant shall ensure that all parking generated by the development is accommodated on site. No vehicles associated with the development shall park on the public road system at any stage.	All Development stages	At all times				40 parking spaces provisioned in Main Carpark (including 2 Visitors and 1 Disabled), and areas along access driveway and throughout the site are provided to park trucks and other vehicles (e.g. contractor service vehicles), as required. No parking occurs on Mitchell Avenue or any other public road. Truck management (parking, flows in/out, etc) is facilitated by Weighbridge Staff members.	Compliant
Schedule 3 Condition 40	During the development, the Applicant shall ensure that the development does not result in any vehicles queuing on the public road network.	All Development stages	At all times	Site Induction. Instruction to transport contractors.			As above, sufficient parking available on site. No parking occurs on Mitchell Avenue or any other public road. No queuing on the public road network occurs. Managed by Weighbridge Staff.	Compliant
Schedule 3 Condition 41	Prior to the commencement of operation of the development, the Applicant shall submit for the approval of the Planning Secretary a Transport Code of Conduct to outline management of traffic impacts associated with the site and minimum requirements for the movement of heavy vehicles to and from the site. The Code shall meet the requirements of Council and the RTA, should there be any. The Code shall include, but not necessarily be limited to: a) restrictions to routes, consistent with condition 37 of this consent; b) restrictions to the hours of transport operations, consistent with condition 29 of this consent, to avoid travelling built-up areas late at night or at times of high traffic flows in those areas; c) speed limits to be observed along routes to and from the site, in particular through built-up areas; d) minimum requirements for vehicle maintenance to address noise and exhaust emissions; e) load coverage requirements; and f) behavioural requirements for vehicle drivers.	Pre-operational	Prior to commencement of coperation			DPE	Original Transport Code of Conduct prepared 2002. Transport Risk Assessment Study prepared for original development 1997 and forwarded to the then DUAP 09 Apr 97. DUAP approval received 28 Apr 97. Code of Conduct forms part of OEMP. Transport Code of Conduct (Route Selection) updated as part of Safety Management System update (Feb 2020) in response to Mod 12 and SSD7396 developments. Should significant changes to site activities / layout occur, this Transport Code of Conduct will again be updated. Code of Conduct also reflected in Transport Contractor Induction Package.	Compliant
Schedule 3 Condition 42	The Applicant shall ensure that the lighting associated with the development: a) complies with the latest version of Australian Standard AS 4282(INT) - *Control of Obtrusive Effects of Outdoor Lighting* ; 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.	All Development stages	At all times				External floodlighting installed in such a way as to be sensitive to neighbouring landuse and public roadways. Lighting aimed at ground in trafficable areas within the site. Lighting is not considered obtrusive from Mitchell Avenue view.	Compliant
Schedule 3 Condition 43	The Applicant shall prepare a Landscape Management Plan in consultation with Council prior to the commencement of construction of the development and provide details of existing and proposed tree and shrub species, finish of exposed surfaces (including paved areas), and outline a program for implementation.	Pre-Construction	Prior to commencement of construction				COMPLETED. Landscape Management Plan prepared as part of 2001 OEMP. Considered as part of subsequent Modifications, as applicable, and for consistency with the Asset Protection Zone (APZ) developed in consultation with NSWRFS.	Compliant
Schedule 3 Condition 44	The Applicant shall ensure that all waste generated on the site during construction and operation of the development is classified in accordance with the EPA's Waste Classification Guidelines and disposed of to a facility that may lawfully accept the waste.	Operational	At all times		Weighbridge records and Inspection Sheets		Specific Immobilisation Approval sought from NSW EPA 2005 (2005-S-13) for historical disposals. Protocol for sampling and assessment developed. Extensions to SIA sought as required, including provision of statistical data analysis demonstrating classification (per TCLP fluoride) and compliance with Approval. Beyond some baghouse dust residues, WA has essentially achieved a zero-waste status with respect to process residues. Baghouse dust residues have been classified as GSW, and are disposed of accordingly. Residues generated in response to the 14Nov21 fire event were contained, consolidated (like-for-like) and classified in consultation with NSW EPA prior to disposal offsite.	Compliant
Schedule 3 Condition 45	Except as expressly permitted by an EPL, the Applicant shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing or disposal, or any waste generated at the site to be disposed of at the site.	Operational	At all times	Period review of Consent and EPL provisions (particularly in response to Modifications and new Developments).	Weighbridge Records, Inspection Sheets, Operational Data Sheets		A consignment of brushes (3.28 tonnes) were received on site during the compliance interval. These wastes were not classified under the EPA's Waste Classification Guidelines, and are considered not expressly permitted by the EPL. These wastes were destroyed by the premises fire event of 14Nov21. . No additional consignments of this waste type have been received. Further, and as identified above, an Authorised Waste Storage Plan has been prepared in conjunction with the EPA to verify permissible wastes.	Non-Compliant
Schedule 3 Condition 46	The Applicant shall investigate recycling options for ash and fume wastes and submit findings to Council and EPA within 12 months of the commissioning of the development, and every 12 months thereafter, until a feasible recycling alternative is found and implemented.	All Development stages	At all times until a feasible recycling option is identified and implemented.		Annual Environmental Management Reports	CCC, EPA and DPE	COMPLETED. Progress with WA's investigation of recycling options reflected in former Annual Environmental Management Reports. WA established the Alternative Materials Division in 2007 to profile ash and dust streams, develop viable reuse markets, and eliminate landfill disposal. Since peak landfilling in FY07 (10,991 tonnes), landfilling rates dramatically reduced to <500 tonnes per annum (FY11), and have remained low (typically <200 tpa) ever since. Ash beneficiation has recently been extended to Thermal Processing Facility bottom ashes.	Compliant
Schedule 3 Condition 47	The Applicant shall maximise on site waste recycling, in particular packaging materials, paper and any other such wastes.	All Development stages	At all times				WA introduced additional bins (Paper & Cardboard and Timber) in 2008 to improve recycling performance and reduce landfilling activity. WA has since moved to a more paper-free environment, and seeks low-packaging consumables purchases. Timber pallets are either reused on site for product dispatch, or otherwise stacked near the Plant entrance for recovery by the public for reuse - strong and highly competitive demand observed. Since the introduction of the Thermal Water Treatment Plant (particularly beyond late 2022), the quantity of cardboard packaging has again increased (in preference to plastic shrink-wrap), so cardboard recycling bin services have again been reintroduced to divert this stream to offsite recycling stream opportunities, thereby avoiding landfill disposal.	Compliant
Schedule 3 Condition 48	The Applicant shall not clear any native vegetation beyond the limits defined in Figure 4.1 of Additions to the Kurri Kurri Aluminium Refining and Recycling Facility - Volume II Construction Environmental Plan, prepared by URS and dated 23 April 2001.	All Development stages	At all times				Any clearing performed beyond that defined in CEMP has been performed in accordance with subsequent Modifications, and in consultation with NSWRFS / FRNSW as part on APZ establishment and maintenance, particularly after the significant local/regional bushfires in 2014 and 2016. FRNSW and NSWRFS particularly concerned about regrowth fuel load (e.g. near carpark and pond), and insisted on more routine hazard reduction (slashing), which has occurred routinely since.	Compliant
Schedule 3 Condition 49	Clearing for the development shall be restricted to areas of the site covered by the Angophora/Stringybark/Grey Gum community. The Forest Red Gum, (Eucalyptus tereticornis) community shall be preserved for its habitat value and ecological significance.	All Development stages	At all times				Vegetation Management Plan (15 May 1997) and supplementary information provided by WA (02 Jun 1997) indicated the majority of Forest Red Gum community would be retained. NPWS satisfied with VPM (letter 05 Jun 1997). Any clearing performed beyond that defined in CEMP has been performed in accordance with subsequent Modifications, and in consultation with FRNSW and NSWRFS as part on APZ establishment and maintenance, particularly after the significant local/regional bushfires in 2014 and 2016. FRNSW and NSW RFS particularly concerned about regrowth fuel load (e.g. near carpark and pond), and insisted on more routine hazard reduction (slashing), which has occurred routinely since.	Compliant
Schedule 3 Condition 50	The Typha swamp in the north-western corner of the site and Swamp Creek (and its associated drainage lines) shall be protected from siltation by appropriate means detailed in the Erosion and Sediment Control Plan.	All Development stages	At all times				Wetland construction and maintenance is performed in accordance with the E&S Plan. Silt fencing also established and maintained at the northern boundary at the steepest sloped location. NPWS in letter of 05 Jun 1997 confirmed entire Typha swamp would be retained. Pg 15 of Erosion, Sediment and Water Management Plan outlines erosion controls downstream of work areas prior to works commencement.	Compliant
Schedule 3 Condition 51	The Applicant shall implement a program to minimise the presence and spread of weeds, in particular camphor laurel, on the site.	All Development stages	At all times		MEX database		Preventative Maintenance performed - removal and/or spraying of weeds, including Camphor Laurel. Weed Management Plan (03 Mar 2015) implemented. No camphor Laurel present on site since mid-2015. Common weed spraying is performed as part of ongoing Preventative Maintenance program.	Compliant
Schedule 3 Condition 52	In the event that Aboriginal objects are uncovered during the course of the development, the Applicant shall cease all works in the immediate areas, notify the EPA and implement any reasonable and feasible measures recommended by the EPA.					EPA / OEH	Nil artefacts identified to date. Should any artifacts be identified, NPWS is to be notified immediately.	Compliant

