



DOC25/7777-3

10 January 2025

Emma Barnet
Senior Environmental Assessment Officer
Department of Planning, Housing and Infrastructure

Via Major Projects Portal

**EPA's Recommended Secretary's Environmental Assessment Requirements
Weston Aluminium Autoclave Facility (SSD-79012238)**

Dear Emma

I am writing in response to your request for the Environment Protection Authority's (EPA's) Secretary's Environmental Assessment Requirements (SEARs) for the proposed Weston Aluminium Autoclave Facility located at 129 Mitchell Avenue, Kurri Kurri.

Weston Aluminium currently holds Environment Protection Licence 6423, issued under the *Protection of the Environment Operations Act 1997* (POEO Act), for scrap metal processing, recovery of hazardous and other waste, waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste, thermal treatment of hazardous and other waste, non-thermal treatment of general waste and aluminium production (scrap metal).

The EPA has reviewed the letter addressed to Ms Emma Barnet (Department of Planning, Housing and Infrastructure) produced by AECOM Australia Pty Ltd (20 December 2024).

The EPA understand the proposal is for:

- The collection, transport and storage of up to 10,000 tpa of autoclavable wastes including clinical, pathogenic substances and quarantine wastes, bio-security and quarantine wastes.
- Processing of these wastes within the proposed autoclave at temperatures of around 120°C for specified retention times, followed by shredding of the processed wastes.
- Disposal of approximately 10,500 tpa (noting that the autoclave process can add around 5% mass due to the additional moisture) of the processed product to a suitably licenced facility.

The EPA has considered the details of the proposal and provides the recommended SEARs as **Attachment A**. In carrying out the assessment, the proponent should refer to the relevant guidelines listed, as well as any relevant industry codes of practice and best practice management guidelines.

The Proponent should be made aware that any commitments made in the environmental assessment may be formalised as approval conditions and may also be placed as formal licence conditions. Consistent with Part 9.4 of the POEO Act the EPA may require the provision of a financial assurance and/or assurances. The amount and form of the assurance(s) would be determined by the EPA and required as a condition of the licence.

NSW Environment Protection Authority

As the environmental steward and regulator of our State we are committed to a sustainable future. Join us on our mission to protect tomorrow together.

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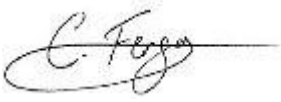
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If you have any questions about this request, please contact Jenny Gustafson at environmentprotection.planning@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Ferguson', with a horizontal line extending to the right.

CARLOS FERGUSON
A/Unit Head – Environment Protection Planning
Environment Protection Authority

ATTACHMENT A

EPA's Recommended Secretary's Environmental Assessment Requirements Weston Aluminium Autoclave Facility (SSD-79012238)

1. Environmental impacts of the project

- 1.1. The description should include the following for both the construction and operation of the project:
 - a. Details of the premises covered by the project including any relationship with any existing Environment Protection Licences
 - b. the layout of all the physical elements of the project within the project area, including all buildings, structures, works, haulage activities, pollution controls, stockpile and material handling areas, sealed and unsealed areas, landscaping and open space.
 - c. all mitigation measures that will be built into the physical layout and design of the project (such as noise walls)
 - d. any ancillary infrastructure for which approval is being sought (such as upgrades to utilities or surrounding roads)
 - e. identify those components of the physical layout and design that may change during the detailed design of the project, and set clear limits within which this change may occur without requiring amendments to the DA or modifications to the development consent if the project is approved
 - f. plans showing the layout and design in plan-view and cross section.
- 1.2. Identify any likely interactions between the development and any existing/approved developments and land uses in the area.
- 1.3. Identify all sensitive receivers likely to be affected by the development using clear maps/plans, including key landform areas, such as conservation areas and waterways.
- 1.4. Identify all potential environmental emissions, assess the likely environmental impacts, and describe the proposed mitigation measures to minimise environmental pollution to achieve compliance with relevant environmental legislation, policies, and guidelines.
- 1.5. The EIS must accurately summarise the key findings of the detailed technical studies in the appendices of the EIS and use suitable cross-referencing to reduce repetition between the two parts of the EIS.

2. EPA Licensing and Approval Requirements

- 2.1. Identify all approvals and licences required under environment protection legislation including details of all scheduled activities under schedule 1 of the *Protection of the Environment Operations Act 1997*.
- 2.2. Outline how the proposal and its environmental protection measures would be implemented and managed so as to demonstrate that the proposal is capable of complying with statutory obligations under EPA licences or approvals (e.g. outline of an environmental management plan).

