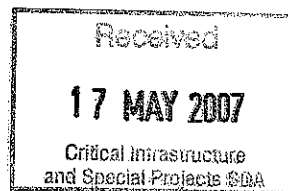




Wambo Power Ventures



15 May 2007

Mr Scott Jeffries
Acting Director Major Infrastructure Assessment
Department of Planning
GPO Box 39
Sydney, NSW 2001
Australia

Dear Mr Jeffries

Re: Modification Application – Section 3.11 – Maximum Allowable Noise Contribution

We refer to our facsimile letter to you of 4 May 2007 and to previous discussions with your office concerning a proposed modification to Wambo Power Ventures Pty Ltd's Development Consent in respect of its gas-fired power generation development at Uranquinty (DA-31-2-2004-I).

We now **attach** a modification application (together with the regulated fee) requesting the Minister's approval for a modification to DA-31-2-2004-I in accordance with section 96(1A) of the *Environmental Planning and Assessment Act 1979* (NSW).

The requested modification relates to the amendment of clause 3.11 of the Conditions of Approval (CoA) (File No: S03/01578, dated 10 June 2005) and can be summarised as follows:

- amendment to the Maximum Allowable Noise Contributions stipulated in Table 2 of the current CoA in the event that low frequency characteristics are measured in accordance with Table 4.1 of the NSW Industrial Noise Policy, and
- re-wording to be consistent with Chapter 5 of the NSW Industrial Noise Policy.

A report which provides the supporting information to justify the requested modifications has been prepared by Parsons Brinckerhoff and is attached to this letter for your reference.

Wambo Power Ventures Pty Ltd
A.C.N. 083 762 056
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We trust that the information provided is satisfactory. Please do not hesitate in contacting our Denise Murdoch on (07) 3871 4123 in the first instance should further information be required.

Thank you for your assistance in this matter and we look forward to your prompt response.

Yours sincerely
Wambo Power Ventures Pty Ltd

Andrew St Baker

Application to modify a development consent



Date received: 17/05/07 DA modification no: MOD-47-5-2007-6

You can use this form to apply to modify a development consent given by the Minister of Infrastructure, Planning and Natural Resources. If the changes you propose mean the development will not be substantially the same as that originally approved, please do not use this form. You will need to submit a new development application.

To complete this form, please place a cross in the boxes ☐ and fill out the white sections as appropriate. To minimise delay in receiving a decision about your application, please ensure you submit all relevant information to us. When your application has been assessed, you will receive a notice of determination.

1. Details of the applicant

NAME

Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other ☐

First name

Family name

Company/organisation

ABN

WAMBO POWER VENTURES PTY LTD

40 083 762 056

STREET ADDRESS

Unit/street no.

Street name

6/620

MOGGILL RD, CHAPEL HILL

Suburb or town

State

Postcode

CHAPEL HILL

QLD

4069

POSTAL ADDRESS (or mark 'as above')

AS ABOVE

Suburb or town

State

Postcode

CONTACT DETAILS

Daytime telephone

Fax

Mobile

(07) 3871 4123

(07) 3878 2055

0404 066 101

Email

dmurdoch@erngroup.com.au

2. Identify the land

Unit/street no. (or lot no. for Kosciuszko ski resorts)

Street or property name

URANQUIN

"THE PINES"

Suburb, town or locality

Postcode

Local government area

URANQUIN

2652

WAGGA WAGGA

Lot/DP or Lot/Section/DP or Lot/Strata no. ^{(1) (2)}

Please ensure that you put a slash (/) between lot, section, DP and strata numbers. If you have more than one piece of land, you will need to separate them with a comma eg 123/579, 162/2.

(FORMER LOT 782 DP 878179 and Lot 76 DP 754573 - NOW LOT 1 DP 1098910)

(1) Note: You can find the lot, section, DP or strata number on a map of the land or on the title documents for the land, if title was provided after 30 October 1983. If you have documents older than this, you will need to contact Department of Lands for updated details.

