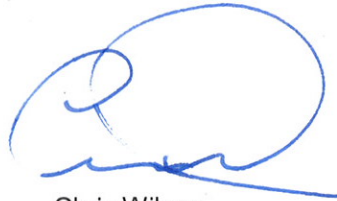


Notice of Modification

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

As delegate for the Minister for Planning, I approve the modification to Project Approval 06_0303 subject to the conditions in schedule 2, 3 and 4.



Chris Wilson
Executive Director

Sydney

6 July

2010

File No: S06/00631

SCHEDULE 1

Project Application:	06_0303
Proponent:	Tooheys Pty Ltd
Approval Authority:	Minister for Planning
Land:	Part Lot 10 DP 1008367, 29 Nyrang Street Lidcombe
Project:	Upgrade and continued use of the Tooheys Brewery
For the following:	Heineken Brewing Expansion

SCHEDULE 2

1. Replace Condition 2 in Schedule 2 with the following:
2. The Proponent shall carry out the project generally in accordance with the:
 - a) EA;
 - b) Revised site plan contained in appendix A;
 - c) Statement of Commitments in Appendix B;
 - d) Modification application 06_0303 MOD 1 and supporting document titled *Tooheys Brewery, Lidcombe - Cogeneration Facility - Part 3A Modification - Environmental Assessment, prepared by ARUP, September 2009;*
 - e) Modification Application 06_0303 MOD 2 and supporting documentation titled *Tooheys Brewery, Lidcombe, Heineken Brewing Expansion - Part 3A Modification - Environmental Assessment, prepared by ARUP, May 2010;* and
 - f) Conditions of this approval.

SCHEDULE 3

2. Replace Condition 22a in Schedule 3 with the following:

22a The Proponent shall operate the facility in a manner which complies with the air emission limits specified in EPL No. 1167, issued under the POEO Act.
3. Insert Condition 33a directly under Condition 33 in Schedule 3:

33a The Proponent shall ensure soil excavated from the waste earth handling facility is assessed against the Waste Classification Guidelines (DECCW 2009) prior to disposal at an appropriately licensed facility.
4. Replace Condition 36 in Schedule 2 with the following:

Pre-construction

36. Prior to construction of the Heineken Brewing Expansion (Mod 2) the Proponent shall prepare and implement a Construction Safety Study to the satisfaction of the Director-General. The plan must:
 - (a) be submitted to the Director-General for approval prior to commencement of construction;
 - (b) be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No.7, 'Construction Safety Study Guidelines'; and
 - (c) take into account the recommendations made in Section 2.2 of the Preliminary Hazard Analysis at Appendix C of the Tooheys Brewery, Lidcombe - Heineken Brewing Expansion - Part 3A Modification - Environmental Assessment.

Construction, other than of preliminary works that are outside the scope of the hazard studies, shall not commence until study recommendations have been considered and, where appropriate, acted upon.
4. Replace Condition 37 and 37a in Schedule 3 with the following:

Pre-commissioning

37. Prior to commissioning of the Heineken Brewing Expansion (Mod 2), the Proponent shall update the Safety Management System to take into account the modification. The plan must:
 - (a) be prepared by a suitably qualified independent person approved by the Director-General;

- (b) be submitted for approval prior to the commencement of commissioning; and;
- (c) be consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No.9 - Safety Management*.

Pre-startup Compliance

- 37a. The Applicant shall submit to the Director-General a Compliance Report detailing compliance with conditions 36 and 37 one month prior to the commencement of operation of the Cogeneration Facility (Mod 1) and the Heineken Brewing Expansion (Mod 2).

SCHEDULE 4

5. Replace Condition 42 in Schedule 4 with the following:

ENVIRONMENTAL MANAGEMENT STRATEGY

42. The Proponent shall prepare and implement a revised Environmental Management Strategy for the project, to the satisfaction of the Director-General. This strategy shall be submitted to the Director-General prior to construction of the Heineken Brewing Expansion (Mod 2) and must:
- (a) provide the strategic context for environmental management of the project;
 - (b) identify the statutory and other obligations that apply to the project;
 - (c) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the project; and
 - (d) describe the procedures that would be implemented to:
 - (e) keep the local community and relevant agencies informed about the construction, operation and environmental performance of the project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the project;
 - respond to any non-compliance;
 - report on monitoring results; and
 - respond to emergencies.
