

Modification of Development Consent

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

As delegate for the Minister for Planning, under delegation executed on 11 October 2017, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions outlined in Schedule 2.

Chris Ritchie
Director,
Industry Assessments

Sydney 19 FEBRUARY 2019

File: EF18/44689

SCHEDULE 1

Application No:	07_0161
Applicant:	Dongwha Australia Pty Ltd
Consent Authority:	Minister for Planning
Development:	Dongwha Sawmill, Bombala
Date of Original Consent:	7 September 2010
Modification:	07_0161 MOD 3 – Installation of a 15 MW wood-fired boiler

SCHEDULE 2

This consent is modified as follows:

1. Delete the definitions for Secretary, Project and Wood-fired boiler and insert the following definitions in alphabetical order:

15 MW Wood-fired Boiler	The 15 megawatt boiler described in MOD 3, fuelled by clean timber residue product (in the form of sawdust) generated on site
2.5 MW Wood-fired Boiler MOD 3	The 2.5 megawatt boiler as described in the EA and MOD 3 The modification request 07_0161 MOD 3 and supporting documentation including <i>Dongwha Australia, Bombala Sawmill Modification 3 Statement of Environmental Effects</i> prepared by GHD, dated October 2018 and <i>Dongwha Australia Section 4.55 Modification (Modification 3) Submissions Response</i> , prepared by GHD, dated December 2018
Project	The development as described in the EA, as modified by MOD 1, MOD 2 and MOD 3
Secretary	Planning Secretary under the EP&A Act, or nominee

In Schedule 2: Administrative Conditions

2. Delete all references to "Wood-fired Boiler" and replace with "15 MW Wood-fired Boiler".
3. In Condition 2, delete all the words after "MOD 2" and insert the following words:

(f) MOD 3; and

(g) conditions of this approval.

In Schedule 3: Specific Environmental Conditions

4. In Condition 5A, insert the following words "and using the fuel mix proposed to be used, as described in MOD 3" after the words "(under normal operating conditions)".
5. Insert new Condition 5B immediately after Condition 5A as follows:
 - 5B. Prior to commencing construction of the 15 MW Wood-fired Boiler, the Proponent must provide additional design information and manufacturers specifications to the satisfaction of the Secretary and the EPA. Including:
 - a) emissions controls to be constructed and the associated emissions guarantees;
 - b) a program for regularly testing the quality of the fuel to be used in the 15 MW Wood-fired Boiler and the 2.5 MW Wood-fired Boiler, to meet the requirements of conditions 5C and 5D;
 - c) demonstration that the boiler will achieve the prescribed concentrations contained in the *Protection of the Environment Operations (Clean Air) Regulation 2010*; and
 - d) confirmation that a discharge sampling port will be installed in accordance with the TM-1 contained in the *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales*.

Note: This information will be utilised by the EPA for the development of licence limits within the EPL.

6. Insert new subheading, Condition 5C and 5D immediately after Condition 5B as follows:

Boiler Fuel

- 5C. The Proponent shall ensure only unused and uncontaminated wood material is utilised within the 15 MW Wood-fired Boiler and 2.5 MW Wood-fired Boiler.
- 5D. The Proponent shall ensure Copper Chrome Arsenate treated timber is not utilised within the 15 MW Wood-fired Boiler and 2.5 MW Wood-fired Boiler.
7. In Condition 6(b), insert the following words "and the EPA" after the words "to the satisfaction of the Secretary".
8. In Condition 10A, delete the words "MOD 2" and insert the words "MOD 3".
9. Insert new condition 10B, after Condition 10A as follows:
 - 10B. Jackhammering and concrete cutting activities associated with the installation of the 15 MW Wood-fired Boiler shall only occur between the hours of 9 am and 5 pm, Monday to Friday.
10. Delete Condition 26 and replace with new Condition 26 as follows:
 26. The Proponent shall ensure ash from the 15 MW Wood-fired Boiler and 2.5 MW Wood-fired Boiler is stored temporarily on-site for no more than three months in a dedicated concrete bunker.

If the ash cannot be re-used or recycled, the Proponent shall classify the waste in accordance with the EPA's *Waste Classification Guidelines* and dispose of to a facility that may lawfully accept the waste.

In Schedule 4: Environmental Management, Monitoring, Auditing and Reporting

11. Delete Condition 3 and insert new Condition 3 and 3A:
 3. Within 3 months of:
 - a) the submission of an Independent Audit under condition 5 of schedule 4;
 - b) the submission of an Incident Report under condition 4 of schedule 4;
 - c) the submission of an Annual Review under condition 2 of schedule 4;
 - d) the approval of any modification of the conditions of this consent; or
 - e) the issue of a direction of the Secretary under condition 4 of schedule 2 which requires a review,

the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.