COMPLIANCE TABLE

ID NO.	COMPLIANCE REQUIREMENT (MOD 14)	DEVELOPMENT PHASE	LEAD TIME	MONITORING METHODOLOGY	EVIDENCE REQUIRED	RECEIVING AUTHORITY/DEPARTMENT	EVIDENCE AND COMMENTS	COMPLIANCE STATUS
Schedule 3 Condition 53	The Applicant shall prepare and implement an Energy Savings Action Plan for the development to the satisfaction of the Planning Secretary. This plan must be prepared in accordance with the requirements of the EPA and the Guidelines for Energy Savings Action Plans, DEUS 2005, and be submitted to the Planning Secretary for approval within six months from the commencement of DA-86-04-01-Mod 3.	Operational	Within 6 months from commencement of Mod 3	ESAP preparation. Performance of actions monitored via annual NGER (National Greenhouse and Energy Reporting) reports.	ESAP	DPE Planning Secretary	**COMPLETED.** Advitech engaged to prepare an ESAP. Final Report (28 June 2010) submitted to the Planning Secretary (NSW DoP) on 27 Jul 2010. WA has since implemented numerous measures, including: routine Power Factor Correction checking and optimisation; installation of VSDs to various motors; routine burner tuning and optimisation; replacement of all hi-bay lighting with low-wattage LED lightig; turning off lights and AC units after hours; identifying and eliminating compressed air leaks; and has installed pulse controllers on baghouses (for demand-based operation c.f. time-based operation). Energy Conservation Plan also prepared for the original development and provided to CCC on 12 Mar 1997.	**Compliant**
Schedule 3 Condition 54	The Applicant shall, to the satisfaction of the Planning Secretary: a) monitor the greenhouse gas emissions generated by the development; b) investigate ways to reduce greenhouse gas emissions generated by the development; and c) report on greenhouse gas monitoring and abatement measures and energy efficiency measures identified in the Energy Savings Action Plan.	All Development stages	At all times beyond Mod 3	AEMR, NPI and NGER reporting	NPI and NGER reporting	CCC, EPA and DPE	GHG emissions reported via NGER (EERS) Reporting. Historical data demonstrates general improvements in energy efficiencies and reductions in GHG emissions per unit of production. 	**Compliant**
Schedule 3 Condition 54A	For the duration of the DA-86-04-01 Mod 8, the Applicant must: a) monitor and record, air emissions, including cyanide, hydrogen cyanide, fluoride, particulates and all pollutants and parameters specified in the EPL; b) cease processing, and notify the EPA and the Planning Secretary, should laboratory results indicate emissions of cyanide are greater the limits in the EPL or the Protection of the Environment Operations (Clean Air) Regulation 2010; c) monitor and record all processing conditions for the trial, including: i. the quantity and characteristics of all inputs; ii. the processing methods, including the rotary furnace temperature profile and the duration of thermal treatment; andundertake real-time monitoring of fluoride and particulate emissions and immediately cease processing, and notify the EPA and the Planning Secretary, should any exceedance of the limits in the EPL occur.	Operatonal	During Mod 8	Refer Monitoring and Verification Report	Monitoring and Verification Report	CCC, EPA and DPE	**COMPLETED.** Monitoring and Verification Report for SPL Processing Trial (Mod 8) issued 20 May 2016, following Trial completion. All monitoring requirements satisfied. No exceedances of air emission criteria throughout Trial.	**Compliant**
Schedule 3 Condition 54B	The Applicant must prepare a detailed monitoring report, on the outcomes of DA-86-04-01 Mod 8, to the satisfaction of the EPA and the Planning Secretary. The report must: a) be submitted to EPA, Council and the Planning Secretary within 90 days of the completion of DA-86-04-01 Mod 8; b) detail the results of the monitoring required in condition 54A above; c) compare the results of the trial to, the limits in the EPL and the EPAs air quality impact assessment criteria specified in the "Approved Methods for the Modelling and Assessment of Air Pollutants in NSW" (DEC 2005); d) describe any anomalies in the monitoring data, and any exceedances of the limits or assessment criteria; e) characterise the trial outputs and describe how these products are to be managed and disposed of, demonstrating compliance with condition 44; f) summarise the findings of the trial; g) recommend any actions that could be taken to minimise emissions during any future processing; and h) discuss the likely options for any future processing.	Operatonal	During Mod 8	Refer Monitoring and Verification Report	Monitoring and Verification Report	CCC, EPA and DPE	**COMPLETED.** Monitoring and Verification Report for SPL Processing Trial (Mod 8) issued 20 May 2016, following Trial completion. All monitoring requirements satisfied. No exceedances of air emission criteria throughout Trial.	**Compliant**
Schedule 3 Condition 54C	For the duration of DA-86-04-01 Mod 9, the Applicant must: a) monitor and record, air emissions and all pollutants and parameters specified in the EPL. All air quality monitoring must occur on a quarterly basis and whenever Pharmaceutical and Illicit Drug Waste material is being processed; b) ensure air quality emissions testing is completed in accordance with the EPA's Approved Methods for Sampling and Analysis of Air Pollutants in NSW; c) cease processing, and notify the EPA and the Planning Secretary, should laboratory results indicate emissions are greater than the limits in the EPL or the Protection of the Environment Operations (Clean Air) Regulation 2010; d) monitor and record all processing conditions for the trial, including: i) the names, contact details and qualifications and experience of the person(s) conducting and supervising the trial; ii)the source facility, a description of the waste type, amount and date received of each load of waste accepted for disposal as part of the trial; iii) all process conditions for the trial including the quantity of pharmaceutical and/or illicit drug waste in each batch processed, any other materials/additives processed in each batch, the temperature profile of the furnace during each batch processed and the residence time of the material within the furnace; and iv) undertake real-time monitoring of fluoride and particulate emissions and immediately cease processing, and notify the EPA and the Planning Secretary, should any exceedence of the limits in the EPL occur.	Operational	During Mod 9	Refer Monitoring and Verification Report	Monitoring and Verification Report	CCC, EPA and DPE	**COMPLETED.** Monitoring and Verification Report for Pharmaceutical and Illicit Drug Processing Trial (Mod 9) issued 11 Nov 2017, following Trial completion. All monitoring requirements satisfied. No exceedances of air emission criteria throughout Trial.	**Compliant**
Schedule 3 Condition 54D	The Applicant must prepare a detailed monitoring report, on the outcomes of DA-86-04-01 Mod 9, to the satisfaction of the EPA and the Planning Secretary. The report must: a) be submitted to the EPA, Council and the Planning Secretary within 90 days of the completion of DA 86-01-01 Mod 9; b) detail the results of the monitoring required in Condition 54C above; c) compare the results of the trial to the limits in the EPL and the EPA's air quality impact assessment criteria specified in the "Approved Methods for the Modelling and Assessment of Air Pollutants in NSW" (DEC, 2005); d) describe any anomalies in the monitoring data, and any exceedences of the limits or assessment criteria; e) characterise the trial outputs and describe how these products are to be managed and disposed of, demonstrating compliance with conditon 44; f) summarise the findings of the trial; g) recommend any actions that could be taken to minimise emissions during any future processing; and h) discuss the likely options for any future processing.	Operational	During Mod 9	Refer Monitoring and Verification Report	Monitoring and Verification Report	CCC, EPA and DPE	**COMPLETED.** Monitoring and Verification Report for Pharmaceutical and Illicit Drug Processing Trial (Mod 9) issued 11 Nov 2017, following Trial completion. All monitoring requirements satisfied. No exceedances of air emission criteria throughout Trial.	**Compliant**
Schedule 3 Condition 54E	Should approval be granted by the EPA in accordance with Condition 5C, liquid waste must be charged to the suitably hot furnace: a) after the molten aluminium is tapped out; and b) at the beginning of the next charge, prior to the addition of solid aluminium dross.	Operational	During Mod 12	SOPs and training. Operational Data Sheets and SiteTracker	Operational Data Sheets		Not applicable, as approval had not been granted by the EPA during the Reporting Period in accordance with 54C.	**Not triggered**
Schedule 3 Condition 54F	For the duration of the DA 86-04-01 Mod 12, the Applicant must monitor all processing conditions, the quantity and characteristics of all inputs and processing methods, including the rotary furnace operating profile and the duration of thermal treatment.	Operational	During Mod 12 processing operations	Per SOP for Pharmaceutical and Illicit Drug Processing	Refer Rotary Furnace Operations Sheets, Illicit Drug Inspection Sheets and Citect data output files.		Quantities and nature of pharmaceutical and illicit drug inputs and operational conditions recorded on inspection and rotary furnace data sheets. Note: only very small quantities processed during the Reporting Period.	**Compliant**
Schedule 3 Condition 54G	12 months after the commencement of operation of DA 86-04-01 Mod 12, the Applicant must prepare a detailed monitoring report, on the outcomes of operation, to the satisfaction of the Planning Secretary. The report must: a) detail the results of the monitoring required in condition 54F; and b) include a tracking summary of the implementation and monitoring of mitigation measures as listed under Hazards and Risk, Table 15 Summary of Management Measures of the EA prepared by AECOM and dated 10 July 2017 and included in Appendix B.	Operational	12 months after Mod 12 commencement				**COMPLETED.** Air Emissions Verification Report (AEVR) prepared and submitted to DPE and EPA 16 Dec 2020. Scope achieved. AEVR approved by DPE 10 Mar 2021.	**Compliant**
Schedule 4 Condition 55	The Applicant shall implement the following Plans for the development: a) Additions to the Kurri Kurri Aluminium Refining and Recycling Facility - Volume II Construction Environmental Management Plan, prepared by URS and dated 23 April 2001; b) Additions to the Kurri Kurri Aluminium Refining and Recycling Facility - Volume II Construction Environmental Management Plan Appendices, prepared by URS and dated 23 April 2001; and c) Construction Safety Study, prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 7 - Construction Safety Study Guidelines* .	Initial facility construction	During construction phase	Per CEMP			**COMPLETED.** Requirements defined in the CEMP and CSS were satisfied.	**Compliant**
Schedule 4 Condition 55A	The Applicant must prepare and implement a Construction Environmental Management Plan for the duration of the construction of DA 86-04-01 Mod 14.	Construction phase (Mod 14)	During construction phase	CEMP preparation	CEMP is available to regulators upon request	Not required to be submitted	CEMP prepared Feb22 and implemented during construction phase of Mod 14 (not required to be submitted for approval).	**Compliant**
Schedule 4 Condition 56	The Applicant shall update the following Plans/Studies to reflect the requirements of this consent and submit the amended Plans for the approval of the Planning Secretary within three months from the commencement of DA-86-04-01-Mod 3: a) Additions to the Kurri Kurri Aluminium Refining and Recycling Facility - Volume III Operational Environmental Management Plan, prepared by URS and dated 23 April 2001; b) Additions to the Kurri Kurri Aluminium Refining and Recycling Facility - Volume III Operational Environmental Management Plan Appendices, prepared by URS and dated 23 April 2001; c) Fire Safety Study prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study Guidelines' and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems. The study shall also be submitted to the NSW Fire and Rescue for approval; d) Emergency Plan detailing emergency procedures for the development, including detailed procedures for the safety of people outside of the development who may be at risk from the development. The Emergency Plan must be prepared accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1 'Industry Emergency Planning Guidelines'; and e) Safety Management System covering all on-site operations and associated transport activities involving hazardous materials. The Safety Management System must specify all safety related procedures, responsibilities and policies, along with mechanisms for ensuring adherence to the procedures.	Operational (Mod 3)	Within 3 months of commencement of Mod 3		Updated OEMP, FSS, ERP and SMS	Planning Secretary	**COMPLETED.** Original plans prepared and approved (by then Plannng NSW) in 2002. Updated documents: OEMP (AECOM; Dec 2009), FSS (AECOM, Dec 2009), ERP (WA, Nov 2009) and SMS (WA Nov 2009) issued to DPE (03 Dec 2009) and subsequently approved. These documents have also been updated as part of subsequent Mods (e.g. Mod 7, 12 and SSD 7396) and as part of routine review and updates.	**Compliant**
Schedule 4 Condition 56A	Within three months of each of the modifications listed below, the Applicant shall submit, for approval of the Planning Secretary, the relavent updated studies (as required by Condition 56 and described in table 5) to reflect the requirements of that modification. **Modification** / **Plans** DA 86-04-01 Mod 7 / 56 c, d and e DA 86-04-01 Mod 9 / 56 d and e DA 86-04-01 Mod 12 / 56 d and e	Operational (Mod 12)	Within 3 months of commencement of Mod 12	Diary entry	Submission of updated Plans	Planning Secretary	**COMPLETED.** Documents updated for Mod 7, 9, and most recently, for Mod 12: ERP (WA, Sep 2019) and SMS (WA, Sep 2019; minor subsequent revisions Feb and May 2020) issued to DPE (13 Sep 2019 and 03 Dec 2019). Also prepared in conjunction with corresponding Plan updates sought by SSD 7396. ERP approved by DPE 18 Nov 2019. Safety Management System Manual approved by DPE 13 May 2020.	**Compliant**
Schedule 4 Condition 56B	The Applicant shall update the Safety Management System covering all on-site operations and secuity protocols for the storage, transport and incineration of pharmaceutical and illicit drug wastes.	Operational (Mod 9)	Prior to commencement of Mod 9	Diary entry	Submission of updated SMS	Planning Secretary	**COMPLETED.** As above. Documents updated most recently for Mod 12: SMS (WA, Sep 2019; minor subsequent revisions Feb and May 2020) issued to DPE (03 Dec 2019). Also prepared in conjunction with corresponding Plan updates sought by SSD 7396. Safety Management System Manual approved by DPE 13 May 2020.	**Compliant**
Schedule 4 Condition 56C	Six months after commencement of operation of DA 10397 of 1995 Mod 10 [DA 86-04-01 Mod 12], the Applicant shall submit to the Planning Secretary, a report verifying that: a) the updated Emergency Response Plan required under condition 56 is effectively in place; and b) the updated Safety Management System required under condition 56 has been fully implemented and that records required by the system are being kept.	Operation (Mod 12)	6-months after Mod 12 commencement	Diary entry	Correspondence to DPE	Planning Secretary	**COMPLETED.** ERP and SMS updated concurrently per Mod 12 and SSD 7396 requirements. ERP approved in Sep 2019, while SMS approved May 2020 following Department reviews and comment. Email of 06 Jul 2020 forwarded to DPE confirming that thew ERP and SMS have been implemented and are currently in place.	**Compliant**
Schedule 4 Condition 57	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the devlpment 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 our in **Appendix C**.	Operational	Immediately following incident, should a notifiable incident occur.	Routine Compliance monitoring and inspection	In-house documentation	DPE and/or EPA, as applicable	DPE was notified of the 14Nov21 fire incident by email and via Major Projects Portal on 19Nov21. Written Report (prepared in accordance with Appendix C requirements) was submitted on 17Dec21; which was later than the required 30 days from the date of the incident. WA is committed to satisfying reporting requirements defined in the Consent, and will ensure that timely reporting occurs in future.	**Non-Compliant**

