Hydro Aluminium Kurri Kurri Smelter Remediation Modification 1

State Significant Development Modification Assessment (SSD-6666-Mod-1)

September 2021

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Cover image: nearmap (August 2021)

Glossary

Abbreviation	Definition
Council	Cessnock City Council
Department	Department of Planning, Industry and Environment (DPIE)
EPA	Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPL	Environment Protection Licence
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
NRAR	Natural Resources Access Regulator, DPIE
Planning Secretary	Secretary of the Department
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011

Contents

1 Introduction

This report provides the NSW Department of Planning, Industry and Environment's (the Department's) assessment of an application to modify the State significant development (SSD) consent for the Hydro Aluminium Kurri Kurri Smelter Remediation (SSD-6666) (the project). The modification application seeks consent to construct and operate an onsite temporary water treatment system and associated infrastructure, enabling discharge of treated leachate to the existing smelter water management system.

The modification application was lodged on 11 June 2021 by Hydro Aluminium Kurri Kurri Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 Background

The Applicant owns the former Hydro Kurri Kurri Aluminium Smelter at Hart Road, Loxford (the site) in the Cessnock local government area. Most of the former smelter infrastructure was demolished in accordance with a 2018 approval from Cessnock City Council, with only a few buildings remaining onsite.

The SSD-6666 project involves remediation of the smelter site to enable the Applicant to redevelop the site to provide for employment generating uses. The remediation involves excavation of hazardous smelter waste and its placement in a purpose-built containment cell in accordance with the design specifications, criteria and requirements detailed in a Remedial Action Plan (RAP) and a Containment Cell Detailed Design Report (CCDDR), to the satisfaction of the Site Auditor. To ensure robust verification and checks are in place, a Validation Consultant has been appointed to confirm the remediation works comply with the RAP. A range of robust management plans have been approved, including a Remediation Works Environmental Management Plan (RWEMP), which includes a Soil and Water Management Plan (SWMP) and a Leachate Management Plan (LMP). Financial and ongoing management arrangements are set out in a Voluntary Planning Agreement (VPA) to ensure adequate funding is available for management and monitoring of the containment cell in the long-term.

The approved remediation works include the offsite removal of leachate generated in the containment cell and an existing smelter waste stockpile (the Capped Waste Stockpile (CWS)) during remediation works. A conceptual option for onsite leachate treatment was also included, pending further development approval. This modification seeks specific approval for onsite leachate of treatment as the first preference, with offsite leachate removal retained as a secondary option.

1.2 The Site

The site is located approximately three kilometers (km) north of the township of Kurri Kurri and 10 km south of Maitland in the Cessnock LGA. The former smelter covers around 80 hectares (ha) of land and is surrounded by buffer lands which were established to restrict uses, other than industrial, from being located close to the smelter site (see **Figure 1**). The site includes several parcels of land, legally described as, Lots 318, 319, 411, 412, 413, 414, 420 and 769 on Deposited Plan (DP) 755231, Lots 1, 2 and part of Lot 3 on DP 456769 and part of Lot 16 on DP 1082775.

Access to the site is from Hart Road, which connects to the Hunter Expressway approximately 380 m south of the site.

The site's existing stormwater management system consists of several dams and surge ponds. Surface water collected in the North Dam is irrigated onto the buffer lands to the north of the site, in accordance with the existing Environment Protection Licence (EPL 1548).

