

Development Consent

Section 4.38 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development



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A/Executive Director
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Sydney

20 November 2025

File: EF21/11165

SCHEDULE 1

Application Number:	SSD- 24668706
Applicant:	Weston Aluminium Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	Lot 2 DP 1267615, 129 Mitchell Street Kurri Kurri
Development:	Construction and operation of a waste management facility that would receive, consolidate, store and process up to 8,750 tonnes of liquid and solid waste per annum, including hazardous waste

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DEFINITIONS

Additional Information	Correspondence by the Applicant in response to the Department's request for information, including the document(s) titled Weston Aluminium- Additional Waste Streams (SSD-24668706) – Response to additional agency submissions dated 23 July 2025
Additional Waste Streams	As described in Table 1-2 of the <i>Updated Waste Management Description</i> prepared by Weston Aluminium Pty Ltd and dated April 2025 submitted as part of the Submissions Report
Applicant	Weston Aluminium Pty Ltd or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
Certifier	A council or an accredited certifier (including principal certifiers) authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent
Council	Cessnock City Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
DCCEEW – CPHR Group	Conservation Programs, Heritage and Regulation Group of the Department of Climate Change, Energy, the Environment and Water
Decommissioning	The controlled process of safely retiring a facility from service, including decontamination, dismantling and disposal after the cessation of operations
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Housing and Infrastructure (DPHI)
Development	The development described in Schedule 1, the EIS and Submissions Report, including the works and activities comprising construction and operation, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EIS	The Environmental Impact Statement titled Weston Aluminium Additional Waste Streams Environmental Impact Statement, prepared by Entech Solutions dated December 2022, submitted with the application for consent for the development
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local,

	State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance Note: “Material harm” is defined in this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that: <ul style="list-style-type: none"> a) involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or b) results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) Note: This definition excludes “harm” that is either authorised under this consent or any other statutory approval Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OEMP	Operational Environmental Management Plan
Operation	The carrying out of the waste management facility as described in the EIS and Submissions Report and Additional Information
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Planning Secretary	Secretary of the Department, or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Submissions Report (SR)	The Applicant’s response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled Response to Submissions Weston Aluminium – Additional Wastes prepared by AECOM and dated 2 May 2025
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area

Site	The land defined in Schedule 1
TfNSW	Transport for New South Wales
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Wider Site	Lot 2 DP 1267615
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the EIS and Submissions Report and Additional Information;
 - (d) in accordance with the Development Layout in Appendix 1; and
 - (e) in accordance with the management and mitigation measures in Appendix 2.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Lapsing

- A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

Waste limits

- A6. The Applicant must not receive or process more than 8,750 tonnes per year of additional waste streams.
- A7. This consent does not permit the storage of more than 1,510 tonnes of additional waste streams at any one time, which includes a maximum of 240 tonnes of dangerous goods.

NOTIFICATION OF COMMENCEMENT

- A8. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction;
 - (b) operation;
 - (c) cessation of operations; and
 - (d) decommissioning.
- A9. If the construction or operation or decommissioning of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary).

EVIDENCE OF CONSULTATION

- A10. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:

- (i) the outcome of that consultation, matters resolved and unresolved; and
- (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A11. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A12. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A13. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

General Requirements

- A14. Prior to the commencement of construction of the development, the Applicant must consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;
- A15. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
 - (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding works.

DEMOLITION

- A16. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

- A17. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Note:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- The EP&A (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.

EXTERNAL WALLS AND CLADDING

- A18. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- A19. Prior to the issue of:
- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
 - (b) an Occupation Certificate,
- the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.

A20. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

COMPLIANCE

A21. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

OPERATION OF PLANT AND EQUIPMENT

A22. All plant and equipment used on site, or to monitor the performance of the development, must be:

- (a) maintained in a proper and efficient condition; and
- (b) operated in a proper and efficient manner.

WORK AS EXECUTED PLANS

A23. Prior to the issue of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

APPLICABILITY OF GUIDELINES

A24. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

A25. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

HAZARDS AND RISK

Pre-construction

- B1. At least one month prior to the commencement of construction of the development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Planning Secretary may agree, the Applicant must prepare and submit to the satisfaction of the Planning Secretary the study and report set out under subsections (a) and (b) below (the pre-construction studies). Construction, other than of preliminary works, must not commence until approval has been given by the Planning Secretary and, with respect to the Fire Safety Study, approval has also been given by Fire and Rescue NSW.
- (a) A **Fire Safety Study** for the development. This study must cover the relevant aspects of 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* (NSW HMPCC, 1994), where applicable. The site's existing Fire Safety Study must be updated to include changes due to this SSD. The updated study must also be submitted to the satisfaction of Fire and Rescue NSW .
 - (b) A report of demonstrating implementation of the recommendations contained within the Preliminary Hazard Analysis Rev 5 prepared by Riskcon dated 14 April 2025.

