

Notice of Modification

Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning, under delegation dated 16 February 2015, I approve the modification of the consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Chris Ritchie
Director
Industry Assessments

Sydney 11 DECEMBER

2015

SCHEDULE 1

The development consent (DA 27/95) granted by the then Minister for Urban Affairs and Planning for the Oberon Timber Complex on 5 October 1995.

SCHEDULE 2

1. In condition 1(a), delete the words "and MOD 7" and insert instead the words ", MOD 7, MOD 8".
2. In condition 1, insert new condition (u) after condition (t):
 - (u) request to modify a development consent submitted on 8 July 2015 and accompanying *Environmental Impact Statement – Co Generational Power Plant*, prepared by the Design Partnership, dated June 2015, and associated plans and drawings numbered DA01-SH 1 of 2 Rev A, DA02-SH 2 of 2 Rev A prepared by Borg Group and dated July 2015.
3. Insert new conditions 35B and 35C, after condition 35A:
 - 35B. The Applicant shall ensure that the two cogeneration units are acoustically treated as described in the *Gas Fired Co-Generators Noise Impact Assessment* prepared by Vipac Engineers and Scientists and dated 2 July 2015, submitted as part of MOD 8.
 - 35C. Within 1 month of commissioning the two cogeneration units, the Applicant shall undertake post commissioning noise monitoring of the cogeneration units. The noise monitoring shall:
 - (a) be undertaken in consultation with the EPA; and
 - (b) demonstrate that that the operation of the cogeneration units do not exceed the noise limits at noise sensitive receivers as described in section 7.0 of *Gas Fired Co-Generators Noise Impact Assessment* prepared by Vipac Engineers and Scientists and dated 2 July 2015.

If compliance is not demonstrated, the Applicant, in consultation with the EPA must undertake further works to the satisfaction of the Secretary, to ensure that the cogeneration units meet the noise limits.
4. Insert new conditions 37B and 37C, after condition 37A:
 - 37B. The Applicant shall ensure that the co-generation units are capable of meeting the Group 6 emission standards outlined in the *Protection of the Environment Operations (Clean Air) Regulation 2010* (Clean Air Regulation).
 - 37C. Within 1 month of commissioning the two co-generation units, the Applicant shall undertake post commissioning air monitoring of exhaust gases from the two cogeneration units to

demonstrate that these units comply with the Group 6 emission limits in the Clean Air Regulation. The air monitoring shall:

- (a) be undertaken in consultation with the EPA; and
- (b) include, but not be limited to, nitrogen oxides and volatile organic compounds and be undertaken using reference conditions "Dry, 273 K, 101.3 kPa, 3% Oxygen" as per Schedule 5 of the Clean Air Regulation.

If compliance is not demonstrated, the Applicant, in consultation with the EPA must undertake further works to the satisfaction of the Secretary, to ensure that the cogeneration units meet the requirements of condition 37B.

5. In condition 45C, insert the words "for the site" after the words "Fire Safety Study" and delete the words "the NSW Fire Brigade" and insert instead the words "Fire and Rescue NSW".
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