

Modification of Minister's Approval

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

SCHEDULE 1

Project Approval:	MP 06_0315 granted by the then Minister for Planning on 4 March 2009.
Modification Approval:	MP 06_0315 MOD 1 granted by the Director, Infrastructure Projects on 7 September 2010.
For the following:	Construction and operation of a gas-fired peaking power station at Wellington, including: <ul style="list-style-type: none">• construction and operation of two or four gas-fired turbines to generate a nominal total capacity of between 600 and 660 MW;• construction and operation of a natural gas pipeline connecting the power station to the Central West Gas Pipeline near Parkes; and• associated electricity transmission infrastructure.
Modification:	MP 06_0315 MOD 2: modification of the approval to extend the lapse date of the approval by five years, and to commit to the 2 x 255 MW gas fired turbine units.

SCHEDULE 2 CONDITIONS

1. Delete the definitions table and replace it with the following:

Commissioning	Hot commissioning of the first unit of the project.
Conditions of Approval	The Minister's conditions of approval for the project.
DECC	Now EPA or OEH depending on the context
Department, the	Department of Planning and Environment.
Director-General, the	See Secretary
Dust	Any solid material that may become suspended in air or deposited.
EA	<i>Wellington Gas-fired Peaking Power Station: Environmental Assessment</i> prepared by Parsons Brinckerhoff Australia Pty Limited and dated May 2008.
EP&A Act	<i>Environmental Planning and Assessment Act, 1979.</i>
EPA	Environment Protection Authority.
EPL	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act, 1997.</i>
Minister, the	Minister for Planning
OEH	Office of Environment and Heritage
Operation	Commercial operation of the first unit of the project.
Proponent	ERM Power
Publicly Available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre).
Secretary	Secretary of the Department of Planning and Environment (or delegate) (previously Director-General*).
Secretary's Approval	A written approval from the Secretary (or delegate). Where the Secretary's Approval is required under a condition, the Secretary will endeavour to provide a response within one month of receiving an approval request. The Secretary may ask for additional information if the approval request is considered incomplete. When further information is requested the time taken for the Proponent to respond in writing will be added to the one month period.
Secretary's Report	The report provided to the Minister by the Secretary of the Department under Section 75I of the EP&A Act.
Site	Land to which Major Projects Application 06_0315 applies.
Submissions Report	<i>Wellington Gas-fired Peaking Power Station: Environmental Assessment – Submissions Report</i> prepared by Parsons Brinckerhoff Australia Pty Limited and dated September 2008.

* Wherever Director-General is referenced within the Project Approval, this should be taken to mean Secretary.

ADMINISTRATIVE CONDITIONS

Terms of Approval

2. Delete condition 1.1 and replace it with the following:
- 1.1 The Proponent shall carry out the project generally in accordance with the:
- (a) Major Project Application 06_0315;
 - (b) Wellington Gas-fired Peaking Power Station: Environmental Assessment, prepared by Parsons Brinckerhoff Australia Pty Limited and dated May 2008;
 - (c) Wellington Gas-fired Peaking Power Station: Environmental Assessment – Submissions Report prepared by Parsons Brinckerhoff Australia Pty Limited and dated September 2008;
 - (d) Modification to Project Approval No. 06_0315: Wellington Gas-fired Peak Power Station prepared by ERM Power dated March 2010, including the following supporting documents, Wellington Power Station – Noise assessment of Siemens 4000F units prepared by Parsons Brinckerhoff Australia Pty Limited and dated March 2010, and the Wellington Power Project Proposed Modification Submissions Report dated 1 June 2010;
 - (e) Modification to Project Approval No. 06_0315: Wellington Gas-fired Peak Power Station prepared by ERM Power dated January 2014, including the following supporting documents, Wellington Power Project – C-weighting noise analysis of Siemens 4000F units prepared by Parsons Brinckerhoff Australia Pty Limited and dated December 2013, and the Wellington Power Station: Modification to Consent Ref 06_0315 - Submissions Report dated May 2014; and
 - (f) the conditions of this approval.

3. Delete condition 1.2 and replace it with the following:
 - 1.2 In the event of an inconsistency between:
 - (a) the conditions of this approval and any document listed from condition 1.1a) and 1.1e) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
 - (b) any document listed from condition 1.1a) to 1.1e) inclusive, and any other document listed from condition 1.1a) to 1.1e) inclusive, the most recent document shall prevail to the extent of the inconsistency.

LIMITS OF APPROVAL

4. Delete condition 1.4 and replace it with the following:
 - 1.4 The project approval shall lapse ten years after the date on which it is granted, unless the works the subject of this approval are physically commenced on or before that time.

SPECIFIC ENVIRONMENTAL CONDITIONS

Noise Impacts

5. Delete condition 2.7 and replace it with the following:
 - 2.7 The Proponent shall design, construct, operate and maintain the project to ensure that the noise contributions from the project to the background acoustic environment do not exceed the maximum allowable noise contributions specified in Tables 1 and 2, at those locations and during those periods indicated. The maximum allowable noise contributions apply under wind speeds up to 3ms⁻¹ (measured at 10 metres above ground level), and under temperature inversion conditions of up to 3°C/100 metres).

Table 1 – Maximum Allowable Noise Contribution dB(A)

Location	Day	Evening	Night	
	7:00am to 6:00pm Mondays to Saturdays 8:00am to 6:00pm Sundays and public holidays	6:00pm to 10:00pm on any day	10:00pm to 7:00am Mondays to Saturdays 10:00pm to 8:00am Sundays and public holidays	
	<i>L</i> _{Aeq(15 minute)}	<i>L</i> _{Aeq(15 minute)}	<i>L</i> _{Aeq(15 minute)}	<i>L</i> _{A1 (1 minute)}
Mount Nanima	35	35	35	45
Cadonia Subdivision	35	35	35	45
Keston Rose Garden Café	35	35	35	45
Mount View, Alectown	35	35	35	45
Nanima House	35	35	35	45
Property A (refer to Figure 3-5 of the document listed under condition 1.1b)	35	35	35	45

Table 2 – Maximum Noise Limits dB(C)

Location	Day	Evening	Night
	7:00am to 6:00pm Mondays to Saturdays 8:00am to 6:00pm Sundays and public holidays	6:00pm to 10:00pm on any day	10:00pm to 7:00am Mondays to Saturdays 10:00pm to 8:00am Sundays and public holidays
	<i>L</i> _{Ceq(15 minute)}	<i>L</i> _{Ceq(15 minute)}	<i>L</i> _{Ceq(15 minute)}
All surrounding existing sensitive receivers (as identified in Table 1)	65dB(C)	60dB(C)	60dB(C)