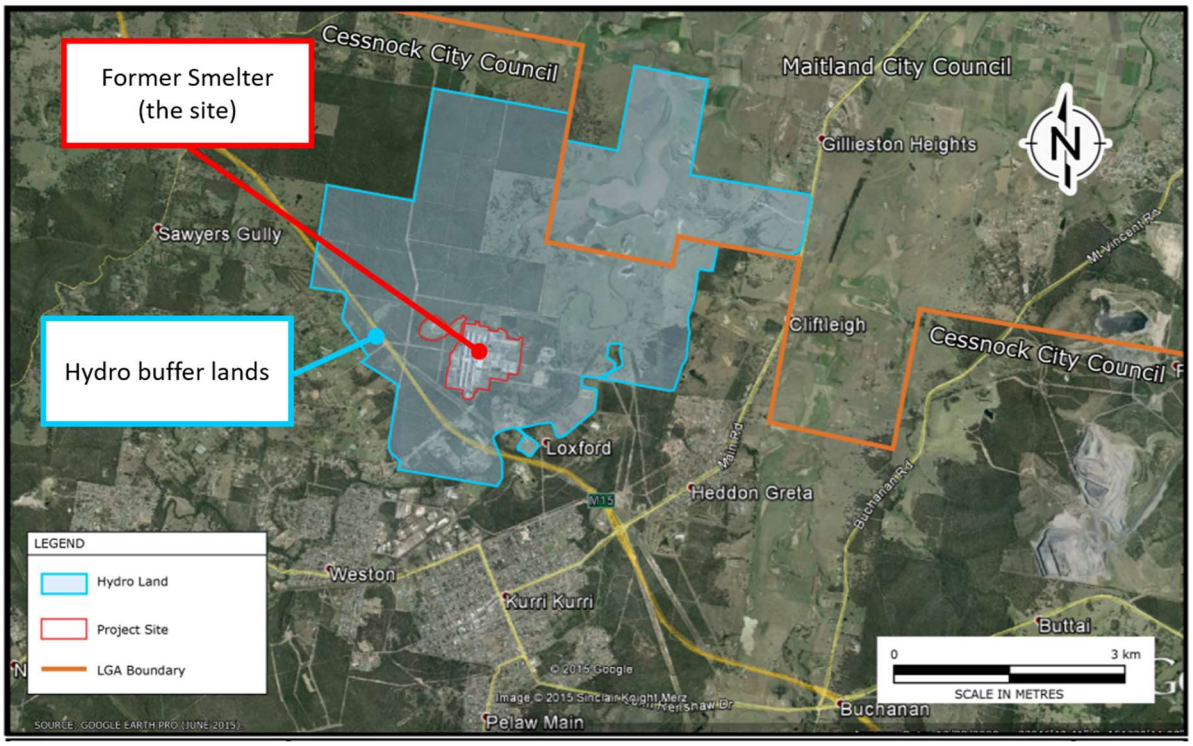

Figure 1 | **Local Context Map**

1.3 Approval history

On 23 December 2020, development consent was granted by the then Executive Director, Energy, Industry and Compliance, under delegation from the Minister for Planning and Public Spaces, for the Hydro Aluminium Kurri Kurri Smelter Remediation (SSD-6666).

Leachate management infrastructure already approved under SSD-6666 includes (see **Figure 2**):

- a 1 Mega litre (ML) leachate storage basin near the containment cell (the Containment Cell Leachate Pond)
- a 1 ML leachate storage basin near the CWS (the Leachate Holding Pond).

A conceptual location for a temporary water treatment plant (TWTP) near the CWS in the east of the site was included in the approved plans in Appendix 1 of the SSD-6666 consent. The new proposed TWTP location is approximately 110m east of the original conceptual location.

The site operates under an EPL issued by the Environment Protection Authority (EPA) (EPL 1548) which governs the chemical storage, waste management and water monitoring and discharge activities on the site.

1.4 State Significant Infrastructure Project – Hunter Power Project

As part of the site's redevelopment, a State Significant Infrastructure (SSI-12590060) project named the Hunter Power Project is proposed on the site close to the containment cell (see **Figure 2)**. The SSI site has a total area of 12.75 ha. Of this, 3.73 ha has been designated as buffer lands to limit impacts on other land uses and as a hazard control measure. The SSI buffer lands extend south from the actual power station footprint and the remediation haul road runs across these lands. However, under a contractual agreement between Hydro and the future landowner, the SSI buffer lands have been dedicated for site remediation activities for the duration of the Hydro Remediation project. During that time, the remediation contractor will have full access to the buffer lands for inspection and maintenance purposes.