3. Construction Works

- 3.1. The EIS must include detail of the construction works including:
 - a. any earthworks or site clearing; re-use and disposal of cleared material (including use of spoil on-site).
 - b. Identify, characterise and classify the following in accordance with the EPA's *Waste Classification Guidelines (2014)*:

- i. all waste that will be generated onsite through excavation, demolition or construction activities, including proposed quantities of the waste;
- ii. all waste that is to be removed to an offsite location, including proposed quantities. Include the commitment to ensure this waste is taken to a facility that can lawfully receive it.

Note: The EPA's *Waste Classification Guidelines (2014)* are available at: <https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste>

- c. construction timetable and staging; hours of construction; proposed construction methods.
 - d. environment protection measures, including noise mitigation measures - in accordance with the Interim Construction Noise Guideline (DECC, 2009), dust control measures and erosion, and sediment control measures- in accordance with Managing urban stormwater: Soils and construction, vol. 1 (Landcom 2004).
- 3.2. Include a site diagram showing the site layout and location of environmental controls.
- 3.3. Construction noise associated with the proposed development should be assessed using the *Interim Construction Noise Guideline* (DECC, 2009). These are available at: <https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/construction-noise>

4. Air issues

- 4.1. The EIS must demonstrate the proposal's ability to comply with the relevant regulatory framework, specifically the POEO Act and the *Protection of the Environment Operations (Clean Air) Regulation 2022*. This consideration should include section 129 of the POEO Act concerning control of "offensive odour".
- 4.2. The EIS must include an air quality impact assessment (AQIA). The AQIA must be carried out in accordance with the document, *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2022). These are available at: <https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/approved-methods-for-the-modelling-and-assessment-of-air-pollutants>
- 4.3. The EIS must detail emission control techniques/practices that will be employed at the site and identify how the proposed control techniques/practices will meet the requirements of the POEO Act, *POEO (Clean Air) Regulation (2022)* and criteria within *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2022).

5. Noise and Vibration

The EIS must assess the following noise and vibration aspects of the proposed development:

- 5.1. Operational and construction activities on the premises that maybe considered vibration intensive should be assessed using the guidelines contained in the *Assessing Vibration: a technical guideline* (DEC, 2006). These are available at: <https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/assessing-vibration>
- 5.2. If blasting is required for any reasons during the construction or operational stage of the proposed development, blast impacts should be demonstrated to be capable of complying with the guidelines contained in *Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration* (ANZEC, 1990). These are available at: <https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/construction-noise>
- 5.3. Operational noise from noise intensive activities to be undertaken on the premises should be assessed using the guidelines contained in the *NSW Noise Policy for Industry* (EPA, 2017). Available at: [https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-\(2017\)](https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017))

- 5.4. If applicable, noise on public roads from increased road traffic generated by land use developments other than road projects should be assessed using the guidelines contained in the *NSW Road Noise Policy* (EPA, 2011) and associated application notes. Available at: <https://www.epa.nsw.gov.au/your-environment/noise/transport-noise>.
- 5.5. If applicable, noise on rail lines from increased rail traffic generated by land-use developments other than rail projects should be assessed using the guidelines contained in the *Rail Infrastructure Noise Guideline* (EPA, 2013) and associated application notes. Available at: <https://www.epa.nsw.gov.au/your-environment/noise/transport-noise>.

6. Waste, chemicals and hazardous materials and radiation

The EIS must assess the following waste, chemical and hazardous materials related aspects of the proposed development:

- 6.1. Assess and describe all aspects of waste generation, management and disposal associated with the proposed development.
- 6.2. Demonstrate compliance with all regulatory requirements outlined in the POEO Act and associated waste regulations.
- 6.3. Outline contingency plans for any event that may result in environmental harm, such as excessive stockpiling of material, or dirty water volumes exceeding the storage capacity available on-site.
- 6.4. Demonstrate that appropriate spill containment will be provided for storage, filling and loading of all fuels and other chemicals to be used on site, in accordance with all relevant Australian Standards, and/or NSW EPA's *Storing and Handling of Liquids: Environment Protection-Participants Manual* (DECC, 2007).
- 6.5. Demonstrate compliance with Part 9.3E of the POEO Act for the use of any industrial chemicals, including details of activities involving Schedule 6 or Schedule 7 chemicals listed on the IChEMS register. Additionally, demonstrate a system for periodic review to ensure that any new IChEMS Register requirements are incorporated.
- 6.6. Assess and describe any potential risks relating to per- and polyfluoroalkyl substances (PFAS) that may be associated with the proposed development and if applicable, how they will be mitigated. Consideration should be given to potential health and environment related impacts caused by PFAS. The assessment should consider various sources, receptors and exposure pathways including but not limited to ingestion (drinking water and food consumption), inhalation, and dermal contact. Where the Proponent believes that this PFAS requirement is not applicable, the Proponent may indicate that in the EIS but must provide sufficient justification.
- 6.7. Identify the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-21*. Available at: <https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/warr-strategy>.
- 6.8. This waste facility will be required to report on the amount of waste being handled:
 - a. If it is located within or receives waste from the Metropolitan Levy Area (MLA) or Regional Levy Area (RLA), a weighbridge will need to be installed and it will need to report monthly. If it is located within the Non-Levied Area (NLA), and only receives waste from the NLA, then it will need to report annually.
 - b. Document how you will comply with Clause 36 of the *Protection of the Environment (Waste) Regulation 2018*. This Clause includes requirements regarding the installation and calibration of a weighbridge, vehicle flow plans, weighbridge software and associated recording and reporting requirements.
 - c. Document how you will comply with the EPA's waste levy benchmark requirements including the software to be used.

