

# Notice of Modification

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

As delegate of the Minister for Planning, under the delegation executed on 16 February 2015, I hereby modify the conditions of the project approval referred to in Schedule 1, subject to the conditions in Schedule 2, 3 and 4.

  
Daniel Keary  
**A/Executive Director**  
**Infrastructure and Industry Assessments**

Sydney

15<sup>th</sup>

JULY

2015

### SCHEDULE 1

Project Approval

The Willmott Sawmill Project (07\_0161), which was approved on 7 September 2010

This project approval is modified by:

1. In the Definitions, delete the definitions for Department, Director-General, EA, Project and RTA and insert the following definitions in alphabetical order:

Department	The Department of Planning and Environment
EA	Environmental Assessment titled <i>Expansion of Bombala Integrated Sawmilling and Value-Adding Facility Volumes 1-3</i> , prepared by The Fifth Estate for Willmott Timbers Pty Ltd, dated November 2009.
EPL	Environment Protection Licence under the POEO Act
MOD 1	The modification request 07_0161 MOD 1, accompanying EA and plans dated 25 November 2011, prepared by the Fifth Estate Consultancy Pty Ltd.
MOD 2	The modification request 07_0161 MOD 2 and supporting documentation including: <ul style="list-style-type: none"><li>• 'Bombala Sawmill Section 75W Modification Environmental Assessment' prepared by GHD and dated August 2014; and</li><li>• 'Bombala Sawmill Modification to Consent Submissions Response' prepared by GHD and dated December 2014.</li></ul>
Project	The development as described in the EA, as modified by MOD 1 and MOD 2
Rear Stockpiles	The stockpiles of timber residue products indicated in Figure 1 at Appendix C of this instrument.
RMS	Roads and Maritime Services
Secretary	Secretary of the Department, or delegate
Wood-fired Boiler	The 18 megawatt boiler described in MOD 2, fuelled by clean timber residue products generated on site.

In Schedules 2 to 4:

2. Delete all occurrences of the words "Director-General" and "RTA" and replace with "Secretary" and "RMS" respectively.

## **SCHEDULE 2**

3. In Condition 2 of Schedule 2 delete all the words after 'EA' and replace with the following words:

- (b) Response to Submissions;
- (c) statement of commitments;
- (d) MOD 1;
- (e) MOD 2; and
- (f) conditions of this approval.

## **SCHEDULE 3**

4. In Condition 4 of Schedule 3, delete all words in part a) and instead insert the following words:

- a) be revised in consultation with EPA and approved by the Secretary prior to the commencement of operation of the Wood-fired Boiler;

5. Delete existing Condition 5 of Schedule 3 and replace with the following:

- 5 Unless otherwise specified by the Secretary, the Proponent shall:
  - a) undertake air emissions monitoring in accordance with the EPL(s) for the site; and
  - b) ensure that emissions from the Project do not exceed the emissions limits specified by the EPA in the EPL(s) for the site.

6. Following existing Condition 5 of Schedule 3, insert new Condition 5A as follows:

- 5A Within three months of the commissioning of the Wood-fired Boiler (under normal operating conditions), the Proponent shall prepare an Air Emissions Validation Report to the satisfaction of the EPA and the Secretary. The report shall:
  - a) verify that air emissions meet the relevant Group 6 emission limits specified in Schedule 4 of the *Protection of the Environment (Clean Air) Regulation 2010*; and
  - b) if any non-compliances are detected during this performance monitoring, describe the measures that would be implemented and the timing for the implementation of these measures, to ensure compliance.

7. In Condition 6 of Schedule 3, delete all words after part a) and instead insert the following:

- (b) be updated prior to the operation of the Wood-fired Boiler, to the satisfaction of the Secretary;
- (c) be prepared in accordance with the requirements of the *"Approved methods for the sampling and analysis of air pollutants in NSW"*;
- (d) identify the air emission limits for the project;
- (e) demonstrate that the ground level concentration would comply with the requirements of the *"Approved methods for the modelling and assessment of air pollutants in New South Wales"*;
- (f) describe the treatments, controls and operational practices to be implemented to manage air emissions, demonstrating best practice process design and emission control;
- (g) include a program for the ongoing monitoring and reporting of air emissions from the project, describing the location, frequency, method and pollutants to be monitored; and
- (h) outline the contingency measures that would be implemented should any air emission limits be exceeded.

8. Following existing Condition 10 of Schedule 3, insert new condition 10A as follows:

- 10A Construction activities associated with the installation of the Wood-fired Boiler shall be undertaken in a manner that minimises noise emissions from the site in accordance with the *Interim Construction Noise Guidelines (DECC 2009)* and the documentation supporting MOD 2.