- 3A. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Secretary. Where revisions are required, the revised document must be submitted to the Secretary for approval within six weeks of the review.

Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.

In the Appendices

12. Delete Figure 1 in Appendix 1 and insert new Figure 1: *'Approved site layout including the location of proposed new 15 MW Wood-fired Boiler'*.

APPENDIX 1: PROJECT LAYOUT PLAN

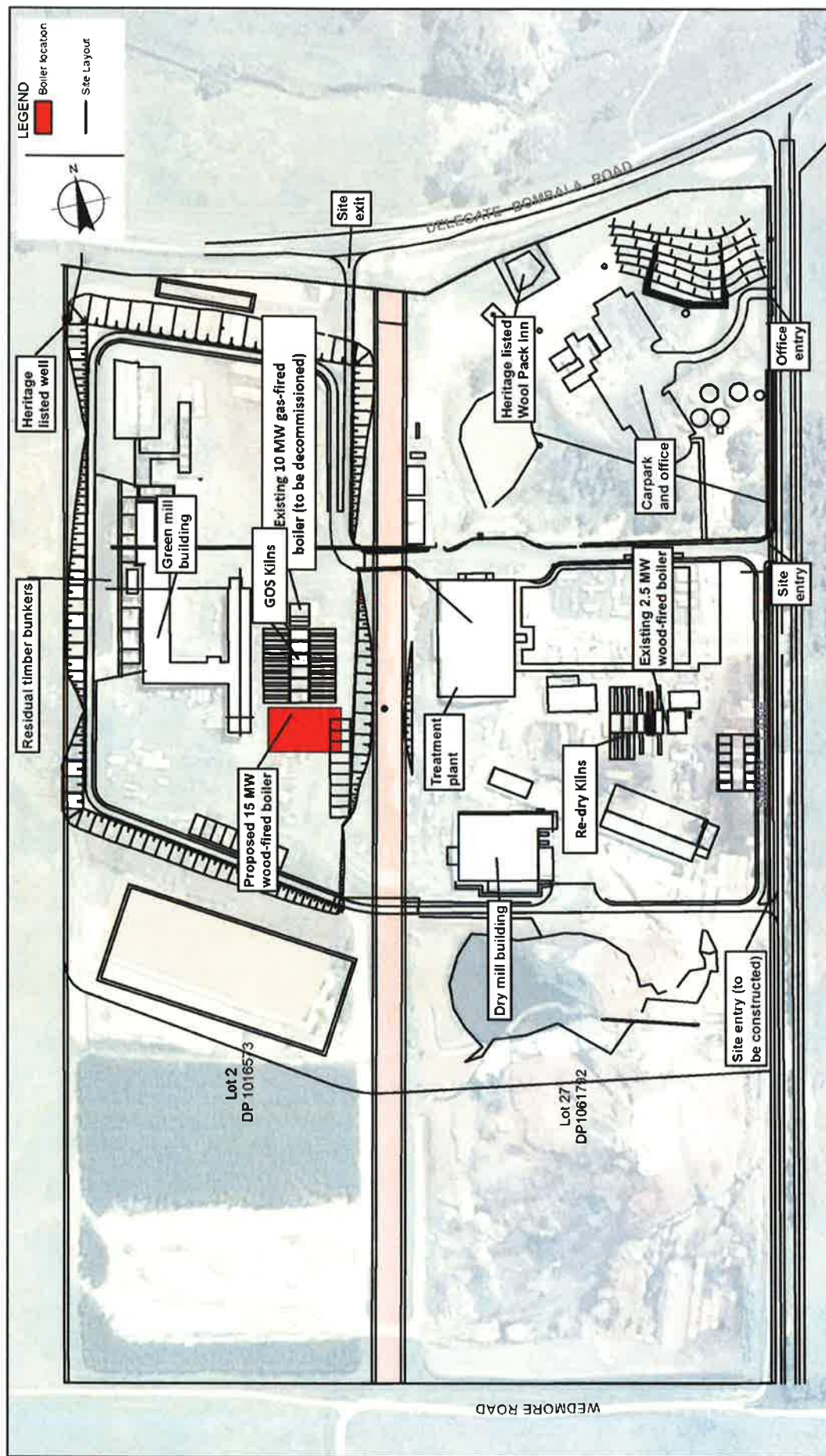


Figure 1: Approved site layout including the location of proposed new 15 MW Wood-fired Boiler