(2) Note: If the subject land is located within the Kosciuszko ski resorts area, DP and strata numbers do not apply.

3. Details of the original development consent

Describe what the original consent allows

THE CONSTRUCTION AND OPERATION OF A 600 MW PEAK LOAD/HIGH
SHOULDER LOAD GAS-FIRED POWER STATION.

What is the development
application no.?

DA-31-2-2004-6

What is the date of
consent?

10 JUNE 2005

What was the original estimated cost of
development (including GST)?

\$117.2M

4. Describe the modification you propose to make

Please indicate the type of modification you propose to make by placing a cross in the appropriate box
☐ below.

You need to submit with your application form a full description of the expected impacts of the modifications proposed, including relevant plans, drawings and compliance with relevant controls.

☐ A modification to correct a minor error, misdescription or miscalculation

Describe the error, misdescription or miscalculation

(Refer to section 96(1) of the *Environmental Planning and Assessment 1979* (EP&A) Act)

☒ A modification that will have minimal environmental impact

Describe the modification and its expected impact

(Refer to section 96(1A) of the EP&A Act)

SEE ATTACHED LETTER DATED 15 MAY 2007
AND REPORT OF PARSONS BRINCKERHOFF.

☐ Any other modification

Describe the modification and its expected impact
(Refer to section 96(2) of the EP&A Act)

Will the modified development be substantially the same as the development that was originally approved?

No ☐ Please submit a new development application.

Yes ☒ Please provide evidence that the development will remain substantially the same.
(If you need to attach additional pages, please list below the material attached).

SEE ATTACHED LETTER DATED 15 MAY 2007
AND REPORT OF PARSONS BRINCKERHOFF.

If your proposal is within Kosciuszko ski resorts area, please attach a copy of the Interim Lease Variation Approval received from the National Parks and Wildlife Service to your application.

5. Number of jobs to be created

Please indicate the number of jobs this will create. This should be expressed as a proportion of full time jobs over a full year. (e.g. a person employed full-time for 6 months would equal 0.5 of a full-time equivalent job; six contractors working on and off over 2 weeks equate to 2 people working full-time for 2 weeks, which equals approximately 0.08 of an FTE job.)

Construction jobs (full-time equivalent)

NO CHANGE

Operation jobs (full-time equivalent)

NO CHANGE

6. Application fee

For development that involves a building or other work, the fee for your application is based on the estimated cost of the development.

Clause 258 of the Environmental Planning and Assessment Regulation 2000 and the table attached to that clause set out how to calculate the fee for an application for modification of a consent.

If your development needs to be advertised to the public you may also need to include an advertising fee. Clauses 258 of the regulations includes details on these fees.

Note: Advertising fees attract GST, all other fees do not. Contact us if you need help to calculate the fee for your application.

Estimated cost of the development

Total fees lodged

\$500

CLAUSE 258(1A) ENVIRONMENTAL PLANNING AND ASSESSMENT
REGULATION 2000 - APPLICATION UNDER s 96(1A) \$500

7. Signatures

The owner(s)* of the land being developed must sign the application.

If you are not the owner of the land, you must ask the owner(s) of the land to sign the application.
If the land is Crown land, an officer of the Department of Infrastructure, Planning and Natural Resources (previously known as Department of Land and Water Conservation) must sign the application.

As the owner(s)* of the above property, I/we consent to this application:

Signature

Name

Date

Signature

Name

Date

* Note: For applications within the Kosciuszko ski resorts area, the approval of the lessee rather than owner is required.

The applicant, or the applicant's agent, must sign the application.

Signature

Name, if you are not the applicant

In what capacity are you signing if you are not the applicant?

Date

8. Privacy policy

The information you provide in this application will enable us, and any relevant state agency, to assess your application under the *Environmental Planning and Assessment Act 1979* and other applicable state legislation. If the information is not provided, your application may not be accepted.

If your application is for designated development or advertised development, it will be available for public inspection and copying during a submission period. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected information provided in your application. Please ensure that the information is accurate and advise us of any changes