- d. Nominate the upper limit of the amount of waste that may be stockpiled at your facility at any one time. This nominated amount will be considered when determining the maximum authorised amount of waste that may be at your facility at any time.
- e. Ensure that the facility complies with the waste levy requirements for the levy area in which it is located. Information about levy areas is available at <https://www.epa.nsw.gov.au/your-environment/waste/waste-levy/levy-regulated-area-and-levy-rates>.

7. Water

The EIS surface water quality assessment must:

- 7.1. Demonstrate that all practical measures to prevent, control, abate or mitigate water pollution have been implemented, including a description of options that were explored (such as reuse to avoid a discharge or treatment).
- 7.2. Provide details of the proposal that are essential for predicting and assessing potential impacts to receiving waters. This could include (but is not limited to):
 - a. Site layout, including details of the existing and proposed water management system.
 - b. Drainage map for the entire site identifying sub-catchments, flow paths, drainage infrastructure, design sizing of structures, water storages, discharge points, and any potential flow paths to receiving waters.
 - c. How stormwater will be managed in all phases of the project. Information should include, where appropriate, measures to avoid or minimise erosion, leachate generation, and sediment mobilisation at the site.
 - d. Any in-water activities (such as piling or dredging).
- 7.3. Include water balance(s) for ground and surface water, including any intake and discharge locations, volumes, frequency and duration.
- 7.4. Identify and estimate the quality and quantity of all pollutants that may be introduced into the water cycle by source and discharge point, including residual discharges after mitigation measures are implemented. This should be undertaken for construction and operational phases.
- 7.5. Include a water pollution impact assessment undertaken consistent with the guidance available at <https://www.epa.nsw.gov.au/your-environment/water/managing-water-pollution-in-nsw/environment-protection-licensing/water-pollution-discharge-assessments>. The level of assessment should be commensurate with the risk to the environment and human health.
- 7.6. Describe any surface water quality monitoring programs, including proposed monitoring locations, frequency and indicators of surface water quality. Analytical limits of reporting should have regard to any identified guideline values. Water quality monitoring should be undertaken in accordance with the *Approved Methods for the Sampling and Analysis of Water Pollutants in NSW* (2004) available at: <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/water/22p3488-approved-methods-for-water-in-nsw.pdf>.
- 7.7. The EIS must describe how stormwater will be managed in all phases of the project, including details of how stormwater and runoff will be managed to minimise pollution. Information should include measures to be implemented to minimise erosion, leachate and sediment mobilisation at the site. The EIS should consider the guidelines *Managing urban stormwater: soils and construction*, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC, 2008).

8. Groundwater

- 8.1. Provide details of the project that are essential for predicting and assessing impacts to groundwater with a description of the existing environment, including:
- Geological, topographical, and hydrogeological resource descriptions, maps, and cross-sections.
 - Assessment of groundwater quality, users of groundwater, existing bores including depths and construction, assessment of local land use.
 - A hydrogeological interpretation of water-bearing geological units, depth to water table, groundwater gradient, Conceptual hydrogeological model, assessment of groundwater dependent ecosystems.
 - Site map and cross-sections showing and characterising any proposed excavations and spoil emplacement (relative to water table) with topography.
 - Proposed groundwater monitoring program.
 - The Assessment should be in accordance with Groundwater assessment toolbox for major projects in NSW - Overview document (DPE, 2022) - https://water.nsw.gov.au/data/assets/pdf_file/0004/507613/Groundwater-assessment-toolbox-for-major-projects-in-NSW.pdf