2 Proposed modification

2.1 Proposed Modification

The Applicant has lodged a modification application under section 4.55(1A) of the EP&A Act to modify SSD-6666. The modification is described in full in the Statement of Environmental Effects (SEE) included in **Appendix A** and is illustrated in **Figure 2.**

The application seeks to construct, operate, and eventually decommission, a temporary onsite system to manage and treat leachate generated during excavation of the CWS and construction of the containment cell. The system would utilise the Containment Cell Leachate Pond (CCLP) and the Leachate Holding Pond (LHP) approved under SSD-6666, both of which are lined with geomembranes and clay in accordance with detailed design specifications. The leachate management system would include:

- a modular water treatment plant (the TWTP) designed to treat up to 2.4 ML of leachate per month
    - comprises: flocculator, Lamella Dissolved Air Flocculation (DAF), sludge dewatering bag, sand filter, zeolite filter, granular activated carbon (GAC) filter, adsorption and ion exchange module, bag filer, treated water holding tanks, various pumps and bunding
- associated pipelines and infrastructure
    - a 950 metre (m) long leachate transfer pipeline connecting the CCLP to the LHP – pipeline runs along the alignment of the haul road and is constructed of HDPE with 100mm internal diameter
    - pipeline from the LHP to the TWTP
    - diesel generator
- testing and discharge of treated leachate to the East Surge Pond and the North Dam
    - irrigation of treated leachate onto the Irrigation Area in accordance with the existing EPL.

The TWTP would be in place for a total of around two and a half years (including up to 12 months after the containment cell is capped). The leachate transfer pipeline would be removed prior to capping of the containment cell and any containment cell leachate tankered to the TWTP until it is decommissioned.

