

Notice of Modification

Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 16 February 2015, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions outlined in Schedule 2.


Daniel Keary
A/Executive Director
Infrastructure and Industry Assessments

Sydney 28th SEPTEMBER 2015

SCHEDULE 1

Application No:	SSD 6664
Applicant:	Stolthaven Australia Pty Ltd
Consent Authority	Minister for Planning
Development:	Construction and operation of a bulk fuel storage terminal
Modification:	Increase in annual throughput from 1,010 million litres to 1,300 million litres

SCHEDULE 2

- In Schedule 2, Condition 2 delete the second occurrence of the word "and" in condition 2.(c) and delete condition (d) and replace with the following:
 - MOD 1; and
 - conditions of this consent.
- In Schedule 2, Condition 6 delete the number "1,010" and replace with the number "1,300".
- In Schedule 2, insert new conditions 6A and 6B after condition 6:
 - The storage capacity of the tank farm must not exceed 131 million litres at any one time.
 - With the exception of the following tanks, the proponent must not store flammable liquids, as classified under the *Australian Code for the Transport of Dangerous Goods by Road and Rail*, in bulk at the premises:
 - The 30,000 litre Slops Tank (UN 1203) identified on site as "SL1", and
 - The 50,000 litre Additive Tank (UN 3082) identified on site as "AT1".
 - In Schedule 2, Condition 6 delete the number "1,010" and replace with the number "1,300".
- In Schedule 2, insert new condition 17A after condition 17:
 - A Hazard Audit shall be undertaken twelve months after the commencement of operations and every three years thereafter, or at such intervals as the Secretary may agree, in accordance with the requirement for projects associated with the Mayfield Concept Plan

Approval No. 09_0096 Condition No. 2.28 that involve the transport, handling or storage of hazardous or dangerous materials.

The audits shall be carried out by a qualified person or team, independent of the project, and shall be consistent with the Department of Planning's hazardous Industry Planning Advisory No. 5, 'Hazard Audit Guidelines'.

Each audit shall be submitted to the Secretary within one month of the audit being undertaken. An electronic copy of each audit must be provided to Port of Newcastle (PON) at the same time as submission to the Secretary.