9. Soils

- 9.1. The EIS should include an assessment of the potential impacts on soil and land resources should be undertaken, being guided by the *Soil and Landscape Issues in Environmental Impact Assessment* (DLWC 2000). The nature and extent of any significant impacts should be identified. Particular attention should be given to:
- Soil erosion and sediment transport- in accordance with *Managing urban stormwater: Soils and construction, vol. 1* (Landcom 2004) and vol. 2 (A. Installation of services; B Waste landfills; C Unsealed Roads; D Main Roles) (DECC2008).
 - Mass movement (landslides) – in accordance with *Landslide risk management guidelines* presented in *the Australian Geomechanics Society* (2007).
 - Urban and regional salinity – guidance given in the *Local Government Salinity Initiative* booklets which includes *Site Investigation for Urban Salinity* (DLWC, 2002).
- 9.2. A description of the mitigation and management options that will be used to prevent, control, abate or minimise identified soil and land resource impacts associated with the project. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented. Where required, add any specific assessment requirements relevant to the project.

10. Contamination

- 10.1. Identify the likelihood of contamination at the site and surrounding land (on different media such as soils, groundwater, ground gas, surface water and sediments, where applicable) by considering the context of past, current, and proposed land uses. The EIS must document how the assessment of contaminated land has been undertaken with regard to the relevant guidelines for contaminated land made or approved by the NSW EPA.
- 10.2. All reports on contamination must be prepared by a suitably qualified contaminated land consultant⁽¹⁾ who is also certified⁽²⁾.

(1) A suitably qualified and experienced contaminated land consultant is a contaminated land consultant who meets the competencies outlined in the Guideline on the Competencies and Acceptance of Environmental Auditors and Related Professionals (Schedule B9) as provided

in the ASC National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended in 2013)."

(2) A certified consultant is a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme;

Note: If an auditor is being engaged for the project, the requirement for a certified consultant to prepare the contaminated land reports is still recommended as it will help ensure all assessment work is done as efficiently as possible, but it is optional. However, it must still be required for all reports to be prepared by a suitably qualified contaminated land consultant.

- 10.3. Where contamination is considered likely based on past or current land uses or other factors (such as offsite contamination migrating onto the site), undertake detailed site investigation/s to determine the nature and extent of the contamination.
- 10.4. Where contamination exists, assess if remediation of the land is required, having regard to current and future land uses; and the ecological and human health risks posed by the contamination to both onsite and offsite receptors.
- 10.5. Where a detailed site investigation is prepared and/or remediation is considered necessary, a NSW EPA accredited Site Auditor must be engaged to undertake an audit. The EIS must include copies of any Interim Audit Advice provided by the auditor and a Site Audit Statement and Site Audit Reports issued by the auditor which certifies the site can be made suitable for the proposed use
- 10.6. The following references should be included as relevant guidelines that must be followed when assessing contaminated land:
 - a. *Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA, 1998)* - <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/clm/managing-contaminated-land-guidelines-remediation.pdf?la=en&hash=6AAE054645C2A0264515ABF7121AEF7F47E5FC85>
 - b. *Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 (EPA, 2015)*
 - c. *Contaminated land sampling design guidelines - Part 1 and 2 (EPA, 2022)*
 - d. *Consultants reporting on contaminated land: contaminated land guidelines (EPA, 2020)*
 - e. *Guidelines for the NSW Site Auditor scheme 3rd edition (EPA, 2017)*
 - f. Any other relevant guidelines made or approved by the EPA under s105 of the *Contaminated Land Management Act 1997* - <https://www.epa.nsw.gov.au/your-environment/contaminated-land/statutory-guidelines>

11. Climate Change

- 11.1. Provide estimate of greenhouse gas (GHG) emissions for the project by carrying out a Greenhouse Gas Assessment consistent with the most recent version of the EPA's Greenhouse Gas Assessment Guide for Large Emitters (GHG guide) that is available on the EPA's website. The GHG estimate is to confirm if the project is likely to result in 25,000 tonnes or more of scope 1 and 2 emissions (CO₂-e), in any financial year during the operational life of the project. Input data and assumptions used to estimate GHG should be accompanied by supporting evidence.

Note:

Where the proponent believes that certain requirements from the GHG guide are not applicable, the proponent may indicate that in the EIS but must provide sufficient justification.