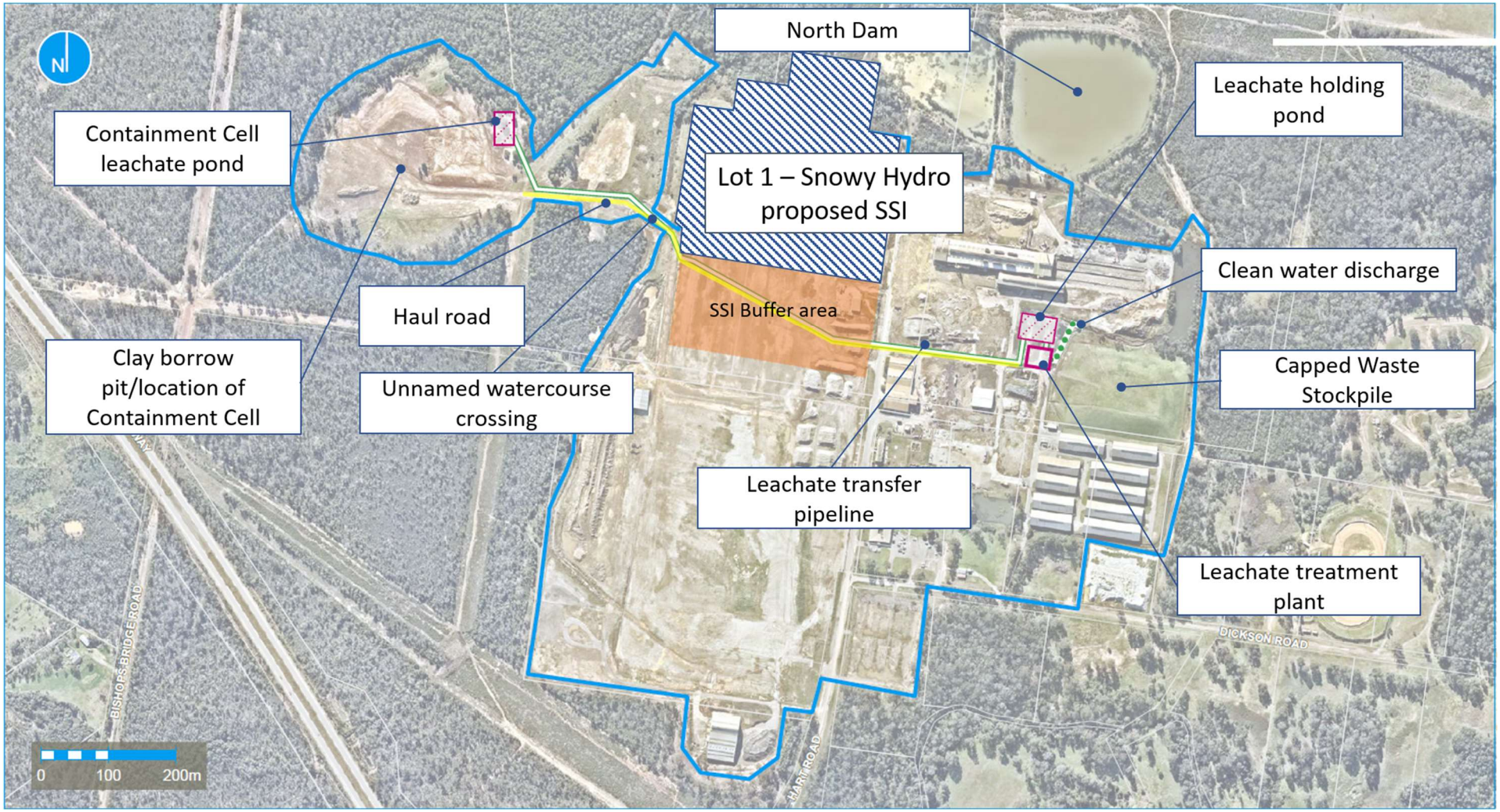

Figure 2 | Proposed location of leachate management infrastructure

2.2 Leachate treatment process

The proposed leachate management system involves treating leachate originating from the containment cell and CWS at the TWTP for the duration of the remediation works.

When the CCLP reaches 85% capacity or a heavy rain event is forecast, leachate would be pumped across the site to the LHP via the leachate transfer pipeline (see **Figure 2**).

The 950 m long leachate transfer pipeline would be installed at a minimum of 600mm below the haul road surface and backfilled to provide protection. Where the pipeline traverses the unnamed watercourse, it would be double-skinned and cross on the edge of the road. Where the pipeline crosses an access road, it would be trenched and backfilled into the road pavement.

The containment cell leachate would be stored together with leachate from the CWS in the LHP awaiting treatment. Leachate would be pumped in batches from the LHP to the TWTP and pass through a series of filters, pumps and tanks designed specifically to treat leachate from mixed smelter waste.

Chemicals used to treat the leachate would be stored in self-bunded intermediate bulk containers located within the bunding of the TWTP. Spent TWTP filter media would be removed using a vacuum tanker and transported to the containment cell. Sludge would be pumped out from the bottom of the DAF unit and dewatered before being placed in the containment cell. Any spent media or sludge generated following capping of the cell would be taken to an EPA licensed facility for disposal.

2.3 Discharge to existing smelter water management system

Following treatment at the TWTP, treated leachate would be stored in tanks and tested for suspended solids, pH, fluoride and hydrocarbons to ensure it meets the target values for the North Dam. If so, it would be pumped to the Eastern Surge Pond and discharged to the North Dam in accordance with the existing, approved smelter water management system. Water released from the North Dam would be discharged in the Irrigation Area in the Hydro buffer lands or used in dust suppression. Any treated leachate that does not meet the required criteria would be returned to the TWTP for retreatment and retesting.

The existing long-term surface water sampling and monitoring program, which has been implemented for the past 25 years, would continue in accordance with the SWMP that forms part of the RWEMP approved for the remediation works.

2.4 Decommissioning

The TWTP would operate until the containment cell is filled and capped, after which the TWTP and associated infrastructure would be decommissioned. The very low amount of ongoing leachate predicted following capping of the containment cell would not warrant onsite treatment and would be collected for offsite treatment. The leachate transfer pipeline and the leachate ponds would be decommissioned, the site reinstated, and all fencing and environmental controls removed

2.5 Applicant's Justification for the Proposed Modification

The original approved development proposed offsite treatment of leachate, with the potential for onsite treatment if required. However, on further review the Applicant concluded that primary onsite treatment was preferable based on economic, logistics and environmental factors, including:

- reduced truck movements to and from the site
- reduced cost
- increased flexibilities and efficiencies in leachate treatment
- increased security and environmental protection given that onsite treatment would allow maintenance of sufficient leachate storage capacity without dependency on availability and capacity of the offsite treatment facilities.