Pre-commissioning

- B2. The Applicant must develop and implement the plans and systems set out under subsections (a) to (c) below. No later than two months prior to the commencement of commissioning of the development, or within such further period as the Planning Secretary may agree, the Applicant must submit to the satisfaction of the Planning Secretary documentation describing those plans and systems. Commissioning must not commence until the Planning Secretary is satisfied..
- (a) arrangements covering the transport of hazardous materials including details of routes to be used for the movement of vehicles carrying hazardous materials to or from the development. The routes must be selected in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 11, 'Route Selection'*. Suitable routes identified in the study must be used except where departures are necessary for local deliveries or emergencies.
 - (b) the Emergency Plan and detailed emergency procedures for the wider site must be updated to include the development. The plan must include detailed procedures for the safety of all people outside of the development who may be at risk from the development. The plan must be prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'*.
 - (c) the Safety Management System for the wider site must be updated to include the development. The document must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by Planning Secretary upon request. The Safety Management System must be developed in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'*.

Hazard Audit

- B3. Within twelve months after the commencement of operation of the development 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. Division 9.4 of Part 9 of the EP&A Act applies to these audits, which are for the purpose of verifying the integrity of safety systems and to ensure the development is being operated in accordance with its hazards-related condition of consent. The audits must:
- (a) be carried out at the Applicant's expense by a qualified person or team, who have been approved by the Planning Secretary and are independent of the development;
 - (b) be carried out in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'*; and
 - (c) include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit.
- B4. Within three months of commissioning of each audit carried out in accordance with condition B3, 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 implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.
- B5. The hazard audit must be undertaken for the wider site, and this may coincide with other hazard audit requirements applicable to the entire facility.

Further Requirements

- B6. The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B1 to B4 inclusive, within such time as the Planning Secretary may agree.
- B7. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
 - (b) for liquids, the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.
- B8. In the event of an inconsistency between the requirements of conditions B7(a) and B7(b), the most stringent requirement must prevail to the extent of the inconsistency.

Bunding

- B9. The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

Emergency Services Information Package

- B10. From the commencement of operation and for the life of the development, an Emergency Services Information Package, developed in accordance with the FRNSW *Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans*, must be stored in an emergency information cabinet directly adjacent to the main entry point to the site.

AIR QUALITY

Dust Minimisation

- B11. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B12. During construction of the development, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network; and
 - (d) public roads used by these trucks are kept clean.

Control of Air Emissions

- B13. Prior to the commencement of operation, the Applicant must install emission control measures, including:
- (a) hydrated and activated carbon injection within the baghouse system associated with the RWP building to control emissions from:
 - (i) the neutralisation process; and
 - (ii) the bulk solid waste storage and treatment areas; and
 - (b) activated carbon filtration to manage vapour emissions from the flammable liquid decant and storage area.

Air Quality Discharges

- B14. 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.

Air Quality Management Plan

- B15. Prior to the commencement of operation of the development, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by condition C5. The AQMP must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) detail and rank all emissions from all sources of the development, including particulate emissions;
 - (c) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators;
 - (d) identify the control measures that will be implemented for each emission source; and
 - (e) nominate the following for each of the proposed controls:
 - (i) key performance indicator;

- (ii) monitoring method;
- (iii) location, frequency and duration of monitoring;
- (iv) record keeping;
- (v) complaints register;
- (vi) response procedures; and
- (vii) compliance monitoring.

B16. The Applicant must:

- (a) not commence operation until the Air Quality Management Plan required by condition B15 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Air Quality Management Plan approved by the Planning Secretary for the duration of the development.

Air Quality Verification Report

B17. Within six months of the commencement of operation of the development, the Applicant must prepare and submit an Air Quality Verification Report to the satisfaction of the Planning Secretary. The Air Quality Verification Report must:

- (a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;
- (b) provide details of air quality monitoring undertaken in accordance with the relevant guidelines;
- (c) include validation of the predictions made in the Air Quality Impact Assessment titled "Air Quality Impact Assessment for Rotary and Reverberatory Furnace Concurrent Operations and Additional Waste Streams Projects Weston Aluminium", prepared by Todoroski Air Sciences, dated 6 June 2024;
- (d) include a comparison of monitoring results with the limits or conditions in the EPL;
- (e) include an outline of management and mitigation measures to address any exceedances of the limits or conditions in the EPL; and
- (f) include a description of contingency measures in the event the management and mitigation measures identified in B17(e) are not effective in reducing air quality impacts to meet the criteria and timing for implementing and validating the effectiveness of these measures.

Odour Management

B18. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

WASTE MANAGEMENT

Incoming Waste

B19. All waste processing, including storage and material handling activities must be undertaken in the Regulated Waste Processing building and within designated areas.

B20. The Applicant must ensure all incoming waste loads are screened to ensure waste is not accepted for storage or processing at the site, except as expressly permitted by the EPL.

B21. All waste must be screened and unloaded in a bunded, covered area.