COMPLIANCE TABLE

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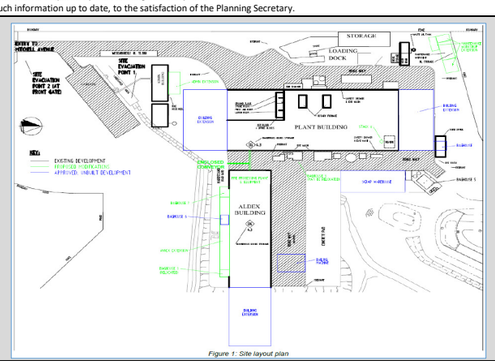
Schedule 4 Condition 58	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.	Operational	Within 7 days after becoming aware of a non-compliance, should a non-compliance occur.	Routine Compliance monitoring and inspection	Formal notification	DPE and/or EPA, as applicable	DPE was notified of the 14Nov21 fire incident by email and via Major Projects Portal 19Nov21.	**Compliant**
Schedule 4 Condition 59	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.	Operational	Per Condition 58, in the event of a non-compliance.	Routine Compliance monitoring and inspection	Formal notification	DPE and/or EPA, as applicable	Fire incident treated as a non-compliance, though reported as an Incident (refer Condition 60).	**Compliant**
Schedule 4 Condition 60	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Operational	n/a				As above	**Compliant**
Schedule 4 Condition 61	Within three months after the first year of commencement of operation, and in the same month each subsequent year (or such other timing as agreed by the Planning Seretary), 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: 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 c) describe what measures will be implemented over the next year to improve the environmental performance of the development.	Operational (Mod 14)	Within three months after the first year of commencement of operation, and in the same month each subsequent year	Compliance Reporting	Compliance Report	DPE	2021-22 Compliance Report prepared in relation to Mod 14. Reissue following DPE review and feedback.	**Compliant**
Schedule 4 Condition 63	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.	Operational (Mod 14)	Publically available within 60 days of DPE submission, and 7 days in writing to DPE prior		Website upload, following formal written notification to DPE	DPE	Pre-Operational Compliance Report uploaded to Company Website same day as DPE submission (05Sep19). Compliance Report for initial (16 Aug 19-15 Aug 20) reporting period uploaded 11 Sep 2020. DPE notified of intended website publication within the required 7-days on 09 Sep 2020. 60 day publication requirement in compliance. 2021-22 Compliance Report published 05Dec22, and DPE notified 19 Jan23. Amended Compliance Report (May23) to be re-published following resubmission, and DPE notified.	**Compliant**
Schedule 4 Condition 64	Within one year of commencement of operation, and every three years after, 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: a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020); 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 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).	Operational (Mod 14)	Within one year of commencement of operation (by 03Aug23), and every three years after	Diary entry	Auditor engagement and DPE endorsement, Independent Audit Report	DPE	For Mod 14, the first Audit is due within one year of commencement of operation (03Aug), **i.e. by 03 August 2023**, and triannually thereafter. Currently seeking quotations for IEA appointment, and endorsement by DPE.	**Not-Triggered**
Schedule 4 Condition 65	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must: a) review and respond to each Independent Audit Report prepared under condtion [64] 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 tothe 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.	Operational (Mod 14)	Per condition following receipt of the Audit Report	Diary entry	Independent Audit Report and Action Register	DPE	For Mod 14, the first Audit is due within one year of commencement of operation (03Aug), **i.e. by 03 August 2023**, and triannually thereafter. Action plan and publication to be completed thereafter.	**Not-Triggered**
Schedule 4 Condition 66	In accordance with specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: a) review an respond to each Independent Audit Report prepared under condition 65 of this consent; b) submit the response to the Department; and c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.	Operational (Mod 12)	Submit and respond to Audit Reports in a timely manner. Publically available within 60 days of DPE submission, and 7 days in writing to DPE prior	In-house reporting	Website upload, following formal written notification to DPE	DPE	Audit Reports (and WA-developed Action Plans) submitted to DPE 12 Nov 2020. Notification of website publication also provided as part of correspondence. Website publication 23 Nov 2020. 2023 Audit report similarly to be managed accordingly.	**Compliant**
Schedule 4 Condition 67	Twelve months after the commencement of DA 86-04-01 Mod 12 and every three years thereafter, or at such intervals as the Planning Secretary may agree, the Applicant must carry out a comprehensive Hazard Audit of the development and within one month of each audit submit a report to the satisfaction of the Planning Secretary for approval. The audits must be carried out at the Applicant's expense by a qualified person or team, independent of the development, approved by the Planning Secretary prior to the commencement of the audit. Hazard Audits must be carried out in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'.*	Operational (Mod 12 and beyond)	12 months following commencement of Modification 12 (i.e. By 06 Sep 2020) and every 3 years thereafter. Reports to be submitted to the Planning Secretary for approval within one month of completing each audit. Auditor(s) to be pre-approved by the Department	Execution of correspondence. Hazard Audit Reports to be prepared in accordance with the Department's HIPAP No. 5 requirements	Auditor endorsement by the Planning Secretary. Hazard Audit Reports.	DPE	Audits performed in accordance with Post-Approval Requirements. Initial Audit due within 52 weeks following Modification commencement (i.e. on or before 16 Aug 2020), and 3-yearly thereafter. Initial Audit tentatively scheduled for Aug 2020 (following resolution of DPE Notice). Supporting documentation and pre-Audit Meetings conducted. DPE endorsement received of RPS (IEA) and Advitech (HA) Audit Teams. Document provision to Audit Team on 24 Aug 20. Audit site visit again rescheduled due to COVID-19 and isolation of an Audit Team Member. Audit site visit performed 01 and 02 Sep 2020. Dialogue maintained with DPE during COVID impact. As above, Audit Reports (and WA-developed Action Plans) submitted to DPE 12 Nov 2020). **Next Hazard Audit due on or before 16 August 2023.** Currently seeking quotations for IEA appointment, and endorsement by DPE.	**Compliant**
Schedule 4 Condition 68	Within one month of each audit carried out in accordance with Condition 54 (typo), the Applicant must submit a report to the satisfaction of the Planning Secretary for approval. The audit report must be accompanied by a program for the impementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, resopns must be documented. The Applicant must implement the recommendations to the satisfaction of the Planning Secretary.	Operational	Within 1 month of Independent Audit Report submission.	Translation of Audit Recommendations into report with appropriate timeframes for implementation.	Report - Actions, Timeframes, Status	DPE	Audit Reports (and WA-developed Action Plans) submitted to DPE 12 Nov 2020. Notification of website publication also provided as part of correspondence. Website publication 23 Nov 2020. Condition treated as superceded by Condition 65.	**Compliant**
Schedule 4 Condition 69	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. **Note:** For the purposes of this condition, as set out in the EP&A ct, "monitoring" is monitoring of the development to provide data on compiance 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.	Pre-Operational and Operational					Noted	**Compliant**
Schedule 4 Condition 70	At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must: a) make the following information and documents (as they are obtained or approved) publicly available on its website: i. the documents referred to in condition **Error! Reference source not found.** of Schedule 2 of this consent; ii. all current statutory approvals for the development; iii. all approved strategies, plans and programs approved 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 b) keep such information up to date, to the satisfaction of the Planning Secretary.	Operational (Mod 14)	As applicable (refer above)	Refer above	Refer above	DPE and/or EPA, as applicable	As above	**Compliant**
Appendix A Site Plan	 *Figure 1: Site layout plan*							

ID NO.	COMPLIANCE REQUIREMENT (MOD 14)	DEVELOPMENT PHASE	LEAD TIME	MONITORING METHODOLOGY	EVIDENCE REQUIRED	RECEIVING AUTHORITY/DEPARTMENT	EVIDENCE AND COMMENTS	COMPLIANCE STATUS
Appendix B Hazard and Risk Mitigation Measures	Table 15 Summary of Management Measures						Hazard and Risk Mitigation Measures implemented for all operations (including the negligible quantities of pharmaceutical and illicit drug wastes processed in the Rotary Furnaces) during the Compliance Reporting Period, and continue to be implemented. Management Plans and Systems updated accordingly to reflect MOD 12 requirements. Also refer commentary above.	Compliant