3 Statutory context

3.1 Scope of Modifications

The Department has reviewed the scope of the modification application and considers the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not significantly increase the environmental impacts of the project as approved
- the primary function and purpose of the approved development would not change as a result of the proposed modification
- any potential environmental impacts would be minimal and appropriately managed through the existing or modified conditions of consent
- the modification is of a scale that warrants the use of section 4.55(1A) of the EP&A Act.
- is substantially the same development as originally approved
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

3.2 Consent Authority

The Minister for Planning and Public Spaces (Minister) is the consent authority for the application under section 4.5(a) of the EP&A Act. Under the Minister's delegation of 26 April 2021, the Acting Executive Director, Energy, Resources and Industry Assessments, may determine the application under delegation as:

- the application has not been made by a person who has disclosed a reportable political donation under section 10.4 of the EP&A Act
- there are no public submissions (other than a council) in the nature of objections, and
- Council has not made a submission by way of objection under the mandatory requirements for community participation listed under Schedule 1 of the EP&A Act.

3.3 Mandatory Matters for Consideration

The Department undertook a comprehensive assessment of the application against the mandatory matters for consideration as part of the original assessment of SSD-6666. This modification application does not result in significant changes that would alter the Department's consideration of the mandatory matters for consideration under section 4.15(1) of the EP&A Act and conclusions made as part of the original assessment.

3.4 Biodiversity Conservation Act 2016

Section 7.17 of the BC Act specifies that if the determining authority is satisfied a modification will not increase the impact on biodiversity values, a biodiversity development assessment report (BDAR) is not required.

The Department is satisfied that there will be no additional clearing of native vegetation or habitat loss beyond that previous assessed and considered under SSD-6666.

For the reasons discussed above, the Department's assessment concludes a BDAR is not necessary for the proposed modification.

4 Engagement

4.1 Department's Engagement

Clause 117(4) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) requires a section 4.55(1A) modification application to be notified or advertised if specified by a community participation plan. The Department's Community Participation Plan notes the exhibition requirements for such modifications are discretionary, and based on the urgency, scale and nature of the proposal.

Given the proposed changes would result in minimal environmental impacts (see **Section 5**), the application was not notified or advertised. However, it was made publicly available on the Department's website on 24 June 2021, and was referred to the EPA, DPIE – Water group, NRAR, DPIE – BCD, WaterNSW and Cessnock City Council for comment.

4.2 Summary of submissions

The **Environment Protection Authority** (**EPA**) advised that insufficient information had been provided and requested further information on a range of matters relating to characterisation of soil and water quality, effluent quality, water balance and water quality in the North Dam, onsite irrigation and the effect on the downstream environment.

DPIE – Water Group and the **Natural Resources Access Regulator (NRAR**) required details for the location and method of the pipeline crossing of the unnamed watercourse near the containment cell.

DPIE – Biodiversity Conservation Division (BCD) had concerns regarding the proposed transfer pipeline crossing the location of a proposed SSI project. BCD also requested further details on operation and management during periods of significant rainfall.

Council did not object to the modification and had no comments.

WaterNSW had no comments or requirements regarding the modification.

4.3 Response to Submissions

On 2 August 2021, the Applicant submitted a response to the issues raised by the agencies. The response was made publicly available on the Department's website and referred to the EPA, DPIE Water and the BCD for comment.

EPA still had concerns regarding the water monitoring data provided, however, acknowledged these concerns could adequately be addressed through targeted conditions of consent. The recommended conditions included preparation of a TWTP Management Plan, the creation of measures to reduce fluoride concentration, an irrigation management plan and a water quality monitoring program.

DPIE – Water Group and NRAR was satisfied with the response and had no further comments.

DPIE – BCD was satisfied with the response and raised no further comments.

5 Assessment

The Department has assessed the merits of the proposed modification. During this assessment, the Department has considered the:

- SEE provided to support the proposed modification (see **Appendix A**)
- documentation and Department's assessment report for the original development application and subsequent modification application(s) (see **Appendix A**)
- submissions from State government agencies and Council (**Appendix A**)
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act, including the objects of the EP&A Act.