Waste Management Plan

B22. Prior to the commencement of operation of the development, the Applicant must prepare a Waste Management Plan to the satisfaction of the Planning Secretary. The Waste Management Plan must form part of the OEMP and be prepared in accordance with condition C5. The Plan must:

- (a) detail the types and quantities of waste to be accepted and handled during operation of the development;
- (b) describe the waste acceptance criteria including:
 - (i) specifications consistent with the report titled *Updated Waste Management Description* prepared by Weston Aluminium Pty Ltd and dated April 2025; and
 - (ii) limits for waste received by type, form, treatment and quantity as described in the Submissions report;
- (c) describe the handling, storage and disposal of all waste streams on site, consistent with the POEO Act, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Environment Protection Authority, 2014) and the Updated Waste Management Description prepared by Weston Aluminium Pty Ltd and dated April 2025;
- (d) include a description of the management and contingencies for non-compliant waste;

- (e) describe waste treatment processes, including:
 - (i) details of each treatment process for each waste type, including monitoring and quality control procedures; and
 - (ii) a description of how liquid waste will be managed;
- (f) include immobilisation requirements, including:
 - (i) information on wastes requiring immobilisation, including a description of how processes will comply with the NSW Waste Immobilisation Framework; and
 - (ii) details of the materials to be reused or recycled, both on and off-site; and
- (g) include the Management and Mitigation Measures included in Appendix 2.

B23. The Applicant must:

- (a) not commence operation until the Waste Management Plan as described in condition B22 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Waste Management Plan approved by the Planning Secretary for the duration of the development.

Waste Monitoring Program

B24. From the commencement of operation of the development, the Applicant must implement a Waste Monitoring Program. The program must:

- (a) be prepared by a suitably qualified and experienced person(s) prior to the commencement of operation;
- (b) include suitable provision to monitor the:
 - (i) quantity, type and source of waste received on site; and
 - (ii) quantity, type and quality of the outputs produced on site; and
- (c) ensure that:
 - (i) all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the site; and
 - (ii) staff receive adequate training in order to be able to recognise and handle any prohibited waste including asbestos.

Statutory Requirements

B25. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014)

B26. The Applicant must dispose of all wastes to a waste management facility or premises lawfully permitted to accept the waste.

B27. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.

Pests, Vermin and Priority Weed Management

B28. The Applicant must:

- (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and
- (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.

Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015

TRAFFIC AND ACCESS

Parking

B29. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

Operating Conditions

B30. The Applicant must ensure:

- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1:2004 Parking facilities Off-street car parking*

(Standards Australia, 2004), AS 2890.2:2018 *Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018) and AS 2890.6.2009 *Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009)

- (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
- (c) the development does not result in any vehicles queuing on the public road network;
- (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (e) all vehicles are wholly contained on site before being required to stop;
- (f) all loading and unloading of materials is carried out on-site;
- (g) heavy vehicles associated with the Development use the transport route agreed to in condition B2(a) unless otherwise agreed by the Planning Secretary; and
- (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

NOISE

Hours of Work

B31. The Applicant must comply with the hours detailed in Table 1.

Table 1 Hours of Work

Activity	Day	Time
Heavy Vehicle Movements	Monday – Sunday	7 am – 10 pm
Operation	Monday – Sunday	24 hours

B32. Works outside of the hours identified in condition B31 may be undertaken in the following circumstances:

- (a) works that are inaudible at the nearest sensitive receivers;
- (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- (c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

B33. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the Construction Noise Management Plan required under condition B34.

Construction Noise Management Plan

B34. The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must:

- (a) be prepared by a suitably qualified and experienced noise expert;
- (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);
- (c) include noise management and mitigation measures, including any described in Appendix 2;
- (d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers; and
- (e) include a complaints management system that would be implemented for the duration of the development.

B35. The Applicant must:

- (a) not commence construction of the development until the Construction Noise Management Plan required by condition B34 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

B36. The Applicant must ensure the development will be operated within the noise limits for the site under the development consents DA-86-04-01 and LEC 10397 of 1995.

Road Traffic Noise

B37. Prior to the commencement of construction of the development, the Applicant must prepare a Driver Code of Conduct and induction training for the development to minimise road traffic noise. The Applicant must update the Driver Code of Conduct and induction training for construction and operation and must implement the Code of Conduct for the life of the development.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

B38. The Applicant must:

- (a) ensure that only VENM, ENM, or other fill material approved in writing by EPA is brought onto the site for use as fill;
- (b) keep accurate records of the volume and type of fill to be used; and
- (c) make these records available to the Planning Secretary upon request.

Erosion and Sediment Control

B39. Prior to the commencement of any construction for the development, the Applicant must install suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.

B40. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B39 for the duration of construction of the development.

Discharge Limits

B41. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Stormwater Management System

B42. Prior to the commencement of operation of the development, the Applicant must connect the site to the existing site stormwater management system. The system must:

- (a) ensure the system capacity is maintained in accordance with *Managing Urban Stormwater – Soils and Construction Vol. 1* (Landcom 20024);
- (b) divert existing clean surface water around operational areas of the site; and
- (c) prevent cross-contamination of clean and contaminated water.

B43. Prior to the discharge of any water to sewer, the Applicant must enter into a Trade Waste Agreement with Hunter Water.

Flood Management

B44. Prior to the commencement of operation of the development, the Applicant must prepare a Flood Management Plan to the satisfaction of the Planning Secretary. The Plan must form part of the OEMP required by conditions C2 and C5 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with the NSW State Emergency Service;
- (c) address the provisions of the *Floodplain risk management manual* (DPE, 2023) and *Support for emergency management planning* (DPE, 2023); and
- (d) include details of:
 - (i) the flood emergency responses for and the operational phases of the development including emergency actions such as evacuation, the cessation of waste deliveries and operations, and removal of hazardous waste if a PMF event is predicted;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification; and
 - (iv)
- (v) awareness training for employees and contractors.