Issue	Mitigation Measures
Air Quality	• All existing air quality monitoring and management systems will continue to be operated for the duration of the Project; and • Monitoring of air emission parameters currently assessed for processing operations will continue to be undertaken in accordance with the existing emissions monitoring regimes.
Hazards and Risk	WA commits to the ongoing operation of existing and proposed site safeguards identified for the facility for the duration of operation of the Project: • Bag-houses – all bag-houses will be fitted with real-time, continuous particulate monitoring systems (existing); • Bag-houses – all bag-houses will be fitted with high differential pressure detection to activate bag pulsing and cleaning processes (existing); • Baghouse No.1 – Exhaust gases from the furnaces will be directed to Baghouse No.1 for treatment prior to release to atmosphere (existing); • The existing site Environmental Management System will be updated to incorporate the increased capacity with regards to pharmaceutical and illicit drug wastes. Change management procedures have been completed for the introduction of the processing trial, and prior to full scale commercial treatment the following documents will be updated: - Safety Management System; and - Environmental mitigation measures. • The Safety Management System Manual will be updated to include the operations and materials associated with the Project prior to the commencement of operation in accordance with the requirements of the NSW *Work Health and Safety Regulation 2011*; • The Emergency Response Plan will be updated to include specific responses to the hazard scenarios identified for this Project; • WA will continue to comply with the conditions of the EPL issued by the EPA under the POEO Act; • WA will update the SafeWork NSW Notification of Dangerous Goods for manifest quantities where the storage of DG materials is anticipated; • The transport of dangerous goods to and from site will be in accordance with the Australian Dangerous Goods Code of Practice / NZ 5433; and • As a part of the update to the safety management system manual, WA's dangerous goods policy, plans and procedures will be updated to include the requirement to store and handle all dangerous goods in accordance with the relevant Australian Standard for each class including: - AS 1940 – The Storage and Handling of Flammable and Combustible Liquids; - AS 4332 The storage and handling of gases in cylinders; - AS/NZS 4452, The storage and handling of toxic substances; - AS/NZS 3816, Management of clinical and related wastes; - HB 202, A management system for clinical and related wastes – Guide to the application of AS/NZS 3816, Management of clinical and related wastes; - AS 3780 – The storage and handling of corrosive substances; - AS/NZS 4681 – The storage and handling of Class 9 miscellaneous dangerous goods; and - AS/NZS 3833 – The Storage and Handling of Mixed Classes of Goods, in Packages and Intermediate Bulk Containers.
	The following additional safeguards have been identified in protecting against the accumulation of flammable gases within the furnace in the event of a flameout: • During normal operation, the temperature of the furnaces would operate in the order of 900-1000°C; • In the event of burner failure, the furnace automatically undergoes a purge cycle as part of reset conditions (as per Australian Standard requirements), eliminating the potential for the accumulation of flammable gases; and • The operating temperatures would be well above the auto-ignition temperature of methane and also that of any hydrocarbon solvents that could be introduced in the waste stream that might be a potential source of flammable gases. Therefore it would not be possible for flammable gases to accumulate within the furnaces regardless of whether the burners were on or off. Many furnaces, once at operational temperatures, can operate for extended periods of time without the use of any auxiliary fuel burners utilising the energy release of the waste materials incinerated and residual hot ash to maintain the required combustion temperatures.
Traffic	• Transport of illicit drug wastes will be facilitated by NSW Police; • Transport of pharmaceutical wastes will be undertaken by licensed waste transport operators; and • Transport routes, material handling and quality control documentation protocols established and implemented for existing waste movements will be adopted for the transport and handling of these wastes.
Soil and Water	• All raw material truck delivery loads will be covered by tarpaulin or in sealed bins to prevent spillages, as per current process material deliveries; • All operations will be performed within enclosed buildings to mitigate against external spills; • Should a spill occur, site personnel will recover materials in accordance with established spill response procedures. Spilt material will be returned to storage for processing (i.e. not disposed of); and • The water quality monitoring program will continue to be implemented.
Greenhouse Gas	• Practices currently in place at the plant to reduce GHG emissions, including the routine tuning and maintenance of furnace burners, will continue to be undertaken.
Noise	• Truck movements will continue to be restricted to between the hours of 7am and 10am in accordance with Condition L5.1 of the EPL.
Waste Management	• Transport of pharmaceutical waste will be undertaken by licensed waste transport operators and the waste will be formally tracked in accordance with the NSW EPA's Online Waste Tracking protocol; • Transport of illicit drug wastes will be facilitated by NSW Police and relevant Chain of Custody procedures will apply; • WA standard operating procedures for material receipt and delivery record keeping will continue to apply for pharmaceutical and illicit drug wastes; • Prior to storage and/or processing, wastes will be inspected and details recorded on the relevant inspection sheet, including the date and time, the nature of the consignment, packaging type, mass / volume and the source; • Bulk bag wastes will be disposed of to an appropriately licensed facility in conjunction with routine site disposal protocols; and • No landfilling of the ash residues will occur.
Social and Economic	• The site will be secure at all times and security will be maintained in accordance with defined protocols; • NSW Police will be responsible for the secure transport of illicit drug wastes
	to the facility, and will supervise the handling and complete destruction of these wastes immediately upon receipt. There will be no storage of illicit drugs on site. These processes will be thoroughly controlled and documented by NSW Police; and • In the event that pharmaceutical wastes requiring disposal do contain small quantities of precursors, WA will require formal prior notification from waste suppliers and will insist that such materials be segregated for either immediate processing upon receipt or secure onsite storage. Storage and processing of such wastes will be under the direct supervision of WA management and waste generator / agent representatives, as required.

COMPLIANCE TABLE

ID NO.	COMPLIANCE REQUIREMENT (MOD 14)	DEVELOPMENT PHASE	LEAD TIME	MONITORING METHODOLOGY	EVIDENCE REQUIRED	RECEIVING AUTHORITY/DEPARTMENT	EVIDENCE AND COMMENTS	COMPLIANCE STATUS
Appendix C Incident Notification and Reporting Requirements	WRITTEN INCIDENT NOTIFICATION REQUIREMENTS 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 0 or, having given such notification, subsequently forms the view that an incident has not occurred. 2. Written notification of an incident must: a. identify the development and application number; 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. INCIDENT REPORT REQUIREMENTS 3. 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. 4. The Incident Report must include: 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							

APPENDIX B

Prepared for
Weston Aluminium Pty Ltd
ABN: 91 075 245 108

AECOM

Weston Aluminium

Annual Air Emissions Monitoring Summary 2022 EPL Reporting

16-May-2023

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Annual Air Emissions Monitoring Summary 2022 EPL Reporting Year

Client: Weston Aluminium Pty Ltd

ABN: 91 075 245 108

Prepared by

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16-May-2023

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Quality Information

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Checker/s	Chad Whitburn
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			Name/Position	Signature
A	09-Mar-2023	Final	Paul Wenta Principal Scientist	
B	16-May-2023	Final V2	Paul Wenta Principal Scientist	

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1.0 Summary of Air Emission Monitoring Results

Results of environmental monitoring conducted for the Weston Aluminium 2022 NSW EPA Environment Protection Licence (EPL) 6423 reporting period (anniversary date 19 December) are presented and compared against relevant EPL limits and predictions made in Environmental Assessments.

EPL air emission monitoring locations are shown in **Figure 1** with air emission monitoring results provided **Tables 1 to 7**.

Figure 1 Weston Aluminium air monitoring locations

Table 1 Monitoring Results Summary - EPL point 1

Pollutant	Units	2022 Result	EPL limit[1]
Gaseous fluoride	mg/m^3	0.005	2
Type 1 and Type 2 substances in aggregate	mg/m^3	0.037	1
Cyanide	mg/m^3	<0.0083	0.8
Dioxins and Furans	ng/m^3	0.0012	0.1
Carbon monoxide	mg/m^3	6	125
Sulphuric acid mist and sulphur trioxide (as SO_3)	mg/m^3	<2.2	30
Solid particles	mg/m^3	1.6	25
Hydrogen chloride	mg/m^3	<1.7	50
Nitrogen oxides (as equivalent NO_2)	mg/m^3	6	200
Cadmium	mg/m^3	<0.0019	0.02

[1] Limits as specified in NSW EPA Environment Protection Licence number 6423

Table 2 Monitoring Results Summary - EPL point 2

Pollutant	Units	2022 Result	EPL limit[1]
Solid Particles	mg/m^3	*	35

[1] Limits as specified in NSW EPA Environment Protection Licence number 6423.

* Destroyed by fire, decommissioned and removed.

Table 3 Monitoring Results Summary - EPL point 3

Pollutant	Units	2022 Result	EPL limit[1]
Solid Particles	mg/m^3	*	50

[1] Limits as specified in NSW EPA Environment Protection Licence number 6423.

* Destroyed by fire, decommissioned and removed.

Table 4 Monitoring Results Summary - EPL point 4

Pollutant	Units	2022 Result	EPL limit[1]
Solid Particles	mg/m^3	7.7	24

[1] Limits as specified in NSW EPA Environment Protection Licence number 6423.

Table 5 Monitoring Results Summary - EPL point 13

Pollutant	Units	2022 Result	EPL Limit[1]
Volatile organic compounds (VOCs)	mg/m^3	2.7	77
Carbon monoxide	mg/m^3	<1	125
Nitrogen Oxides (as equivalent NO_2)	mg/m^3	1	100
Dioxins and Furans[2]	ng/m^3	0.0014	0.1
Cadmium	mg/m^3	<0.0019	0.02
Hydrogen chloride	mg/m^3	<2.1	10
Solid Particles	mg/m^3	2.2	10
Sulphuric Acid Mist and Sulphur Trioxide (as SO_3)	mg/m^3	<2.4	100
Type 1 and Type 2 substances in aggregate	mg/m^3	0.037	5

[1] Limits as specified in NSW EPA Environment Protection Licence number 6423.

[2] Rolling annual average results are reported for comparison with the regulatory limits.

Table 6 Monitoring Results Summary - EPL point 14

Pollutant	Units	2022 Result	EPL Limit[1]
Solid Particles (corrected to 15% O_2)	mg/m^3	3.5	10

[1] Limits as specified in NSW EPA Environment Protection Licence number 6423.

Table 7 Monitoring Results Summary - EPL point 18

Pollutant	Units	2022 Result	EPL Limit[1]
Solid Particles	mg/m^3	11	15

[1] Limits as specified in NSW EPA Environment Protection Licence number 6423.

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2.0 Analysis of Air Emission Monitoring Results

This section presents a comparison of 2022 air emission monitoring results against previously reported values as well as predictions made in impact assessment studies.

Figures displaying air emission monitoring results for 2022 compared to the previous ten years are displayed in **Appendix A**.