The Department considers the key assessment issue is water management. Several other issues have also been considered and are addressed in Error! Reference source not found..

5.1 Water Management

As the modification involves treatment of leachate from hazardous waste and ultimately its discharge into the environment, it has the potential to impact on surface water in the locality.

Treatment Plant and Leachate Storage Capacity

The approved SSD project predicted a maximum leachate generation rate of 1.8 ML/month during remediation works. As such, the TWTP has been designed to treat up to 2.4 ML of leachate per month to ensure ample treatment capacity is provided. In addition, in times of heavy rainfall or machinery breakdown, offsite removal of leachate would also occur and is already approved under the original SSD approval.

Leachate awaiting treatment would be stored in the CCLP and LHP, each of which has a 1 ML capacity. Additionally, in an extreme rain event an extra 2 ML of temporary leachate storage would be available within the capped waste stockpile footprint (1 ML) and within the containment cell (1 ML). Based on the maximum predicted 1.8 ML/month leachate generation, there would be over 2 months storage of untreated leachate, which the Applicant maintains is sufficient to allow for any operational issues and would ensure that all leachate generated during the remediation works can be captured and treated.

BCD raised concerns about whether the leachate storage capacity was sufficient to store all leachate even in times of heavy rainfall, as well as impacts on the water balance in the North Dam when treated leachate is discharged. The EPA also raised concerns regarding the water balance in the North Dam, and the frequency and volume of uncontrolled discharges to receiving waters.

In its responses, the Applicant outlined the water balance is expected to be unchanged from that in the approved project. The Stormwater Management Report provided with the SSD application included all water sources for the North Dam, and the Applicant noted treated leachate adds only up to 3 percent extra inflow, which is considered minor.

BCD was satisfied with the information provided, however the EPA recommended conditions of consent to ensure the water level in the North Dam is managed to ensure sufficient design storm capacity to avoid and minimise overflows.

Given the CCLP and LHP and the contingency storage in the CWS and containment cell have been designed to provide more than two months of storage, the Department considers the proposed leachate storage volumes are sufficient and that appropriate contingency measures are in place for times of significant rainfall.

Due to the minimal inflows, the Department is also satisfied there is sufficient capacity in the North Dam to accommodate treated leachate prior to discharge to the Irrigation Area. Notwithstanding, the Department has proposed a condition to ensure water levels in the North Dam are managed, as recommended by the EPA.

Water Quality

As described in Section 2.1, the TWTP comprises a range of components designed to treat a maximum of 2,400 kL of leachate per month. The leachate treatment technology is described in full in Table 3-2 of the SEE. A LMP was approved as part of SSD 6666 and describes the management and monitoring regimes for leachate at the site.

Treated leachate discharge from the TWTP would be batch based and effluent water would be tested prior to release to the East Surge pond and the North Dam. If water quality criteria for a range of contaminants are not met, water would either be re-treated or taken offsite by a licensed waste contractor for disposal. The Applicant has advised the quality of all water discharged from the TWTP would be consistent with the water quality target values specified in the existing monitoring program for the North Dam. Surface water monitoring is currently being undertaken and would continue to be undertaken in accordance with the SWMP which forms part of the site's RWEMP.

The EPA did not have any specific concerns regarding the proposed treatment technology, however in its submission raised concerns regarding effluent quality and monitoring, including impacts on the downstream environment. The EPA requested additional information about potential water quality impacts and mitigation and monitoring strategies. This included information about the characterisation of influent leachate quality (leachate stored in the LHP), expected effluent quality from the TWTP for all pollutants, and the expected combined water quality in the North Dam. Furthermore, the EPA found there was inadequate assessment of the downstream water quality impacts from uncontrolled discharges.

In response, the Applicant provided collated data of sampling from the North Dam and further information on the monitoring program. The EPA still held concerns regarding the sampling data and the historical high fluoride levels shown within the receiving environment. Recognising the overall environmental and human health benefits of the remediation project and the relatively short-term nature of onsite leachate treatment, the EPA recommended a range of conditions to minimise the risk to land and water from poor downstream water quality and remedy the lack of data on treated effluent quality.