B45. The Applicant must:

- (a) submit a copy of the Flood Management Plan required by condition B44 to the Planning Secretary prior to the commencement of operation; and
 - (b) implement the most recent version of the Flood Management Plan for the duration of the development.
- B46. All floor levels must be no lower than the 0.5% Annual Exceedance Probability flood plus 500 mm of freeboard.
- B47. Any structures below the 0.5% Annual Exceedance Probability plus 500 mm of freeboard must be constructed from flood-compatible building components.

ABORIGINAL HERITAGE

Unexpected Finds Protocol

- B48. Prior to the commencement of construction, the Applicant must develop a procedure for the management of unexpected objects of Aboriginal Heritage significance and human remains in consultation with the Registered Aboriginal Parties. The procedure must form part of the CEMP required by C2. The procedure must include the following requirements:
- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately.
 - (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and
 - (c) Heritage NSW must be contacted immediately.
- B49. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

CONTAMINATION

Unexpected Finds

- B50. Prior to the commencement of construction, the Applicant must prepare an unexpected contamination finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the CEMP in accordance with condition C2 and must ensure any material identified as contaminated is managed in accordance with the POEO Act and its associated regulations. Details of the final management approach and the results of any associated testing must be submitted to the Planning Secretary within six weeks of the Applicant becoming aware of the contamination find, or as otherwise agreed to by the Planning Secretary.

VISUAL AMENITY

Landscaping

Lighting

- B51. The Applicant must ensure the lighting associated with the development:
- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019); 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.

COMMUNITY ENGAGEMENT

- B52. The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified on Figure 2 in Appendix 1, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.

Community Consultation Plan

- B53. The Applicant must prepare a Community Consultation Plan for the development, to the satisfaction of the Planning Secretary. The Plan must:
- (a) be approved by the Planning Secretary prior to the commencement of site preparation works;
 - (b) be implemented for the life of the development, or as otherwise agreed by the Planning Secretary;
 - (c) assign a central contact person to keep the nearby sensitive receivers regularly informed throughout the development;
 - (d) detail the mechanisms for regularly consulting with the local community throughout the development, such as holding regular meetings to inform the community of the progress of the development and report on environmental monitoring results;
 - (e) include contact details for key community groups, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders; and
 - (f) include a complaints procedure for recording, responding to and managing complaints, including:
 - (i) email, toll-free telephone number and postal address for receiving complaints;

- (ii) advertising the contact details for complaints prior to and during operation, via the local newspaper and through on-site signage;
- (iii) a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint; and
- (iv) procedures to resolve any disputes that may arise during the course of the development.

B54. The Applicant must:

- (a) not commence construction until the Community Consultation Plan is approved by the Planning Secretary;
- (b) implement the approved Community Consultation Plan for the duration of the development.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) a condition compliance table for that plan;
 - (b) detailed baseline data (where required);
 - (c) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (e) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (d) above;
 - (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (g) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (h) a protocol for managing and reporting any:
 - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - (ii) complaint;
 - (iii) failure to comply with statutory requirements; and
 - (i) a protocol for periodic review of the plan.

Note: *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans*

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Erosion and Sediment Control Plan;
 - (b) Construction Noise Management Plan (see condition B34);
 - (c) a copy of the Driver Code of Conduct (see Condition B37);
 - (d) a copy of the Unexpected Finds Protocol (see condition B48);
 - (e) a copy of the Unexpected Contamination Finds Procedure (see condition B50); and
 - (f) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C5. The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C6. As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:
- (a) details on facility and plant design, environmental controls and all mitigation measures;
 - (b) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (c) describe the procedures that would be implemented to:

- (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
- (ii) receive, handle, respond to, and record complaints;
- (iii) resolve any disputes that may arise;
- (iv) respond to any non-compliance;
- (v) respond to emergencies; and
- (d) include the following environmental management plans:
 - (i) Air Quality (see condition B15);
 - (ii) Waste (see condition B22); and
 - (iii) a copy of Flood Emergency Response Plan (see condition B44).

C7. The Applicant must:

- (a) not commence operation until the OEMP is approved by the Planning Secretary; and
- (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

REVISION OF STRATEGIES, PLANS AND PROGRAMS

C8. Prior to the commencement of construction of any works associated with any modification to this consent, or within three months of:

- (a) the submission of an incident report under condition C10;
 - (b) the submission of a Compliance Report under condition C14;
 - (c) the submission of an Independent Audit under condition C16;
 - (d) the approval of any modification of the conditions of this consent; or
 - (e) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.

C9. If identified as part of the review process (see condition C8C8) or considered necessary to improve the environmental performance of the development, the Applicant must ensure the strategies, plans and/or programs required under this consent are revised, to the satisfaction of the Planning Secretary.

The revised document(s) must be submitted to the Planning Secretary for approval within six weeks of the review process taking place, or in the case of a modification approving the construction of any works, prior to the commencement of construction of those works, or such other timing as agreed by the Planning Secretary

Note: *This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.*

REPORTING AND AUDITING

Incident Notification, Reporting and Response

C10. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:

- (a) date, time and location;
- (b) a brief description of what occurred and why it has been classified as an incident;
- (c) a description of what immediate steps were taken in relation to the incident; and
- (d) identifying a contact person for further communication regarding the incident.