Environmental impacts for the conventional Weston Aluminium Kurri Kurri Facility have been predicted in the six major impact assessment studies: the 1994 EIS, the 2001 EIS, the 2007 SEE, the 2010 EA, the 2012 EA and the 2017 EA. Two additional environmental impact studies have been prepared for Weston Aluminium for limited trial activities; however both predicted minimal changes to existing baseline environmental impacts.

An Air Quality Impact Assessment prepared for the Modification 14 application prepared in 2021 (AQIA 2021) included modelling based on the maximum stack concentration for each EPL point as measured from 2016 to 2019.

Weston Aluminium's recently constructed Thermal Waste Processing Facility is currently undergoing commissioning. Following commissioning, emissions monitoring data generated during the operational phase will be assessed against predictions made in the associated 2016 EIS.

In order to compare current monitoring results against impact assessment predictions, only specific, quantified predictions that are readily comparable to monitoring results have been used as assessment criteria.

2.1 Comparison of Results with Historical Trends

Comparison of 2022 air emissions results against historical values reveals:

- Gaseous fluoride emissions from EPL Point 1 were consistent with historical levels;
- Type 1 and type 2 substances in aggregate emissions from EPL Points 1 and 13 were consistent with historical levels;
- Cyanide emissions from EPL Point 1 were consistent with historical levels;
- Dioxins and Furans emissions from EPL Point 1 were consistent with historical levels while emissions from EPL Point 13 were lower than historical levels;
- Carbon monoxide emissions from EPL Points 1 and 13 were consistent with historical levels;
- Sulfuric acid mist and sulfur trioxide from EPL Points 1 and 13 were consistent with historical levels;
- Solid particle emissions from all EPL Points were consistent with historical levels;
- Hydrogen chloride emissions from EPL Points 1 and 13 were consistent with historical levels;
- Nitrogen Oxides emissions from EPL Points 1 and 13 were consistent with historical levels;
- Cadmium emissions from EPL Points 1 and 13 were consistent with historical levels; and
- Volatile Organic Compounds emissions from EPL Point 13 were consistent with historical levels.

2.2 Comparison of Results with Predictions Made in Environmental Assessments

No source emission predictions were made in the 1994 EIS for the original facility, so monitoring results are not directly comparable to air quality impact predictions.

Emission predictions made in the 2001 EIS for additions to the facility and the 2007 SEE, the2017 EA and the 2021 AQIA for modifications to the facility are compared to measured emissions for the reporting period in **Table 8** to **Table 10**. Emission predictions made in the 2010 EA for the briquetting facility are provided in **Table 11**.

Table 8 Predicted versus Actual Emissions - EPL point 1

Parameter	Unit	2007 SEE Prediction[1]	2017 EA Prediction[2]	2021 AQIA[3]	2022 Result
Sulphur dioxide[4]	mg/m^3	2.1	5.48	6.0	<11
Nitrogen Oxides	mg/m^3	4.6	11.33	9.0	6
Solid Particles (PM_{10})[4]	mg/m^3	6.4	0.55	3.1	2.2
Carbon monoxide	mg/m^3	10.8	118	25.2	6

[1] Calculated from stack gas flow rate at normal conditions and stack emission rate predictions in the 2007 SEE.

[2] Calculated from stack gas flow rate at normal conditions and stack emission rate predictions in the 2017 EA.

[3] Maximum measured values as used for air dispersion modelling in the preparation of the 2021 Modification 14 AQIA.

[4] Note that for sulphur dioxide and fine particulates (PM_{10}), a concentration limit is not specified in the EPL or Development Consent. [3] [4] Note that for sulphur dioxide and fine particulates (PM_{10}), a concentration limit is not specified in the EPL or Development Consent. These emissions are monitored for load based licensing and national pollutant inventory calculations.

Table 9 Predicted versus Actual Emissions - EPL point 13

Parameter	Unit	2001 EIS Prediction	2007 SEE Prediction[1]	2017 EA Prediction[2]	2021 AQIA[3]	2022 Result
Sulphur Dioxide[4]	mg/m^3	-	1.07	7.33	5.5	<12
Nitrogen Oxides	mg/m^3	-	12.3	25.39	9.0	1
Carbon Monoxide	mg/m^3	-	38	-	-	2
Solid Particles (PM_{10})[4]	mg/m^3	2.74	3.6	1.08	3.5	1.7
Hydrogen Chloride	mg/m^3	7.27	-	1.85	-	<2.1
2,3,7,8-TCDD	ng/m^3	0.1303	-	-	-	<0.00045
Arsenic	mg/m^3	0.0002	-	-	0.000148	<0.0019
Antimony	mg/m^3	0.0002	-	-	0.00013	<0.0019
Beryllium	mg/m^3	0.0010	-	-	0.00009	<0.0019
Cadmium	mg/m^3	0.0134	-	-	0.0188	<0.0019
Lead	mg/m^3	0.0318	-	-	0.00088	<0.0019
Mercury	mg/m^3	0.0004	-	-	0.00131	<0.00042

[1] Calculated from stack gas flow rate at normal conditions and stack emission rate predictions in the 2007 SEE.

[2] Calculated from stack gas flow rate at normal conditions and stack emission rate predictions in the 2017 EA.

[3] Maximum measured values as used for air dispersion modelling in the preparation of the 2021 Modification 14 AQIA.

[4] Note that for sulphur dioxide, nitrogen oxides, carbon monoxide, fine particulates (PM_{10}) and hydrogen chloride, a concentration limit is not specified in the EPL. These emissions are monitored for load based licensing and national pollutant inventory calculations.

Table 10 Predicted versus Actual Emissions - EPL point 14

Parameter	Unit	2007 SEE Prediction[1]	2021 AQIA[3]	2022 Result
Sulphur dioxide[2]	mg/m^3	1.0	10	<13
Nitrogen Oxides	mg/m^3	316	81	1
Solid Particles (PM_{10})[2]	mg/m^3	13.8	1.7	1.7
Carbon monoxide	mg/m^3	44	3.0	<1

[1]Calculated from stack gas flow rate at normal conditions and stack emission rate predictions in the 2007 SEE.

[2] Note that for sulphur dioxide and fine particulates (PM_{10}), a concentration limit is not specified in the EPL or Development Consent. These emissions are monitored for load based licensing and national pollutant inventory calculations. Furthermore, stack testing results are corrected to 15% oxygen and are more conservative than the predictions made in the 2007 SEE.

[3] Maximum measured values as used for air dispersion modelling in the preparation of the 2021 Modification 14 AQIA.

Table 11 Predicted versus Actual Emissions - EPL point 18

Parameter	Unit	2010 EA Prediction[1]	2022 Result
Particulates (PM_{10})[2]	mg/m^3	2.14	0.91

[1] Calculated from the emission factor for pulverised charcoal briquetting, which represents a conservative estimate.

[2] Note that for fine particulates (PM_{10}), a concentration limit is not specified in the EPL or Development Consent. These emissions are monitored for load based licensing and national pollutant inventory calculations.

For the 2022 reporting period:

- The fine particulate (PM_{10}) result for EPL Point 1 was slightly above 2017 EA predicted levels but below 2007 SEE predicted levels;
- The nitrogen Oxides (NO_X) result for EPL Point 1 was slightly above 2007 EA predicted levels but below 2017 SEE predicted levels;
- The fine particulate (PM_{10}) result for EPL Point 13 was slightly above 2017 EA predicted levels but below 2001 and 2007 SEE predicted levels; and
- All other air emission monitoring results were below levels predicted in environmental impact assessment studies.

3.0 References

AECOM Australia, 2016, *Thermal Waste Processing Project: Environmental Impact Statement*, 16 August 2016.

AECOM Australia, 2017, *Environmental Assessment - Spent Potlining Processing*, 10 July 2017

Department of Planning and Environment, 2019, *Determination of Modification Request for Weston Aluminium Dross Recycling Facility (DA 86_04_01 Mod 12 and DA 10397 of 1995 Mod 10)*, 2 August 2019.

Environment Protection Authority, 2020, *Environment Protection Licence No. 6423, Weston Aluminium Pty Limited,* 5 November 2020.

