

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 2020, I approve the modification of the development consent for the development applications referred to in Schedule 1, subject to the conditions specified in Schedule 2.



Chris Ritchie
Director
Industry Assessments

Sydney

30 March 2020

SCHEDULE 1

SCHEDULE 1A

Development Application: DA – 147/92, development consent granted by the then Minister for Planning on 12 October 1992

For the following: Recycled Fibre Plant and associated facilities include a recycled newsprint warehouse

Modification 3

Modification Application: DA – 147/92 Mod 3 – Administrative Amendments

Applicant: Norske Skog Paper Mills (Albury) Pty Ltd

Consent Authority: Minister for Planning and Public Spaces

Site: Lot 6 DP 264463, Lot 21 DP 604181, Lot 2 DP 1126922 and Lot 1 DP 1157984 Ettamogah, in the Albury local government area.

SCHEDULE 1B

Development Application: DA – 41/92, development consent granted by the then Minister for Planning on 12 October 1992

For the following: Wastewater reuse scheme

Modification 3

Modification Application: DA – 41/92 Mod-3 – Administrative Amendments

Applicant: Norske Skog Paper Mills (Albury) Pty Ltd

Consent Authority: Minister for Planning and Public Spaces

Site: Lot 6 DP 264463, Lot 21 DP 604181, Lot 2 DP 1126922 and Lot 1 DP 1157984 Ettamogah, in the Albury local government area.

SCHEDULE 2

The consent is modified as follows:

In Schedule 1:

1. Delete the name of the Applicant and replace with the following name:

Norske Skog Paper Mills (Albury) Pty Ltd
2. Delete the site description and replace with the following:

Lot 6 DP 264463, Lot 21 DP 604181, Lot 2 DP 1126922 and Lot 1 DP 1157984 Ettamogah, in the Albury local government area.
3. Delete the definition for Applicant, Department, DECC, Director-General, DWE and Minister and insert the following definitions in alphabetical order:

Applicant	Norske Skog Paper Mills (Albury) Pty Ltd
Calendar year	A period of 12 consecutive months commencing on 1 January
Department	Department of Planning, Industry and Environment
DPIE Water	Department of Planning, Industry and Environment – Water Division
EPA	Environment Protection Authority
EPL	Environment Protection Licence
Minister	Minister for Planning and Public Spaces (or delegate)
Planning Secretary	Secretary of the Department (or nominee)

In Schedule 2:

4. Replace the words “Director-General” with “Planning Secretary” wherever occurring.
5. In Condition 2) c), delete the number “2002” after the word “August” and insert instead “2003”.
6. In Condition 2) d) delete the word “and” immediately after the words “October 2008,”.
7. In Condition 2), delete existing condition e) and replace with new conditions e) to f) immediately after condition d) as follows:

 - e) DA 389-8-2003-i MOD 3 and supporting Statement of Environmental Effects titled *Norske Skog Albury Mill Statement of Environmental Effects Section 4.55 1(A) Minor Modifications Application*, dated August 2019; and
 - f) the conditions of this consent.
8. In Condition 2), delete the two instances of the words “2)d)” and replace with “2)e)”.

In Schedule 3:

9. Replace the words “Director-General” with “Planning Secretary” wherever occurring.
10. Replace the words “DECC” with “EPA” wherever occurring.
11. Delete Condition 2) and replace with new conditions 2) and 2A) as follows:

 - 2) The Applicant may only discharge treated wastewater to the Murray River provided the wastewater is diluted at a ratio of greater than or equal to 600:1 (600 parts river water to 1 part wastewater) at the point of discharge in the Murray River and meets the following:
 - a) wastewater is discharged in accordance with the timing requirements set out in the EPL, or as otherwise agreed in writing with the EPA; or
 - b) it offsets the salinity impact of the discharge on the Murray River by reducing the overall salt load in the Murray River at a ratio of at least 2:1 (2 parts salt load removed to 1 part

discharged) in which case, a maximum of 2738 mega litres (ML) of treated wastewater may be discharged in a calendar year.

Note: This condition provides for flexibility in the timing of disposal of treated wastewater as per the EPL and enables the Applicant to participate in any Green Offsets Scheme that may re-establish

- 2A) Notwithstanding condition 2), if the river discharge criterion cannot be met, the winter storage dam water level must be allowed to reach the spillway level, and treated wastewater must be sent directly to the Murray River in accordance with the requirements set out in the EPL.

Note: The release of such treated wastewater is to be managed with the objective of preventing or minimising the flow of water from the dam to Nine Mile Creek

12. In Condition 4), delete the number “2002” after the word “August” and insert instead “2003”.
13. In Condition 8) b), delete the word “DWE” and insert instead “DPIE – Water”.

In Schedule 4:

14. Replace the words “Director-General” with “Planning Secretary” wherever occurring.
15. Replace the words “DECC” with “EPA” wherever occurring.
16. Replace the words “DWE” with “DPIE – Water” wherever occurring.
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