C11. The Applicant must provide the Department with a subsequent incident report in accordance with the requirements set out in Appendix 3 (Incident Notification and Reporting Requirements).

Non-Compliance Notification

C12. Within seven days of becoming aware of any non-compliance, the Applicant must notify the Department of the non-compliance, in writing, via the NSW planning portal (Major Projects).

C13. A non-compliance notification submitted under condition C12 must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

Note: *A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.*

Compliance Reporting

- C14. Within first year of commencement of operation of the development, 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:
- (a) be prepared in accordance with the *Compliance Reporting Post Approval Requirements* (Department 2020);
 - (b) identify any trends in the monitoring data over the life of the development;
 - (c) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
 - (d) describe what measures will be implemented over the next year to improve the environmental performance of the development.
- C15. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least seven days before this is done.

Independent Audit

- C16. Within one year of the commencement of operation of the development, 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 conducted and carried out in accordance with the Independent Audit Post Approval Requirements (Department 2020), or as updated from time to time and published on the Department's website
 - (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).
- C17. 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 condition C16 of this consent;
 - (b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations;
 - (c) implement the recommendations to the satisfaction of the Planning Secretary; and
 - (d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.

Monitoring and Environmental Audits

- C18. 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 Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

ACCESS TO INFORMATION

- C19. At least 48 hours before the commencement of construction of the development and for the life of the development (or such other time as agreed by the Planning Secretary), 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 A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent with the exception of any hazard and risk related studies;
 - (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 quarterly;
 - (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.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