17 January 2025

The Department of Planning, Housing
and Infrastructure
Attention: Emma Barnet

Contact: Julia Ryl
Our Ref: DA 52/2025/2/1
Your Ref: SSD-79012238

Dear Ms Barnet

Response to Request for Comment SEARs
Description of Development – Weston Aluminium – Proposed Autoclave Facility
Property: 129 Mitchell Avenue Kurri Kurri

I refer to the abovementioned project, notice of which was received by Council on the 6 January 2025, whereby it was advised that AECOM Australia Pty Ltd on behalf of Weston Aluminium Pty Ltd had requested Secretary's Environmental Assessment Requirements (SEARs).

It is understood from the information provided that project consists of the following:

- Collection, transport and storage of up to 10,000 tpa of autoclavable wastes;
- Processing of these wastes within the proposed autoclave at temperatures of around 120°C for specified retention times, followed by shredding of the processed wastes;
- Disposal of approximately 10,500tpa (noting that the autoclavable process can add around 5% mass due to the additional moisture) of the processed product to a suitably licenced facility;
- Minor alterations to the Northern end of the Existing Plant Building to house the autoclave facility along with associated storage and a bin washing facility.

The wastes to be processed would be transported to site under an existing waste transportation licence (EPL 21838), it is noted that the waste types proposed are already approved to be received at the site through SSD7396, within the existing Thermal Processing Facility located at the site.

Council appreciates your invitation to comment on the proposed development. Whilst Council has undertaken a preliminary review of the proposal, Council reserves the right to provide additional comments once more information is available. In this regard, the following is intended to assist with the preparation of assessment requirements:

Pollution and Health

Ensure that the Hazardous and Offensive Development Guidelines and the relevant Hazardous Industry Planning Advisory papers are appropriately addressed. Ensure a

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procedure is developed and aligns with best practice standards for the management and processing of pathogenic, and quarantine wastes and substances.

Bunding around the bin washing facility should be installed to prevent the travel of pathogens from the site into surrounding soils and waterways. Swamp Creek runs along the northern boundary of the proposed facility, ongoing monitoring procedures and devices should be practiced and installed to ensure the health of local waterways.

Type of Processing on Site

Confirmation of the waste materials to be processed in the autoclave facility, and the output material, is the autoclave being utilised as a sterilisation process with the use of water only as some autoclaves combine elements of both sterilisation and industrial manufacture. Provide details of the use/disposal of processed material.

Confirmation of the maximum capacity of the proposed autoclave facility, i.e. daily maximum processing capability. Methods for monitoring to ensure that waste processed through this facility on site will not exceed that proposed. i.e. will limits on volumes per day being processed be required, is the autoclavable waste being removed from another processing stream operating at the site such as the thermal processing plant.

Noise

Impacts from noise generated by the additional process on the subject site are to be considered having regard for the cumulative acoustic impacts of the total operations occurring on the site. Noise mitigation measures are to be proposed with any application and should utilise construction and operational measures to reduce noise impacts. Consideration of sensitive receptors within the locality

Cooling Tower

Confirmation will be required as to whether there is a requirement for a cooling tower associated with the autoclave facility to be utilised at the premises (note: these are monitored by Council).

Social Impact

The social impacts of the proposal should be fully considered. Accordingly, a Social Impact Assessment should be prepared.

Traffic, Access and Parking

The information submitted is silent on the possibility of additional staff to operate the additional processing of waste at the site, consideration of adequate onsite car parking for staff of the operations on the site, and manoeuvrability of vehicles through and around the site for deliveries and unloading.

Flooding

The development being a form of heavy industry is considered a sensitive land use, with the subject land identified to be located within the Flood Planning Area and Probable Maximum Flood. Special Flood Considerations are to be addressed to ensure that pathogens and contaminants do not enter waterways within proximity to the site.

Community Consultation

Council recommends that the applicant undertakes a robust programme of public consultation to ensure all relevant stakeholders are fully aware of the proposed development and have the opportunity to put forward their views.

It is also recommend that consultation be undertaken with NSW Fire and Rescue.

Consideration of *Cessnock Local Environmental Plan 2011* and Cessnock Development Control Plan 2010 (as amended) in the preparation of a Development Application is anticipated.

Thank you for the opportunity to be involved in the preparation of your requirements for SEARs. Council reserves the right to make further comments

If you require any further information, please do not hesitate to contact me on telephone 02 4993 4218 or via email Julia.ryl@cessnock.nsw.gov.au.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Julia Ryl', with a stylized flourish at the end.

Julia Ryl
Senior Planning Assessment Officer



Your ref: PAE-79012248
Our ref: DOC25/14207

Emma Barnet
Senior Environmental Assessment Officer
Department of Planning, Housing and Infrastructure

By email: emma.barnet@planning.nsw.gov.au

Dear Emma

Input into Secretary's Environmental Assessment Requirements – Weston Aluminium Autoclave Facility, SSD-79012238

Thank you for your Major Projects Portal request dated 8 January 2025 seeking input into the Secretary's Environmental Assessment Requirements (SEARs) for the Weston Aluminium Autoclave Facility. The proposed development is within the Cessnock local government area.