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Appendix A

Figures

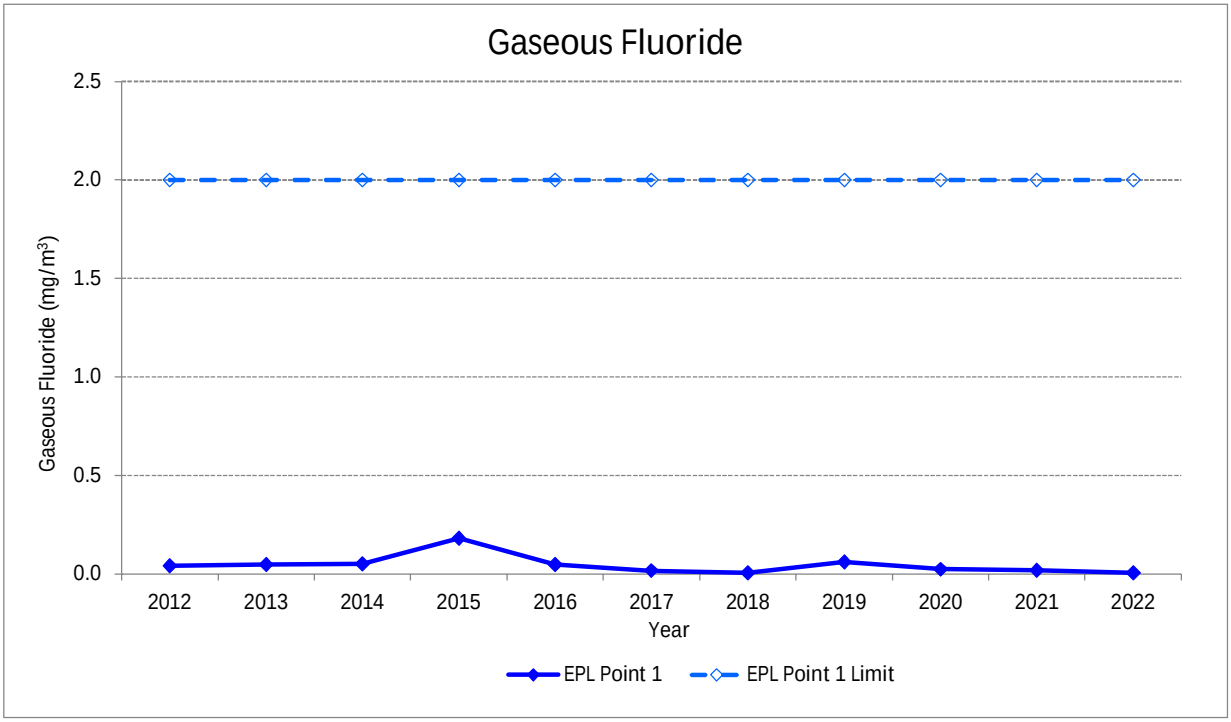

Figure 2 Gaseous Fluoride emission to air historical monitoring results

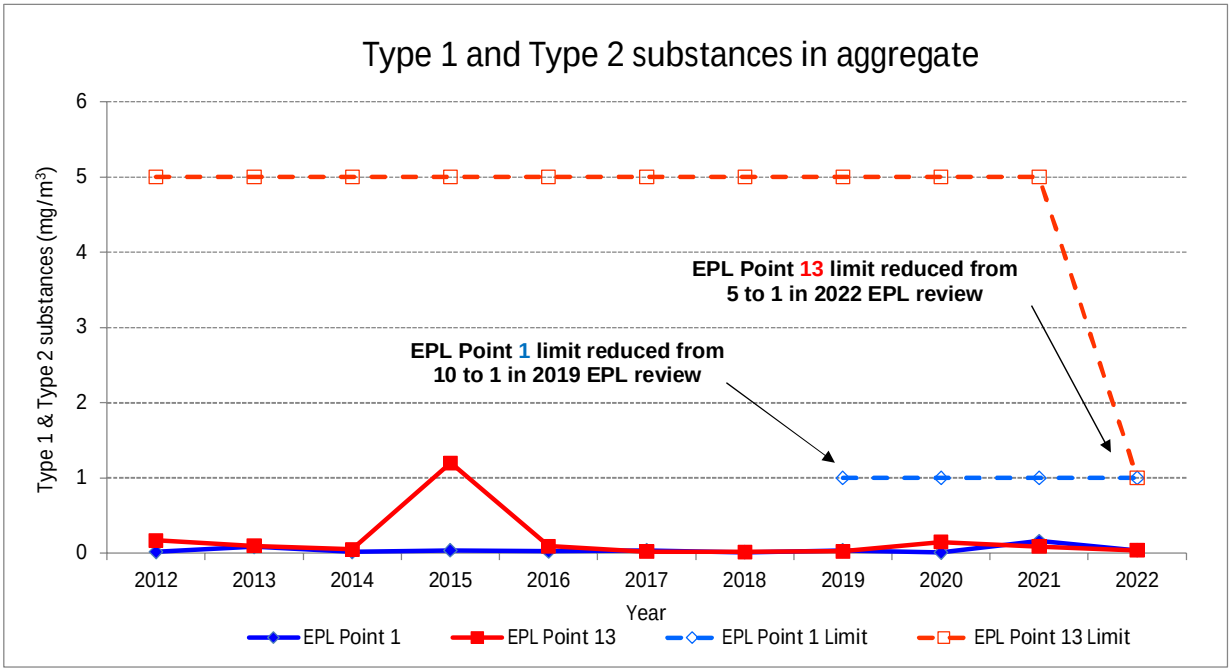

Figure 3 Type 1 and 2 Substances in Aggregate emission to air historical monitoring results

