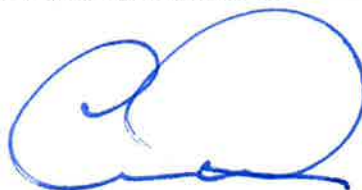


Notice of Modification

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

As delegate of the Minister for Planning and Infrastructure, under the delegation executed on 14 September 2011, I hereby modify the conditions of the project approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Chris Wilson
Executive Director
Major Projects Assessment

Sydney

11 July

2012

SCHEDULE 1

Project Approval

The Orica Ammonium Nitrate Expansion Project (MP 08_0129), approved on 1 December 2009.

SCHEDULE 2

1. In the list of definitions delete:

DECCW Department of Environment, Climate Change and Water

Department Department of Planning

Director-General Director-General of Department of Planning, or delegate

and insert in alphabetical order

Department Department of Planning and Infrastructure

Director-General Director General of the Department of Planning and Infrastructure, or delegate

EPA Environmental Protection Authority

2. Replace all references to DECCW with EPA.

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

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:

- a) EA;
- b) statement of commitments;
- c) Submissions Report;
- d) Modification Application (08_0129 MOD 1) with supporting documentation titled *Kooragang Island Facility Uprate Modification Request*, prepared by AECOM for Orica Australia Pty Ltd and dated 20 April 2011;
- e) report titled *Orica Mining Services Report for Kooragang Island Uprate PHA MOD1 Report*, prepared by GHD for Orica Australia Pty Ltd and dated March 2012; and
- f) conditions of this approval.

4. Replace Condition 15 in Schedule 3 with the following:

15. The Proponent shall develop and implement the plans and systems set out under subsections (a) to (c), no later than two months prior to the commencement of commissioning of the Project, or within such further period as the Director-General may agree. The Proponent shall submit, for the approval of the Director-General, documentation describing those plans and systems. Commissioning shall not commence until approval has been given by the Director-General.
- a) Transport of Hazardous Materials - arrangements covering the transport of hazardous materials including details of routes to be used for the movement of vehicles carrying hazardous materials to or from the site (Existing Operations and Project). The routes selected shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No 11, 'Route Selection'. Suitable routes identified in the study shall be used except where departures are necessary for local deliveries or emergencies.
 - b) Emergency Plan - An update of the existing Emergency Plan and the emergency procedures to include the Project. This plan shall include consideration of the safety of all people outside of the facility who may be at risk from the Project. The plan shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1, 'Industry Emergency Planning Guidelines'. The study shall also be submitted for approval, to the NSW Fire Brigades.
 - c) Safety Management System - A document setting out a comprehensive Safety Management System, covering all onsite operations and associated transport activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records shall be kept on-site and shall be available for inspection by the Director-General upon request. The Safety Management System shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.

5. Replace Condition 20 in Schedule 3 with the following:

20. Twelve months after the commencement of operations of the Project and every three years thereafter, or at such intervals as the Director-General may agree, the Proponent shall carry out a comprehensive Hazard Audit of the Existing Operations and the Project and within one month of each audit submit a report to the Director-General.
- a) The audits shall be carried out at the Proponent's expense by a qualified person or team, independent of the Project, approved by the Director-General prior to commencement of each audit. Hazard Audits shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines', including with respect to the requirements of these guidelines in relation to records of inspection and testing of critical equipment and instrumentation as they specifically relate to significant risk reduction as outlined in the document listed in Condition 2 e) in Schedule 2.
 - b) The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Proponent intends to defer the implementation of a recommendation, reasons must be documented.