The Conservation Programs, Heritage and Regulation (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) understands that Weston Aluminium is seeking to install and operate a new autoclave facility for thermal treatment of medical wastes. BCS understands that the proposal is a State Significant Development (SSD-79012238) project under the Environmental Planning and Assessment Act 1979.

BCS has reviewed the document *Weston Aluminium – Proposed Autoclave Facility, Request for SEARs*, 20 December 2024 and has prepared Standard SEARs which are presented in **Attachment 1**. Any project-specific SEARs have been provided for this project in **Attachment 2**. Details of guidance documents are provided in **Attachment 3**.

If you have any further questions about this issue, please contact our Hunter Central Coast Planning Team at huntercentralcoast@environment.nsw.gov.au.

Yours Sincerely

Joe Thompson
**Director Hunter Central Coast
Biodiversity, Conservation and Science**

22 January 2025

Enclosure – Attachments 1, 2 and 3

Attachment 1 - Standard Environmental Assessment Requirements

Biodiversity
1. Biodiversity impacts related to the proposed development (SSD-79012238) are to be assessed in accordance with the Biodiversity Assessment Method 2020 and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the <i>Biodiversity Conservation Act 2016</i> (s6.12), <i>Biodiversity Conservation Regulation 2017</i> (s6.8) and Biodiversity Assessment Method 2020. 2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method 2020. 3. The BDAR must include details of the measures proposed to address the offset obligation as follows; • The total number and classes of biodiversity credits required to be retired for the development/project; • The number and classes of like-for-like biodiversity credits proposed to be retired; • The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules; • Any proposal to fund a biodiversity conservation action; • Any proposal to conduct ecological rehabilitation (if a mining project); • Any proposal to make a payment to the Biodiversity Conservation Fund. If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits. 4. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the <i>Biodiversity Conservation Act 2016</i>.
Water and soils
5. The EIS must map the following features relevant to water and soils including: a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map). b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method). c. Wetlands as described in s4.2 of the Biodiversity Assessment Method. d. Groundwater. e. Groundwater dependent ecosystems. f. Proposed intake and discharge locations. 6. The EIS must describe background conditions for any water resource likely to be affected by the development, including: a. Existing surface and groundwater. b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.

c. Water Quality Objectives (as endorsed by the NSW Government http://www.environment.nsw.gov.au/ieo/index.htm) including groundwater as appropriate that represent the community's uses and values for the receiving waters. d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government.
7. The EIS must assess the impacts of the development on water quality, including: a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the development protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction. b. Identification of proposed monitoring of water quality.
8. The EIS must assess the impact of the development on hydrology, including: a. Water balance including quantity, quality and source. b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas. c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems. d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches). e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water. f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options. g. Identification of proposed monitoring of hydrological attributes.
Flooding and coastal erosion
9. The EIS must map the following features relevant to flooding as described in the NSW 2023 Flood Risk Management Manual including: a. Flood prone land. b. Flood planning area, the area below the flood planning level. c. Hydraulic categorisation (floodways and flood storage areas).
10. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 1 in 10 year, 1 in 100 year flood levels and the probable maximum flood, or an equivalent extreme event.
11. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:

a. Current flood behaviour for a range of design events as identified in 11 above. This includes the 1 in 200 and 1 in 500 year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.
12. Modelling in the EIS must consider and document: a. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood. b. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazards and hydraulic categories. c. Relevant provisions of the NSW 2023 Flood Risk Management Manual.
13. The EIS must assess the impacts on the proposed development on flood behaviour, including: a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure. b. Consistency with Council floodplain risk management plans. c. Compatibility with the flood hazard of the land. d. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land. e. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site. f. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses. g. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the SES and Council. h. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the SES and Council. i. Emergency management, evacuation and access, and contingency measures for the development considering the full range of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the SES. j. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.
14. The EIS must describe the potential effects of coastal processes and hazards (within the meaning of the Coastal Management Act 2016), including sea level rise and climate change: a. On the proposed development b. Arising from the proposed development.
15. The EIS] must consider have regard to any certified Coastal Management Program (or Coastal Zone Management Plan) and be consistent with the management objectives described in the Coastal Management Act 2016 and development controls for coastal management areas mapped under the State Environmental Planning Policy (Resilience and Hazards) 2021.