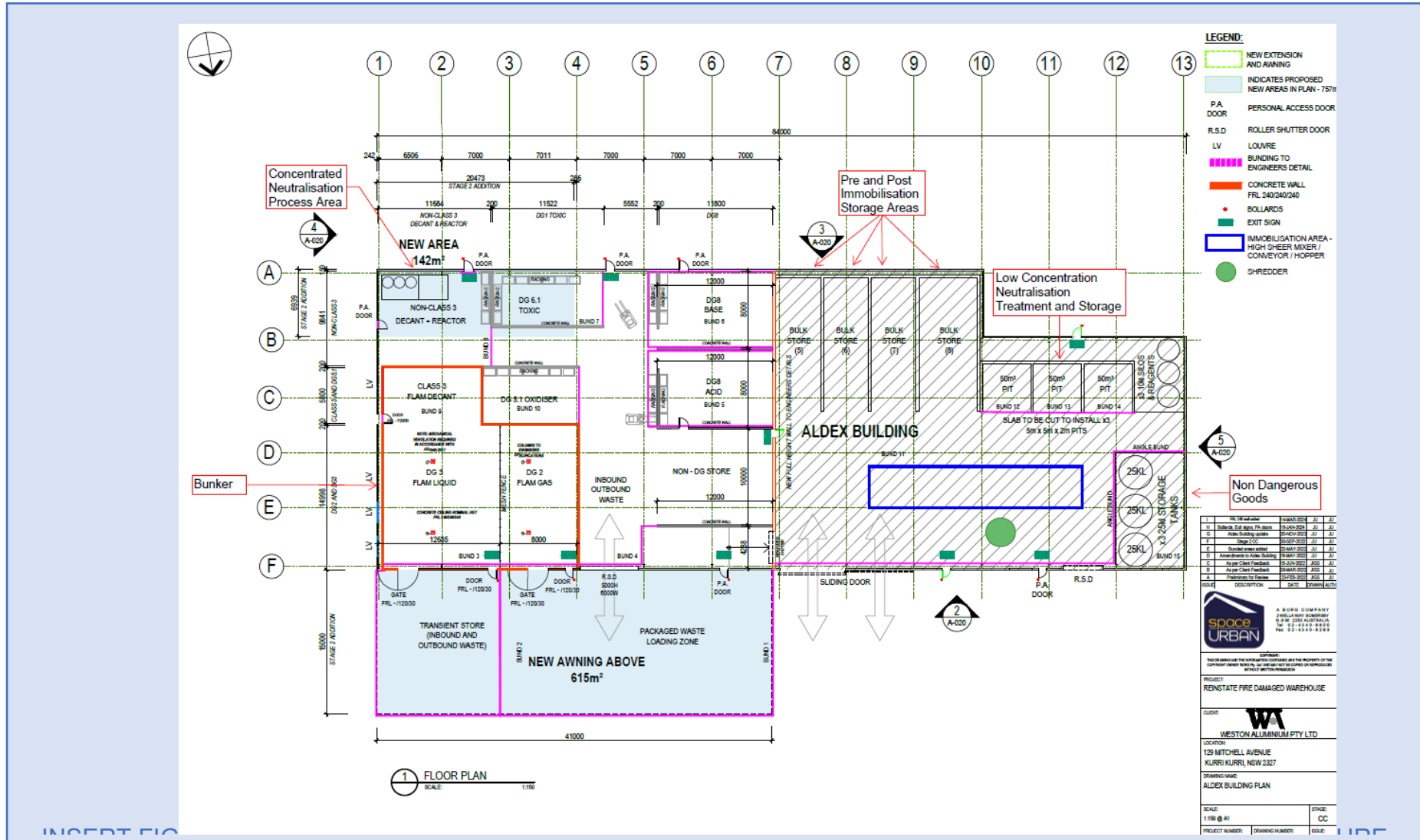


Figure 1: Site Plan

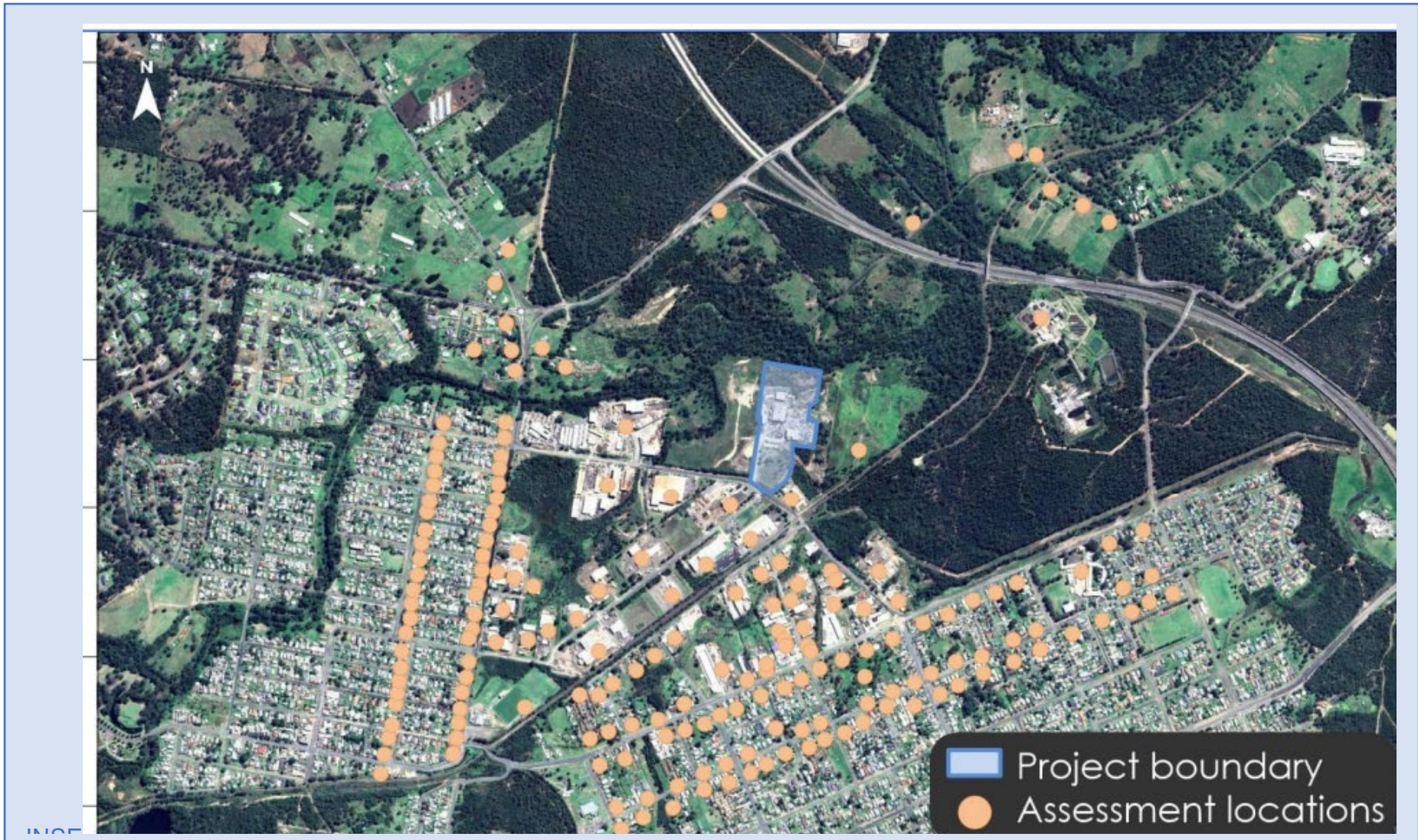


Figure 2: Sensitive Receivers

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES



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Attachment A

Updated Mitigation Measures, August 2025

Additional Waste Streams Project - Updated Mitigation Measures, August 2025

This attachment provides a consolidated summary of the commitments made to manage, mitigate and monitor impacts during the construction and operation of the project as proposed within the EIS, the RTS Report, the Further RTS and this additional update.

Additions made to mitigation measures within the RTS Report are shown in **bold text**, and removal of any elements of the mitigation measures since the public exhibition of the EIS is shown in ~~strike-out text~~. Additions made within the Further RTS are shown in **red text**. Additions made in this update to address further agency comment is shown in **blue text**.