The Department notes the EPA's residual concerns and concludes the potential water quality impacts of the modification need to be effectively addressed through conditions of consent. The Department has considered the EPA's recommendations and requires a number of conditions to ensure surface water quality is maintained to a high standard. These include:

- preparation of a TWTP Management Plan detailing treatment processes and a monitoring program that ensures treated effluent meets all treated leachate target values
- exploration of fluoride treatment options to reduce fluoride concentration in the treated effluent to levels consistent with ANZECC (2000) long term trigger values for irrigation

- preparation of an Irrigation Management Plan detailing ongoing treatment effluent quality monitoring and identification of operational triggers to ensure the treatment process is functioning correctly. This should include a Trigger Action Response Plan which includes contingency measures for unpredicted impacts
- preparation of a water quality monitoring program that informs the Irrigation Management Plan and Trigger Action Response Plan

The Department considers these conditions would address the EPA's residual concerns about the lack of data on the quality of the treated leachate and would ensure the outputs from the TWTP are acceptable for release to the receiving environment.

Spills and Leaks

In its assessment of the modification, the Applicant noted that potential sources of soil and water contamination may include leakages in the transfer pipeline or TWTP due to damage or malfunction, hydrocarbon spills from vehicle and machinery or accidental spills of other chemicals, fuels or waste.

The Applicant advised that all components of the TWTP would be constructed within a bund sized to contain any spillage or leaks. The leachate transfer pipe would be pressure tested prior to commissioning and monitoring of the quantity of leachate discharged into the transfer pipeline and weekly inspections for damage would allow early identification of leaks. To protect the pipeline, it would be trenched and backfilled into the road pavement and be double-skinned where it traverses the watercourse.

No agencies were concerned about the proposed management and safeguards for potential spills and leaks. The Department notes that safeguards against leaks and spills would be provided via existing spill management controls implemented for the original development and is satisfied that sufficient measures would be taken to prevent and control leaks.

Conclusion

The Department considers the proposed treatment of leachate onsite would ensure the Applicant can flexibly and efficiently manage leachate with minimal environmental impacts. The remediation works also have multiple checks in place which would also cover the construction and operation of the TWTP. The Department and the EPA are satisfied with the proposed leachate treatment technology and the capacity of the infrastructure during times of heavy rain. A range of measures are also proposed in the SWMP and LMP, which would be updated to ensure leachate and the leachate infrastructure continue to be managed to minimise potential environmental impacts. Given the temporary nature of the TWTP and the past history of discharge to the irrigation area, the Department considers that the recommended targeted conditions would be effective in addressing the EPA's residual concerns around effluent water quality and effects on the downstream environment.

The Department concludes the water impacts of the modification can be appropriately managed, subject to conditions.

5.2 Other Issues

Table 1 | Assessment of Other Issues

Findings	Recommendations
Traffic and Access	
• Delivery and construction of the modular TWTP would generate low numbers of traffic movements, predominantly along Hart Road and Dickson Road via the Hunter Expressway. • 15 heavy vehicles per day (vpd) are predicted over 6 days (delivery of plant), with light vehicle movements by construction personnel comprising 18 vpd over 8 weeks. • During operation of the TWTP, personnel and support vehicles would comprise typically no more than 2 vpd. Truck movements would only be generated when off-site treatment is required due to maintenance of the TWTP, or in advance of a predicted significant rainfall event. • Compared to the approved off-site treatment of leachate, the proposed modification would lead to a net reduction of two truck movements per day through to completion of the containment cell. • Council did not raise any concerns regarding traffic impacts. • The Department considers the traffic impacts of the proposed modification would be negligible, given there would be a net decrease in truck movements compared to the approved SSD and concludes traffic can be adequately managed by the existing conditions of consent.	No additional conditions are required.
Hazards and Risk	
• The leachate treatment process at the TWTP involves the use of chemicals including polymers, coagulant, Hydrochloric acid, Potassium peroxymonosulfate and Sodium hydroxide. • The Applicant advised the quantities of these chemicals do not trigger the relevant quantities for SEPP 33, and therefore a Preliminary Hazard Analysis is not required. • In addition, the Applicant advised the chemicals would be stored in self-bunded intermediate bulk containers and located within the bunding of the TWTP. • The Department has reviewed the information provided and considers the storage of chemicals would not result in any substantial environmental impacts beyond that assessed in the original development.	New condition requiring quantities of dangerous goods to be below the threshold quantities as specified in SEPP 33 New condition requiring dangerous goods to be stored and handled in accordance with relevant standards