Attachment 2 – Project specific environmental assessment requirements

Biodiversity - nil
Water and soils - nil
Flooding and Coast - nil

Attachment 3 – Guidance material

Title	Web address
Relevant legislation	
<i>Biodiversity Conservation Act 2016</i>	https://www.legislation.nsw.gov.au/#/view/act/2016/63/full
<i>Coastal Management Act 2016</i>	https://www.legislation.nsw.gov.au/#/view/act/2016/20/full
<i>SEPP (Resilience and Hazards) 2021</i>	https://legislation.nsw.gov.au/view/whole/html/inforce/current/epi-2021-0730
<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>	https://www.legislation.gov.au/Series/C2004A00485
<i>Environmental Planning and Assessment Act 1979</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203
<i>Fisheries Management Act 1994</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203
<i>Marine Estate Management Act 2014</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-2014-072
<i>National Parks and Wildlife Act 1974</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-1974-080
<i>Protection of the Environment Operations Act 1997</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-156
<i>Water Management Act 2000</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-2000-092
<i>Wilderness Act 1987</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-1987-196
Biodiversity	
Biodiversity Assessment Method 2020 & assessor resources (including legislation, manuals, BDAR templates, survey guidelines, registers and databases)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020 https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accruited-assessors/assessor-resources
Guidance to assist a decision maker to determine a serious and irreversible impact	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/guidance-decision-makers-determine-serious-irreversible-impact-190511.pdf
Policy and guidelines for fish habitat conservation and management	https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation
List of national parks	http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx
Revocation, recategorisation and road adjustment policy	https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment
Guidelines for developments adjacent to national parks and other reserves	https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines
SEED Data Portal (access to online spatial & environmental data)	http://seed.nsw.gov.au/
Conservation Lands	
Guidelines for developments adjacent to NPWS managed lands	https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines

Title	Web address
National parks and other lands managed by NPWS	List https://www.nationalparks.nsw.gov.au/visit-a-park Spatial data https://datasets.seed.nsw.gov.au/dataset/npws-all-managed-land Recategorisation & adjustments https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
Australian and New Zealand Guidelines for Fresh and Marine Water Quality	https://www.waterquality.gov.au/anz-guidelines
Water Quality Guidelines Mixing zones	https://www.waterquality.gov.au/anz-guidelines/resources/key-concepts/mixing-zones
Approved methods for the sampling and analysis of water pollutants in NSW (2022)	https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/licensing-under-poeo-act-1997/licensing-to-regulate-water-pollution/approved-methods-for-sampling-and-analysing-water-pollutants
Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions.	https://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning
Soils	
Acid Sulfate Soils Planning Maps via Data.NSW	http://data.nsw.gov.au/data/
Acid Sulfate Soils Manual (Stone et al. 1998)	http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf
National Acid Sulfate Soils Guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT. (Sullivan, L, Ward, N, Toppler, N and Lancaster, G. 2018a).	https://www.waterquality.gov.au/sites/default/files/documents/dewatering-acid-sulfate-soils.pdf
National Acid Sulfate Soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra ACT. (Sullivan, L, Ward, N, Toppler, N and Lancaster, G. 2018b).	https://www.waterquality.gov.au/issues/acid-sulfate-soils/sampling-and-identification-methods-manual
National Acid Sulfate soils Guidance: Overview and management of monosulfidic black ooze (MBO) accumulations in waterways and wetlands, Department of Agriculture and Water Resources, Canberra ACT. (Sullivan, LA, Ward, NJ, Bush, RT, Toppler, NR, Choppala, G. 2018c)	https://www.waterquality.gov.au/issues/acid-sulfate-soils/monosulfidic-black-ooze-accumulation
National Acid sulfate soils guidance: Guidelines for the dredging of acid sulfate soil sediments and associated dredge spoil management, Department of Agriculture and Water Resources,	https://www.waterquality.gov.au/sites/default/files/documents/dredging-sediments-spoil.pdf