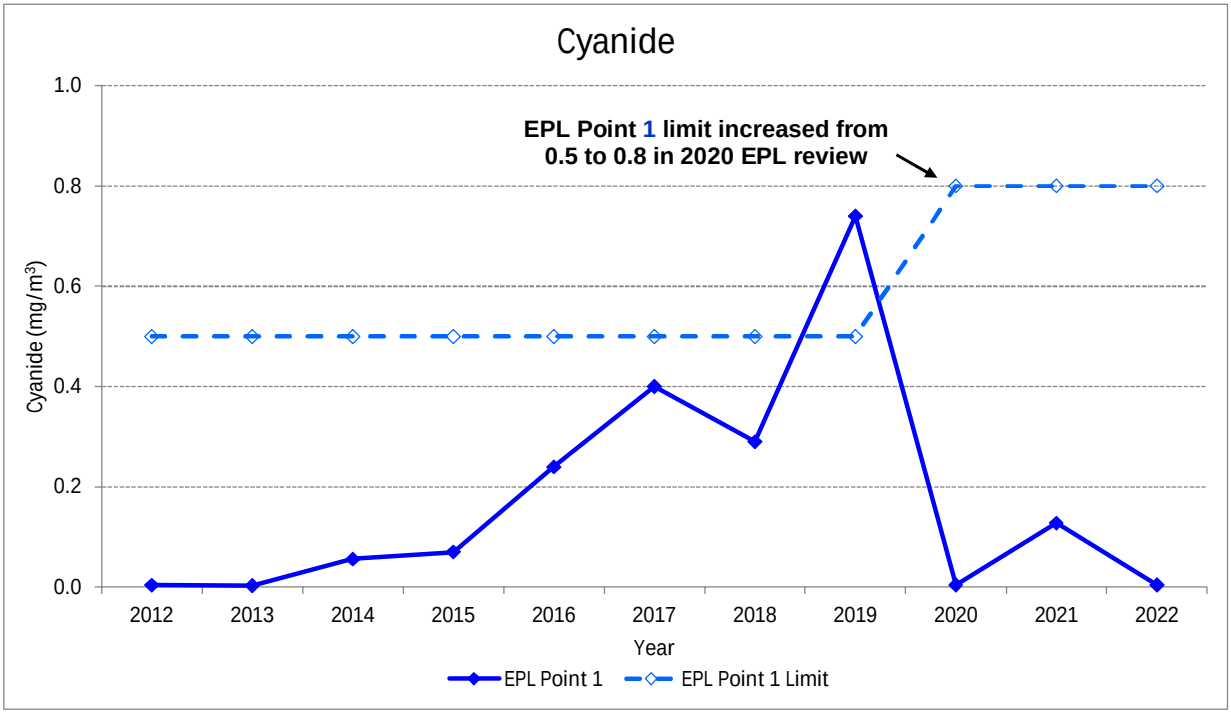

Figure 4 Cyanide emission to air historical monitoring results

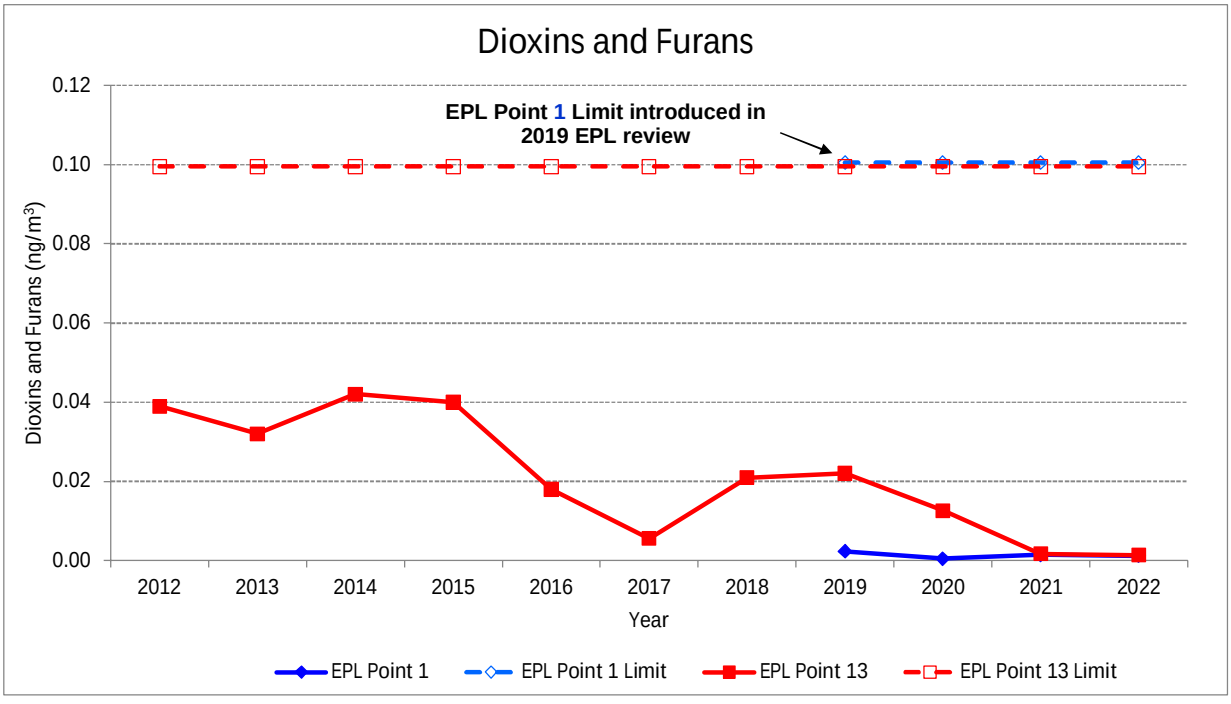

Figure 5 Dioxins and Furans emission to air historical monitoring results

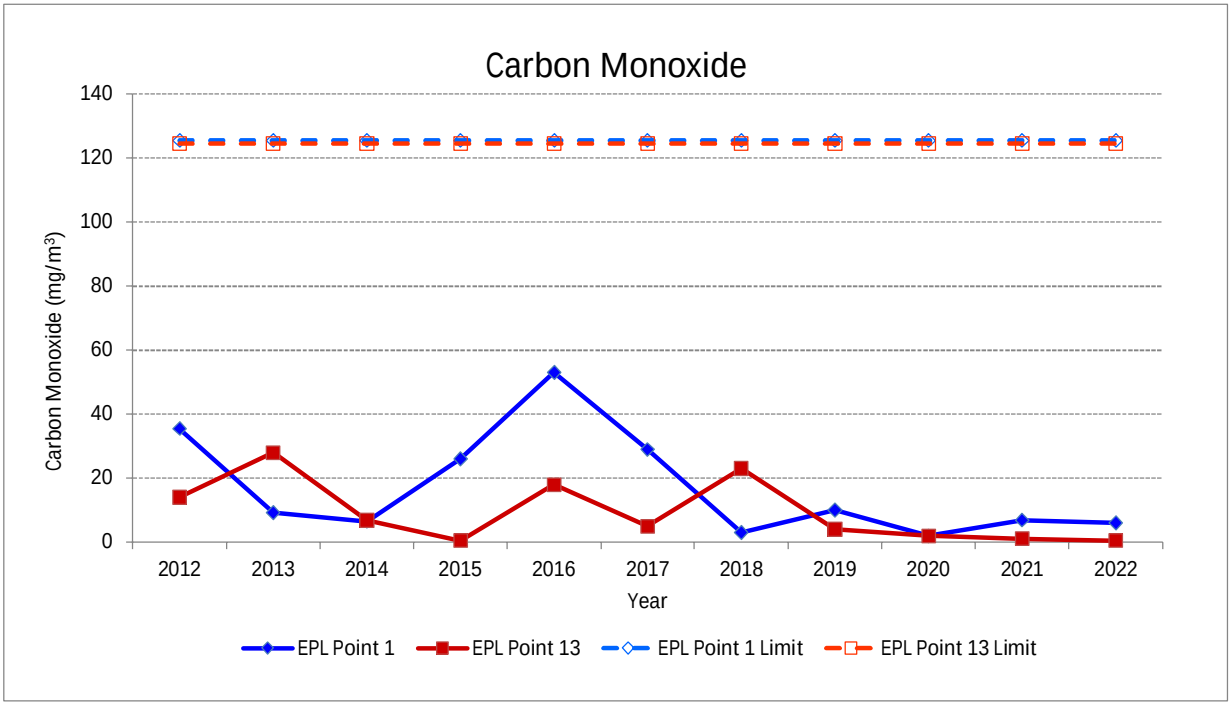

Figure 6 Carbon Monoxide emission to air historical monitoring results

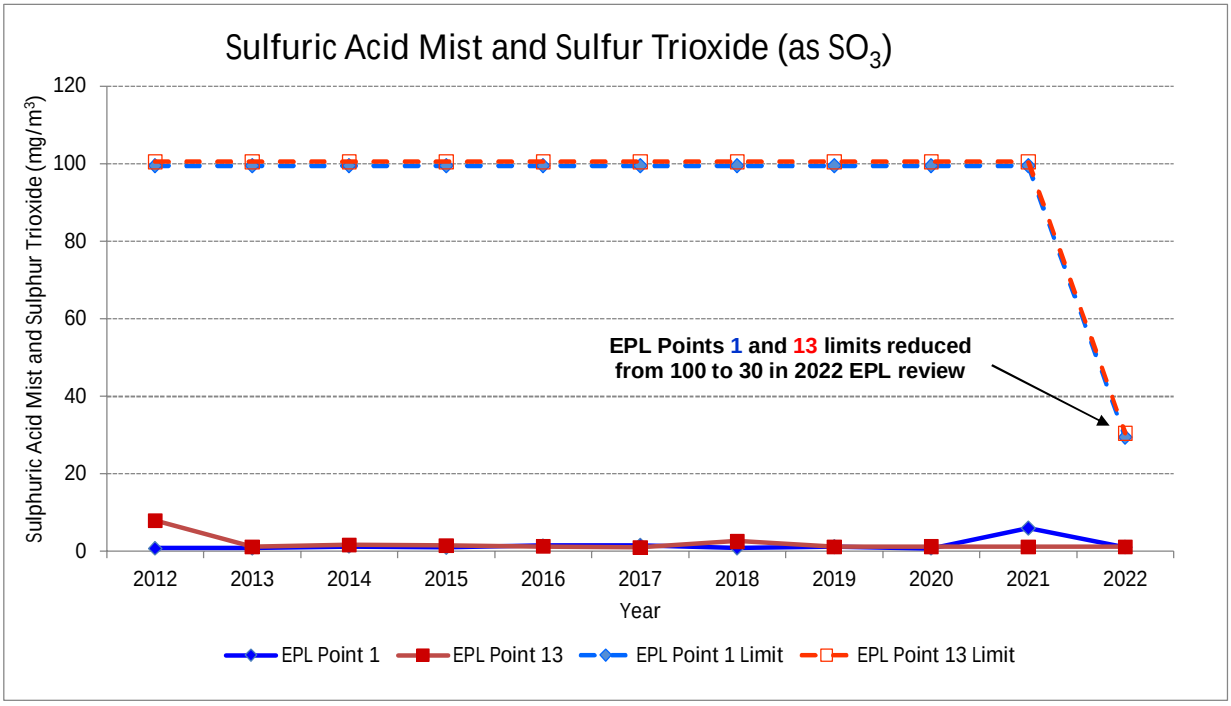

Figure 7 Sulfuric Acid Mist and Sulfur Trioxide (as SO_3) emission to air historical monitoring results

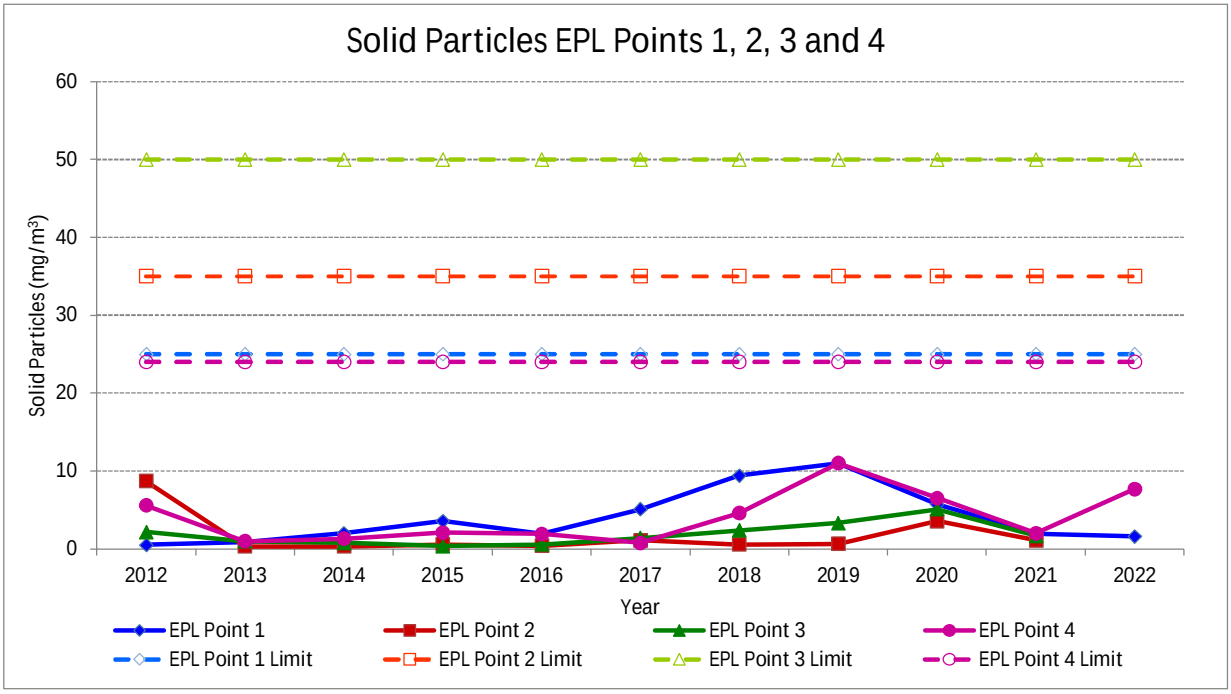

Figure 8 Solid Particles emission to air historical monitoring results for EPL Points 1, 2, 3 and 4

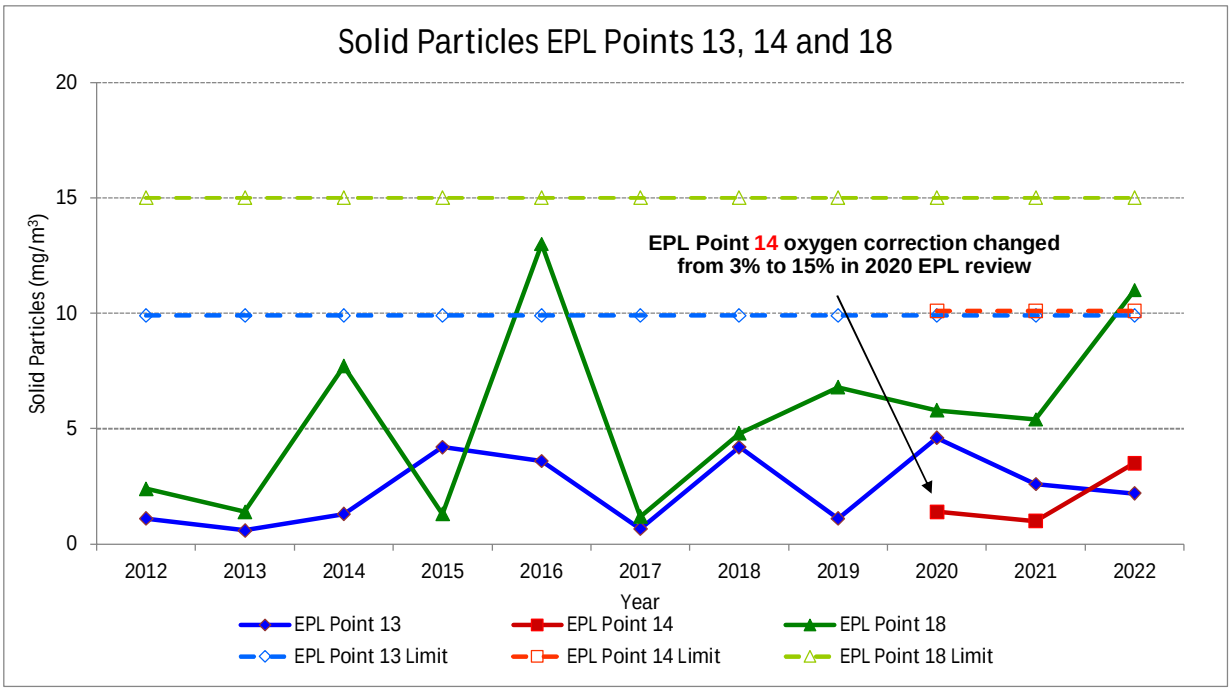

Figure 9 Solid Particles emission to air historical monitoring results for EPL Points 13, 14 and 18