Findings	Recommendations
• However, the Department has recommended additional conditions to ensure proper handling and storage of dangerous goods.	
Air Quality and Odour	
• The construction of the TWTP infrastructure may lead to air quality impacts, including the generation of dust from vehicles and excavation, and the generation of pollutants from diesel fuel combustion. • The Applicant also noted that there may be odour emissions generated from the TWTP and treated leachate evaporation process, however as the process does not involve biological treatment, odour generation is not expected to occur. • Air quality modelling was undertaken as part of the EIS for the approved SSD and concluded that at all the sensitive receiver locations assessed, the predicted incremental and cumulative concentrations are below the applicable EPA assessment criteria and National Environmental Protection Measures advisory reporting goals. • The EPA and Council did not raise any concerns in relation to air quality and odour. • The Department considers that there will be no substantial air quality and odour impacts beyond those previously assessed as part of the original development. • The Department's assessment concludes that any air quality and odour impacts will be sufficiently addressed through the existing Air Quality Management Plan.	No additional conditions are required.

6 Evaluation

The Department has reviewed the SEE, responses from the Applicant and advice from the government agencies and has taken into consideration the relevant requirements of the EP&A Act.

The Department considers the proposed modification is appropriate on the basis that it:

- would allow for efficient and effective treatment of leachate
- reduce the overall number of traffic movements during the Hydro smelter remediation works
- would result in minimal environmental impacts beyond the approved facility

Overall, the Department is satisfied that the modification can be appropriately managed through the existing conditions of consent and the Department's recommended conditions. It is therefore recommended the modification should be approved, subject to conditions.

7 Recommendation

It is recommended that the Director, Industry Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **determines** that the application SSD-6666-Mod-1 falls within the scope of section 4.55(1A) of the EP&A Act
- **forms the opinion** under section 7.17(2)(c) of the *Biodiversity Conservation Act 2016* that a BDAR is not required to be submitted with this application as the application will not increase the impact on biodiversity values on the site
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **agrees** with the key reasons for approval listed in the draft notice of decision
- **modify** the consent SSD-6666
- **signs** the attached approval of the modification (**Appendix B**).

Recommended by:

Zoe Halpin
Para Planner
Industry Assessments

Recommended by:

Sheelagh Laguna
Principal Planning Officer
Industry Assessments

8 Determination

The recommendation is **Adopted** by:

13 September 2021

Chris Ritchie
A/ Executive Director
Energy, Resources and Industry Assessments

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – List of Documents

The Department has relied upon the following key documents during its assessment of the proposed development:

Modification Application

- 'Statement of Environmental Effects Modification 1 to SSD 6666 – Temporary Water Treatment System prepared by Ramboll Australia Pty Ltd dated 11 June 2021 - https://www.planningportal.nsw.gov.au/major-projects/project/41101

Submissions and Advice

- https://www.planningportal.nsw.gov.au/major-projects/project/41101

Response to Submissions

- 'Hydro Kurri Kurri Aluminium Smelter Remediation-Mod-1 (SSD-6666-Mod-1): Additional Information prepared by Ramboll Australia Pty Ltd dated 30 July 2021 - https://www.planningportal.nsw.gov.au/major-projects/project/41101

Department's Assessment Report for SSD-6666

- https://www.planningportal.nsw.gov.au/major-projects/project/11486

Appendix B – Notice of Modification

The modifying instrument for SSD-6666-Mod-1 may be found on the Department's website at: https://www.planningportal.nsw.gov.au/major-projects/project/41101.

Appendix C – Consolidated Consent

The consolidated consent for SSD-6666-Mod-1 may be found on the Department's website at: https://www.planningportal.nsw.gov.au/major-projects/project/41101.