

operating conditions and which are the subject of an noise management strategy (which is approved by the Department in consultation with DECCW) as part of the OEMP for the project.

- In relation to the other situations, for which the consent holder has also sought operational noise conditions to not apply, on the basis that they do not comprise normal operating conditions, the Department agrees that emergencies would fall under this category as comprising exceptional situations, where the consent holder may have little control on noise emissions and which are not consistent with normal operations. The Department therefore considers it reasonable that operational noise limits do not apply to emergency situations. The Department has not recommended that emergency situations be subject to a specific noise management procedure, as any emergencies on site would be handled via the site's emergency and incident response plan, noting that depending on the type of the emergency, issues such as the protection of life and property would take priority.
- The Department however, does not agree that start-up and shut-down conditions for the plant's electricity generators would comprise situations outside of normal operating conditions in the case of the Uranquinty power station as these conditions have been included in the gamut of operational conditions which have been the subject of operational noise performance monitoring to date. Consequently, the Department has not recommended that these conditions be excluded from the application of operational noise limits, in its recommended instrument of modification.

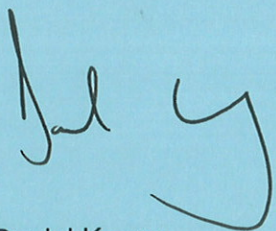
CONCLUSIONS:

- The Department considers the proposed modification to be reasonable as it would avoid the potential for unnecessary instances of non-compliance with operational noise limits, where the power station is required to operate outside of normal operating condition where similar opportunity for noise control may not be available as with normal operations.
- As such, the Department supports the requested modification and has drafted an instrument of modification to give effect to the requested change (Tagged **B**). A copy of the consolidated instrument of approval to date for the project is also attached (Tagged **C**) to provide context to the recommended changes. The consent holder has been consulted regarding the draft instrument of modification and has not raised any objections.

RECOMMENDATION:

It is recommended that the Director, Infrastructure Projects as delegate of the Minister:

- a) **note** the information provided in this briefing note; and
- b) **approve** the modification for the reasons stated in this briefing note by signing the attached modifying instrument (Tagged **B**).



21/9/10

Daniel Keary
Director, Infrastructure Projects

Dinuka McKenzie
Senior Planner – Energy & Water
Infrastructure Projects
02 9228 6348