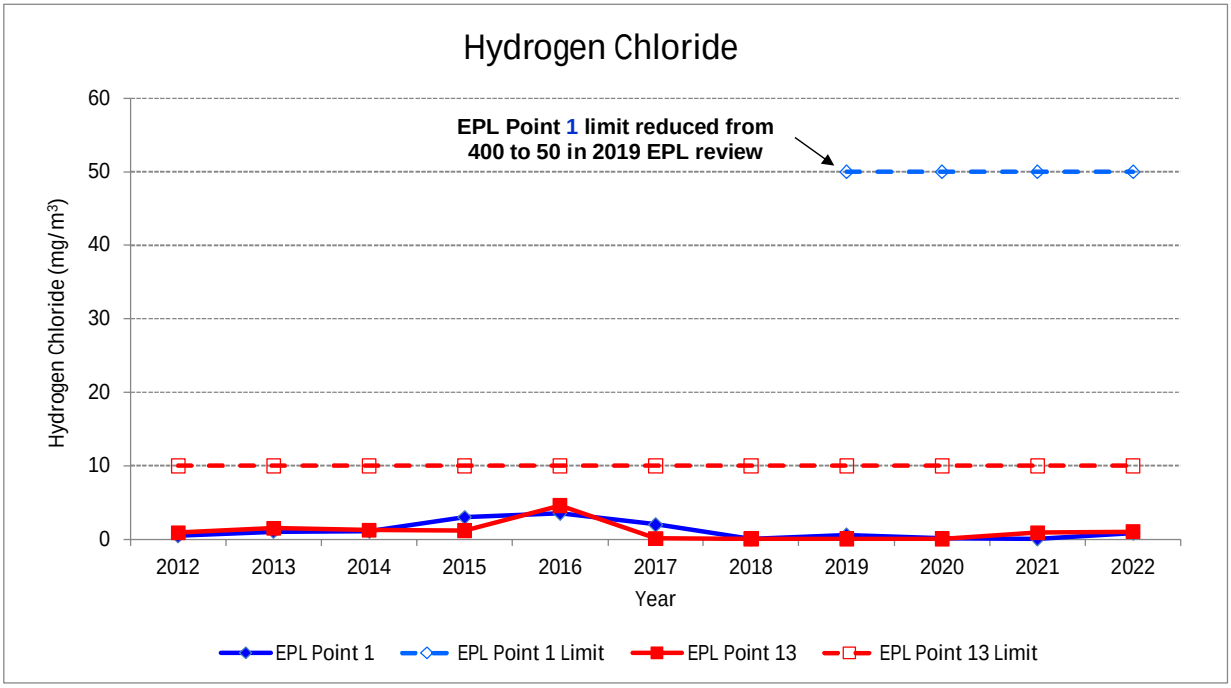

Figure 10 Hydrogen Chloride emission to air historical monitoring results

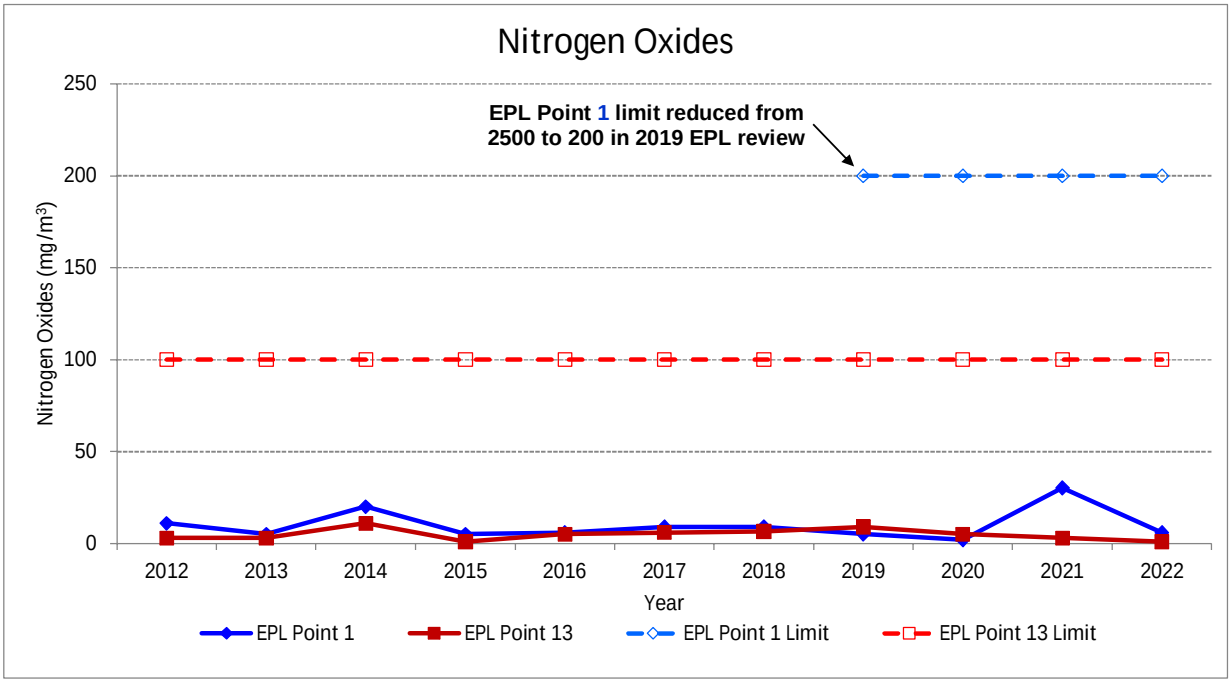

Figure 11 Nitrogen Oxides emission to air historical monitoring results

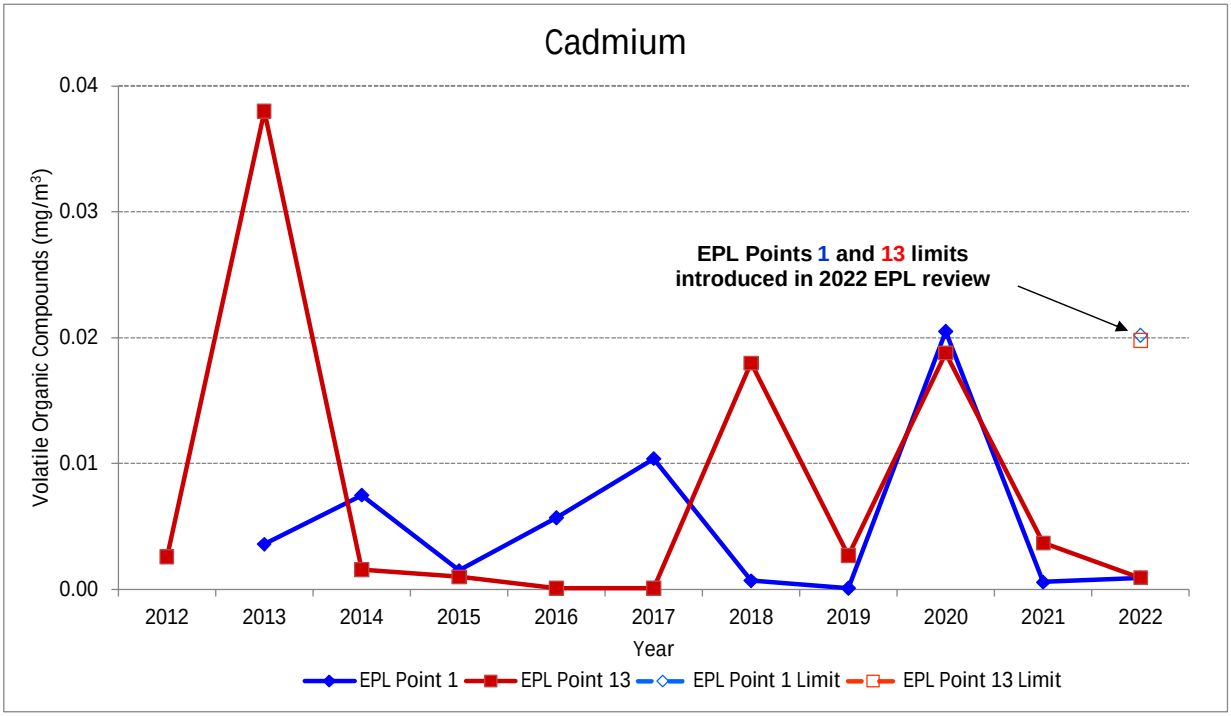

Figure 12 Cadmium emission to air historical monitoring results

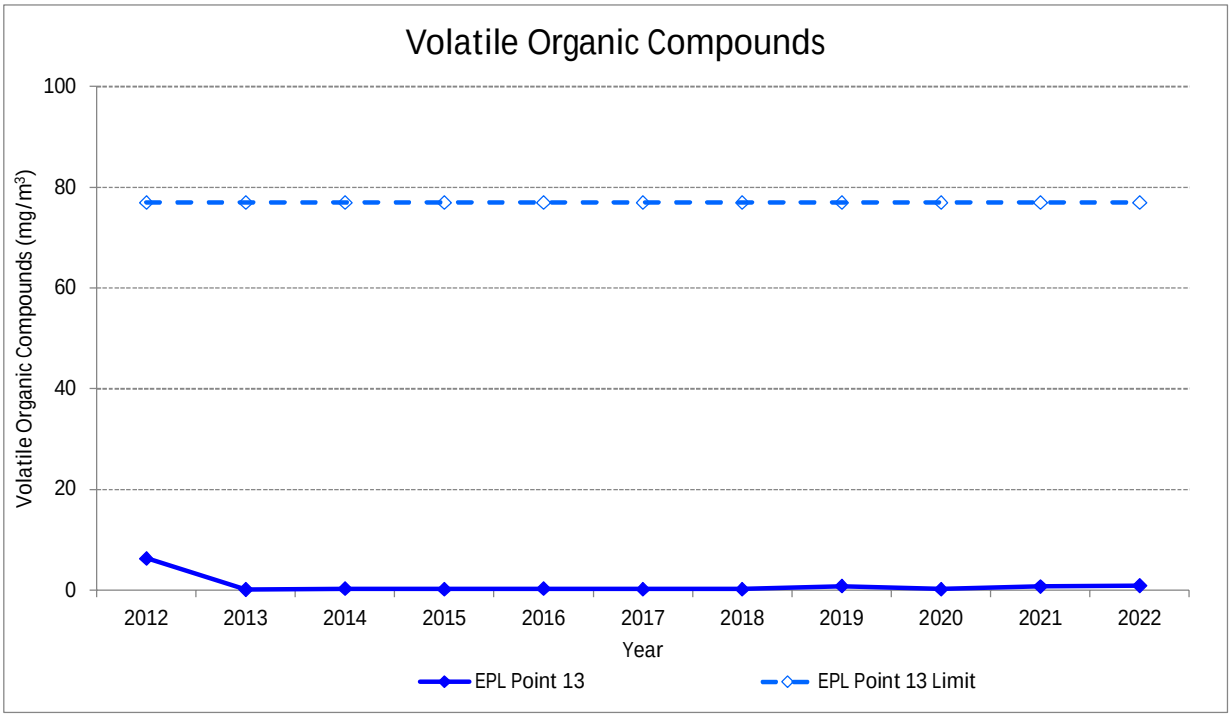

Figure 13 **Volatile Organic Compounds** emission to air historical monitoring results

APPENDIX C

DECLARATION

Project Name	**Weston Aluminium – Extensions to an existing aluminium dross recycling plant**
Project Application No.	**DA 86-04-01 MOD 14 and LEC 10397 of 1995 MOD 12**
Description of Project	**Air Emissions Reconfiguration**
Project Address	**129 Mitchell Avenue Kurri Kurri NSW 2327**
Proponent	**Weston Aluminium Pty Limited**
Title of Compliance Report	**Operational Phase**
Date	**16 May 2023**

I declare that I have reviewed the contents of the attached Compliance Report and to the best of my knowledge:

- the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- the Compliance Report has been prepared in accordance with the Compliance Reporting Requirements;
- the findings of the Compliance Report are reported truthfully, accurately and completely;
- due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

- 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) 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
- 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 Authorised Reporting Officer	**Christopher McClung**
Title	**Environment & Sustainability Manager**
Signature	
Qualification	**B. Env. Sc (Chem Hons I)**
Company	**Weston Aluminium Pty Limited**
Company Address	**129 Mitchell Avenue Kurri Kurri NSW 2327**