Impact	Activity	Mitigation measures and monitoring requirement
Waste Management	Construction	<p>All wastes generated through construction will be segregated and disposed of appropriately.</p> <p>Wastes which can be recycled will be segregated and recycled as appropriate.</p> <p>Materials will be ordered in bulk where feasible to minimise the generation of package waste generation.</p>
	Operations	<p>All wastes will be inspected and weighed prior to acceptance on site.</p> <p>Any non-conforming wastes will not be accepted on site and will be returned to the generator.</p> <p>All wastes will be tracked in accordance with the NSW EPA on-line tracking system.</p> <p>All wastes will be stored in appropriate locations within the RWP building in accordance with their DG classification (AS 60079.10.1), and clear delineation markings to ensure that these areas are properly observed.</p> <p>All staff will be trained in the handling of the new waste streams to be accepted on site.</p> <p>WA standard operating procedures will be reviewed and updated prior to the acceptance of the new wastes streams to the facility.</p> <p>All wastes will be stored undercover and within the RWP building.</p> <p>All waste treatment activities will be undertaken within the RWP building.</p> <p>Wastes post-treatment will be sampled to confirm that they meet disposal requirements.</p> <p>Wastes which are sent off-site for disposal will be tracked in accordance with the NSW EPA online tracking system.</p>
Air Quality	General	<p>Activities to be assessed during adverse weather conditions and modified as required (e.g. cease activity where reasonable levels of dust cannot be maintained using the available means).</p> <p>Weather forecast to be checked prior to undertaking material handling or processing.</p> <p>Engines of on-site vehicles and plant to be switched off when not in use.</p> <p>Vehicles and plant are to be fitted with pollution reduction devices where practicable.</p>

Impact	Activity	Mitigation measures and monitoring requirement
		<p>Vehicles are to be maintained and serviced according to manufacturer’s specifications.</p> <p>Visual monitoring of activities is to be undertaken to identify dust generation.</p> <p>Ensure stack exhaust controls are operating as per manufacturers specifications.</p>
	Exposed areas / stockpile	<p>The extent of exposed surfaces and stockpiles is to be kept to a minimum.</p> <p>Exposed areas and stockpiles are either to be covered or are to be dampened with water as far as is practicable if dust emissions are visible, or there is potential for dust emissions outside operating hours.</p> <p>All stockpiled material is to be maintained within the RWP Building. No external stockpiles.</p>
	Material Handling	<p>Reduce drop heights from loading and handling equipment where practical.</p>
	Haulage	<p>Spills on trafficked areas to be cleaned immediately.</p> <p>Driveways and hardstand areas to be swept/cleaned regularly as required.</p> <p>Vehicle traffic is to be restricted to designated routes.</p> <p>Co-ordinate the delivery schedule to avoid a queue of the incoming or outgoing trucks for extended periods of time.</p> <p>Speed limits are to be enforced.</p> <p>Vehicle loads are to be covered when travelling off-site.</p> <p>Sweeper unit to be regularly deployed to the operational site to sweep/clean internal roads periodically to prevent any tracking of fine debris.</p>
	Operation	<p>The air extracted from the proposed neutralisation process shall be passed through a pollution control system which includes hydrated lime and activated carbon injection to remove any harmful fumes or vapours that could potentially be produced during the reaction. This will include:</p> <ul style="list-style-type: none"> a. the use of hydrated and activated carbon injection within a baghouse system to control emissions from: <ul style="list-style-type: none"> i. the neutralisation process; and ii. the bulk solid waste storage and treatment areas. b. the use of activated carbon filtration to manage vapour emissions from the flammable liquid decant and storage area.
Traffic and Transport	Construction	<p>Construction Traffic Management Plan to be developed as part of the Construction Environment Management Plan.</p>
Surface Water	Construction	<p>Development of a Construction Environmental Management Plan which is to incorporate the Erosion and Sediment Control measures.</p>

Impact	Activity	Mitigation measures and monitoring requirement
	Operation	<p>The unloading area be designed with the following measures:</p> <ul style="list-style-type: none"> • Bunds and awning be constructed as per design • The unloading area included features in accordance with relevant sections of AS1940 The Storage and Handling of Flammables and AS3780 The Storage and Handling of Corrosive Substances • The unloading area be contained by a rollover bund • The unloading area drains to a low point sump (or a segregated multi-sump unloading system, to avoid spillage of incompatible materials mixing) which can be tested and pumped to trade waste or pumped out in the event of a spill • The unloading bay is operated under good housekeeping procedures such as ensuring any spills in the unloading area are captured, removed and neutralised or rinsed. <p>Design floor levels and any containment features included in the RWP Building are consistent with the basis of the Flood Impact Assessment and are not set below the 200-year / 0.5% AEP (RL 12.86 AHD) level.</p> <p>Adequate storage for building contents, volumes and general spills including the capacity to contain any fire water.</p> <p>Consideration of Installing a first flush device(s) on the roof downpipes or drainage system to segregate the first flush for treatment and disposal to sewer via the Main Pond.</p> <p>Potential to direct the flows to Swamp Creek via another form of treatment, such as another detention system separate from the Main Pond.</p> <p>Recovery of rainwater from the RWP building for reuse around the site.</p> <p>The warehouse and/or site boundaries shall be capable of containing 90 minutes of sprinkler discharge (i.e. ceiling mounted, in-racks, and drenchers where required) in addition to 90 minutes of hydrant hose discharge assuming 3 hydrants are operating.</p> <p>The civil engineers designing the site containment shall demonstrate the design is capable of containing the required water volume.</p> <p>EPA will be consulted if any potential discharge associated with the project is required.</p>
Soils	Construction	<p>Inclusion of enhanced erosion and sediment controls in the CEMP to account for any contaminated sediments that may be present from site activities or the recent fire.</p> <p>Consideration of intrusive sampling to identify any contaminants of concern.</p> <p>Preparation of a CEMP outlining mitigation measures for risks associated with encountering potential subsurface impacts.</p> <p>Inclusion of an Unexpected Finds Protocol for potential incidental subsurface impacts during footing excavations if intrusive investigations not undertaken.</p>