Title	Web address
Canberra, ACT (Simpson, SL, Mosley, L, Batley, GE and Shand P. 2018).	
National Acid Sulfate Soils Guidance: Guidance for the dewatering of acid sulfate soils in shallow groundwater environments, Department of Agriculture and Water Resources, Canberra, ACT. (Shand, P, Appleyard, S, Simpson, SL, Degens, B, Mosley, LM 2018)	https://www.waterquality.gov.au/sites/default/files/documents/dewatering-acid-sulfate-soils.pdf
Flooding and coastal hazards	
Coastal management	https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management
Floodplain Risk Management Manual	https://www.environment.nsw.gov.au/topics/water/floodplains/floodplain-manual
Coastal Management Manual	https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management/manual
NSW Climate Impact Profile	http://climatechange.environment.nsw.gov.au/
Floodplain Risk Management Guidelines	http://www.environment.nsw.gov.au/topics/water/coasts-and-floodplains/floodplains/floodplain-guidelines
Australian Rainfall and Runoff: A Guide to Flood Estimation	http://arr.ga.gov.au/
Marine and Coastal Ecology	
Marine Estate Management Strategy	https://www.marine.nsw.gov.au/marine-estate-programs/marine-estate-management-strategy
NSW Marine Estate Threat and Risk Assessment	https://www.marine.nsw.gov.au/marine-estate-programs/threat-and-risk-assessment
National Light Pollution Guidelines for Wildlife including Marine Turtles, Seabirds and Migratory Shorebirds	https://www.dcceew.gov.au/environment/biodiversity/publications/national-light-pollution-guidelines-wildlife
NSW Marine Protected Areas	https://www.marine.nsw.gov.au/your-marine-estate/marine-protected-areas

10 January 2025

File No: NTH25/00003/001
Your Ref: SSD-79012238

The Director
Department of Planning, Housing & Infrastructure
NSW Major Projects Portal

Attention: Elke Tuckfield

Request for input to Environmental Assessment Requirements for Weston Aluminium Autoclave Facility at Lot 2 DP1267615; 129 Mitchell Avenue Kurri Kurri

I refer to your email of 6 January 2025 requesting input from Transport for NSW (TfNSW) to the Secretary's Environmental Assessment Requirements (SEARs) for the abovementioned development proposal.

TfNSW key interests are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with the *Future Transport Strategy*.

Hunter Expressway (6011) is a declared freeway for which TfNSW is the roads authority. All other roads within the site location are local roads. Council is the roads authority for these roads and all other public roads (excluding the Hunter Expressway) in the area, in accordance with Section 7 of the *Roads Act 1993*.

TfNSW requests that a Transport Impact Assessment (TIA) be prepared by suitably qualified person/s in accordance with the [TfNSW Guide to Transport Impact Assessment, 2024](#), Austroads Guide to Traffic Management Part 12 and the complementary TfNSW Supplement.

If you have any further enquiries regarding the above comments, please do not hesitate to contact Shelby Wells, Development Services Case Officer on 1300 207 783 or via email at: development.north@transport.nsw.gov.au

Yours faithfully,



Liz Smith
Manager Development Services North
Transport Planning
Planning, Integration & Passenger

Our ref: HMS ID 8666

Emma Barnet
Senior Environmental Assessment Officer
Department of Planning, Housing and Infrastructure
emma.barnet@planning.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Input to SEARs – State Significant Development

Proposal: Weston Aluminium Autoclave Facility

Major Project reference: SSD-79012238

Received: 6 January 2025

Dear Emma,

Thank you for your referral seeking input to the Secretary's Environmental Assessment Requirements for the above State Significant Development proposal.

In preparing this advice Heritage NSW has reviewed the provided scoping report and sought clarification from AECOM via email (Alison O'Neill, dated 16 January 2025). Noting the proposal does not require ground disturbance works Heritage NSW recommends that no Secretary's Environmental Assessment Requirements be included with respect to Aboriginal cultural heritage in relation to the proposed Weston Aluminium Autoclave Facility (SSD-79012238).

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Alison Lamond at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Corey O'Driscoll

Corey O'Driscoll
A/Practice Lead, Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
17 January 2024

Elke Tuckerfield
NSW Department of Planning, Housing, and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Re: Weston Aluminium – Proposed Autoclave Facility – Request for SEARs

Dear Ms Tuckerfield,

Thank you for the opportunity to provide input into the preparation of the Secretary's Environmental Assessment Requirements – Weston Aluminium Autoclave Facility (SSD-79012238) located in the Cessnock City Local Government Area. Hunter New England Local Health District (HNELHD) has reviewed the preliminary documents provided by AECOM which indicates that the key issues to be assessed would include air quality, hazard and risk, and traffic and noise impacts.

It is also recommended that a human health risk assessment that considers the potential adverse effects from human exposure to project related environmental hazards be included. Furthermore, we would strongly like to emphasise the importance of ensuring meaningful ongoing community engagement and consultation processes.

Should you wish to discuss this matter further, please contact Nichole Mason, Environmental Health Officer on (02) 49246477 or email to HNELHD-PHEEnvironmentalHealth@health.nsw.gov.au

Sincerely,



Dr David Durrheim
Director Health Protection
Hunter New England Population Health