9. In Condition 11 of Schedule 3, delete point iii. and insert the following immediately following point ii:
  - iii. within 3 months of the commencement of operation of the Wood-fired Boiler, whilst operating; and
  - iv. under normal conditions, following the receipt of a complaint, if requested by the Secretary;
10. Delete existing Condition 26 and replace with new Condition 26 as follows:
  - 26 Within 12 months of the approval of MOD 2, or as otherwise agreed to by the Secretary, the Proponent shall ensure that entire Rear Stockpile is removed from the site or disposed of in the Wood-fired Boiler.
11. In Condition 27 of Schedule 3, delete the words "by September 2013", and instead insert "within 12 months of the approval of MOD 2".
12. Following Condition 28 of Schedule 3, insert new condition 28A as follows:
  - 28A Prior to the commissioning of the new Wood-fired Boiler, the Proponent shall update the Product Management Plan to the satisfaction of the Secretary and the EPA, to include details on:
    - a) how waste ash will be managed to ensure that ash is not blown offsite;
    - b) the volume of the bunker(s) for the storage of waste ash, including justification for the bunker size; and
    - c) reuse or disposal options for waste ash.
13. Following existing Condition 38 of Schedule 3, insert new condition 38A as follows:
  - 38A Within 12 months of the approval of MOD 2, the Landscape Management Plan (required under Condition 38 and approved on 10 February 2012) shall be updated to the satisfaction of the Secretary in consultation with the EPA. The updated plan shall include:
    - a) measures to ensure that the final landform of the Rear Stockpile area is free draining;
    - b) details on the revegetation of the Rear Stockpile area with native species and its integration into the surrounding landscape,
    - c) measures that would be put in place to ensure sufficient resources are available to implement the proposed rehabilitation measures, and the ongoing management of the vegetation following the complete removal of the Rear Stockpile; and
    - d) the timing for the implementation of the above works including a maintenance schedule.
14. Insert new Project Layout (Job No. 21-23466) in Appendix 1.

# APPENDIX 1

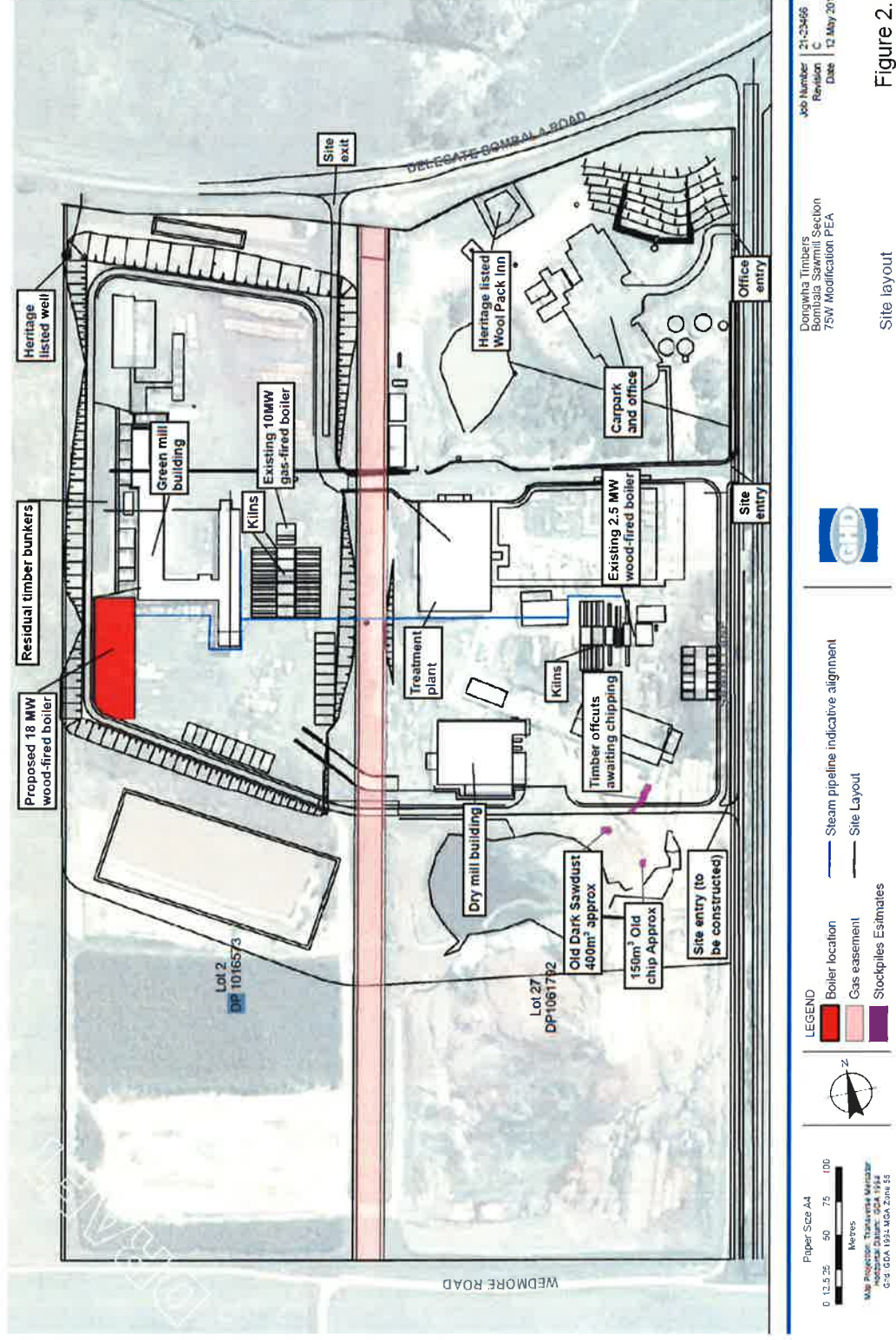


Figure 1: Approved site layout of facilities including the location of the proposed Wood-fired Boiler, and timber stockpiles