Impact	Activity	Mitigation measures and monitoring requirement
Noise and Vibration	Construction	<p>Development of a CNEMP to include measures to minimise noise and vibration and consult with the affected community.</p> <p>Limit work to within standard construction working hours.</p> <p>Toolbox and induction of personnel prior to shift to discuss noise control measures that may be implemented to reduce noise emissions to the community.</p> <p>Where possible use mobile screens or construction hording to act as barriers between construction works and receivers.</p> <p>All plant should be shut down when not in use. Plant to be parked/started at farthest point from relevant assessment locations.</p> <p>Operating plant in a conservative manner (no over-revving).</p> <p>Selection of the quietest suitable machinery available for each activity.</p> <p>Avoidance of noisy plant/machinery working simultaneously where practicable.</p> <p>Minimisation of metallic impact noise.</p> <p>All plant are to utilise a broadband reverse alarm in lieu of the traditional hi frequency type reverse alarm.</p>
	Operation	Continue noise monitoring as currently undertaken and publish results in WA website.
Fire and Incident Management	Operations	<p>All site personnel are to be trained in specific site procedures, emergency and first aid procedures and the use of fire extinguishers and hose reels.</p> <p>An appropriate sprinkler system is to be designed and installed throughout the RWP Building.</p> <p>9 kg dry powder fire extinguishers shall be located no closer than 2 m and no further than 10 m from DG storage locations.</p> <p>Spill kits suitable for the commodities being stored shall be provided for DGs stored in racking.</p> <p>Site management to prepare and maintain operational procedures to minimise the number of hazardous incidents and accidents on site and to mitigate the consequences of incidents regarding the handling of DG and chemicals.</p> <p>The existing Emergency Response Plan is to be updated per the requirements of HIPAP No. 1 to reflect the project addition, and shall include measures to advise neighbouring premises in the event of an emergency with potential offsite impacts.</p> <p>The existing Emergency Services Information Package is to be updated in accordance with FRNSW guidelines to assist emergency services with response in the event on an emergency incident.</p> <p>The FBIM assessment shall be reviewed in conjunction with an FER for consistency.</p>

Impact	Activity	Mitigation measures and monitoring requirement
		<p>A detailed hydraulic and pressure loss analysis be completed by a qualified hydraulic engineer to demonstrate complete compliance with AS 2419.1-2005.</p>
Greenhouse Gas	Operations	<p>Investigating ways to reduce energy consumption throughout the life of the project and reviewing energy efficient alternatives.</p> <p>Regular maintenance of equipment and plant.</p> <p>Ensure plant and equipment are switched off when not in use.</p> <p>Monitoring the consumption of fuel and regularly maintaining diesel powered equipment to ensure operational efficiency.</p> <p>Monitoring the total site electricity and gas consumption and investigating avenues to minimise consumption.</p> <p>Source consumable materials from environmentally sustainable sources.</p>
Aboriginal Heritage	Construction	<p>A CEMP be prepared which details obligations for all people under the NPW Act;</p> <p>Under the NPW Act 1974, it is the responsibility of all persons to ensure that harm does not occur to an Aboriginal object. If human skeletal remains are found during the activity, work must stop immediately, the area secured to prevent unauthorised access and the NSW Police and DCCEEW contacted. The NPW Act requires that, if a person finds an Aboriginal object on land and the object is not already recorded on AHIMS, they are legally bound under s.89A of the NPW Act to notify DCCEEW as soon as possible of the object's location. This requirement applies to all people and to all situations.</p> <p>Consider preparation of an Aboriginal Cultural Heritage Management Plan, created in collaboration with the local Aboriginal community to acknowledge the area's likely Aboriginal history.</p> <p>An Aboriginal Cultural Heritage Induction Program (Appendix D of Attachment A) has been prepared for the entire site boundary and will be implemented during construction of the Project.</p>
Consultation	Construction and operation	<p>Provide regular updates to the community via website or social media on the latest activities at the facility.</p> <p>Consider facilitating coordinated site visits for those members of the community who would like to learn more about operations being undertaken at the facility.</p> <p>Maintain the 24 hour complaint line and respond to community complaints in a timely manner.</p> <p>Ensure all material on the project is up to date and publicly available.</p>

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within **7 days** (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C10), the Applicant is required to submit a subsequent incident report that:
 - (a) identifies how the incident was detected;
 - (b) identifies when the Applicant became aware of the incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the incident;
 - (e) a summary of the incident;
 - (f) outcomes of an incident investigation, including identification of the cause of the incident;
 - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (h) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.

INCIDENT REPORT REQUIREMENTS

5. If requested by the Planning Secretary, 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.
6. The Incident Report must include:
 - (a) 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.