

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Sydney

28 July 2026

File: EF20099

SCHEDULE 1

Development Consent

Development Consent: DA35/98 granted by the Minister for Urban Affairs and Planning, Minister for Housing on 6 November 1998

For the following: Installation of replacement Chlor-alkali plant to produce 35,000 tonnes per annum gaseous chlorine

Modification 7

Modification Application: DA35/98-Mod-7

Modification to:

- Install a gas-fired boiler, including a semi-enclosed roofed shelter (boiler house), ancillary equipment, and extensions to existing pipework

Applicant: IXOM Operations Pty Ltd

Consent Authority: Minister for Planning and Public Spaces

The Land: 16-20 Beauchamp Road, Matraville NSW 2036
Lot 1101, 1102, 1103, 1104 and 1105 DP 1227173

SCHEDULE 2

The consent is modified as follows:

In Schedule 2: Conditions of Development Consent

1. In condition 1, renumber condition 1(i) as 1(j) and 1(j) as 1(k) respectively.

2. In condition 1, inset new sub-clause 1(i) as follows:

(i) DA35/98-MOD-7, Section 4.55(1A) modification application titled "Chlor-Alkali Plant Boiler SSD Modification Report", dated 18 December 2025, prepared by Element Environment

In Schedule 2: Environmental Management

3. Insert new conditions 43E and 43F immediately after condition 43D as follows:

43E. Within six weeks of commissioning the Gas-fired boiler approved in Mod 7, the Applicant must prepare a post-commissioning Air Emissions Verification Report of the air discharge point associated with the boiler. The post-commissioning sampling should be undertaken when emissions are expected to be at its maximum and in accordance with the Approved Methods for the Sampling and Analysis of Air Pollutants in NSW and for the pollutants listed in the table below: The Report must:

- (a) be prepared by a suitably qualified and experienced air quality specialist;
- (b) include sampling that is undertaken when emissions are expected to be at their maximum and in accordance with the Approved Methods for the Sampling and Analysis of Air Pollutants in NSW and for the pollutants listed in the table below:

Pollutant	Units of Measure	Frequency Sampling	Method
Solid Particles	Milligrams per cubic meter	Special Frequency 1	TM-15
Oxides of Nitrogen (as NO ₂)	Milligrams per cubic meter	Special Frequency 1	TM-11
Oxygen	Milligrams per cubic meter	Special Frequency 1	TM-25
Carbon Monoxide	Milligrams per cubic meter	Special Frequency 1	TM-32
Sampling position			TM-1

43F. Within six weeks of completing the Air Emissions Verification Report required under condition 43E, the Report must be provided to the EPA and to the satisfaction of the Planning Secretary. The Report must include, as a minimum, the following:

- (a) a description of the operating conditions of the boiler at the time of sampling including supporting information and evaluation that worst-case emissions were tested,
- (b) all information required to be reported under Section 5 of the Approved Methods for the Sampling and Analysis of Air Pollutants in NSW and any external stack test reports provided in full,

(c) evaluation of emission concentrations against the Protection of the Environment Operations (Clean Air) Regulation 2022 (the Clean Air Regulation) standards of concentrations,

(d) a detailed log of operational hours for the current usage period,

(e) where comparison under c) identifies monitoring concentrations in excess of the Clean Air Regulation, the report must identify additional mitigation measures to be implemented and an implementation timeline in order to achieve compliance.

Note: The EPA may utilise the information contained in the Report submitted to include additional conditions in the EPL, including emissions limits and requirements for ongoing monitoring.