



9 August 2002

The Manager  
DEI Illawarra Cogeneration Pty Ltd  
Northgate Complex  
C/- BHP Steelworks  
Via Springhill Road  
PORT KEMBLA 2505

Dear Sir

**NOTICE OF DETERMINATION OF INTEGRATED DEVELOPMENT  
APPLICATION No. D767/01**

File N<sup>o</sup>: D767/01

Our Ref: D.WT/SS

Pursuant to section 81 of the Environmental Planning and Assessment Act, 1979, notice is hereby given of the determination of Integrated Development Application No. D767/01 –

**PROPERTY:**

Lot 1 DP 606434 Springhill Road, Lot A DP 417095 and Lot 53 DP 652788  
Old Port Road, Port Kembla

**DEVELOPMENT:**

**Illawarra Cogeneration Power Plant in BHP Steelworks**

as shown on the plans and as described and detailed in the documents listed below endorsed with Council's stamp.

**Plans**

- Duke Energy International Illawarra Cogeneration Project – Port Kembla, prepared by Duke/Fluor Daniel as follows:

ICP Plan of Sites Overall	Plan No 414024-0-GP-5-00.0-01	Rev B dated 2/7/02
ICP Plan of Sites Turbine & Boiler Sites	Plan No 414024-0-GP-5-00.0-02	Rev B dated 2/7/02

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ICP Plan of Sites LDG Collection Gas Holder Site	Plan No 414024-0-GP-5-00.0-03	Rev B dated 2/7/02
ICP Plan of Sites TTE Tanks Site	Plan No 414024-0-GP-5-00.0-04	Rev B dated 2/7/02
ICP Plan of Sites 132kV Building & Transformer Site	Plan No 414024-0-GP-5-00.0-05	Rev B dated 2/7/02
ICP Plan of Sites Northern Laydown Area	Plan No 414024-0-GP-5-00.0-06	Rev B dated 2/7/02
ICP Plan of Sites LDG Laydown Area	Plan No 414024-0-GP-5-00.0-07	Rev B dated 2/7/02
ICP Easements 132kV and 33kV cables	Plan No 414024-0-GP-5-00.0-08	Rev B dated 8/7/02
ICP Easements Tertiary Treated Effluent	Plan No 414024-0-GP-5-00.0-09	Rev C dated 8/7/02
ICP Easements Pipebridge	Plan No 414024-0-GP-5-00.0-10	Rev B dated 8/7/02
ICP Easements Area Y	Plan No 414024-0-GP-5-00.0-11	Rev B dated 8/7/02
ICP Plan of Option Lease	Plan No 414024-0-GP-5-00.0-12	Rev C dated 8/7/02
ICP Overall – BHP Steel and External	Plan No 414024-0-GP-5-00.0-13	Rev A dated 2/8/02
Construction Carpark Site Preparation Fenced Area 3	Plan No 414024-0-SK-0-17-04	Rev D dated 9/3/01
ICP Landscape Concept Plan for Substation Site	Plan No 414024-0-SK-5-00-45	Rev A dated 27/3/01
ICP Elevation Option 3C	Plan No 414024-0-PP-5-00.0-25	Rev B dated 1/7/01
Construction Areas Key Plan	Plan No 414024-0-PP-5-00.0-19	Rev C dated 22/5/02
Plot Plan Option 4A	Plan No 414024-0-PP-5-00.0-16	Rev E dated 20/6/02
Plot Plan Ldg Contractor Laydown Area	Plan No 414024-0-PP-5-00.0-50	Rev B dated 9/5/02
Plot Plan T.T.E. Tank Farm	Plan No 414024-0-PP-5-00.0-48	Rev B dated 13/5/02
Plot Plan Laydown Area	Plan No 414024-0-PP-5-00.0-49	Rev C dated 24/6/02

- Plan for Preliminary Route for Proposed Pipeline from Wollongong STP to DEI Storage Tank (Ref Duke.Revise.WOR) prepared by Sydney Water, dated 4/6/02.

#### Documents

- "Illawarra Cogeneration Project – Environmental Impact Statement, Volume 1 and Volume 2 – Appendices", prepared by CH2 M Hill, dated May 2001.
- "Noise Impact Assessment" (Ref: SJS/1100/04.03/003670486), prepared by Duke Energy Australia Pty Ltd, dated 12 July 2001.
- "Air Quality Impact Statement and Water Issues" (Ref: SJS/1100/04.03/003670494), prepared by Duke Energy Australia Pty Ltd, dated 16 July 2001.
- Illawarra Cogeneration Project Technical Submission Regarding NSW EPA Interim GTA's (Ref: 003671752), prepared by Duke Energy International, dated 8 May 2002.

- Duke Energy International "Illawarra Cogeneration Project – Response to EPA Request for Information" (Ref: 110307), prepared by Duke Energy Australia Pty Ltd, July 2001.
- Proposed Environmental Protection Licence for Duke Energy International (DEI) Illawarra Cogeneration Project (ICP) BHP Steelworks Site – Port Kembla (Ref: SJS/1100/04.07/003670305).
- "Review of Noise Issues", prepared by Bridges Acoustics (Ref: J0029-01.L8.2), dated 28 May 2002.
- Correspondence regarding Illawarra Cogeneration Project Commissioning Strategy from Duke Energy International to EPA (Ref: SJS/1100/108.02/003671789), dated 6 June 2002.
- Correspondence regarding comments on EPA's Intended General Terms of Approval for Illawarra Cogeneration Project from BHP Steel to Wollongong City Council, dated 11 June 2002.
- Correspondence from Duke Energy International to the EPA, dated 15 May 2002 and 4 June 2002.

#### **Building Code of Australia**

The development has been classified under the Building Code of Australia as:

Class - 10(a) Industrial Infrastructure - Power Plant

The Development Application has been determined by granting of consent subject to conditions below:

#### **EXTENT OF DEVELOPMENT**

This development consent is for the construction and operation of the Illawarra Cogeneration Plant and includes the following components:

- a 225 MW condensing steam turbine generator;
- four boilers generating 1100 tonnes per hour of steam and auxiliary equipment required for operation of the plant;
- substation and electrical connection (132 kV and 33 kV powerlines);
- Basic Oxygen Steelmaking (BOS) off-gas collection system including 70 m high by 40 m diameter gas holder;
- a cooling tower system using tertiary treated effluent from the Wollongong Sewage Treatment Plant (STP) and the piping and infrastructure for the connection of the Illawarra Cogeneration Plant to the Sewage Treatment Plant;
- piping and infrastructure connections from the Illawarra Cogeneration Plant to BHP Steel.

The footprint of the Illawarra Cogeneration Plant is as shown on plan numbered 414024-0-GP-5-00.0-13 Rev A, within the BHP Steelworks property being Lot 1 DP 606434 Springhill Road, Port Kembla. The southern laydown area is shown on plan numbered 414024-0-GP-5-00.0-13 Rev A on Lot A DP 417095 and Lot 53 DP 652788 Old Port Road, Port Kembla.

All demolition work associated with the construction of the Illawarra Cogeneration Plant must be the subject of a separate development application to Council.

#### GENERAL TERMS OF APPROVAL FROM THE ENVIRONMENT PROTECTION AUTHORITY FOR D767/01 - ILLAWARRA COGENERATION PLANT

An Environment Protection Licence must be obtained from the Environment Protection Authority before building work commences. Conditions which the Environment Protection Authority requires to be imposed as part of this Integrated Development Consent are:-

#### ADMINISTRATIVE CONDITIONS

##### A1 Information supplied to the EPA

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

1. Development Application DA No D767/01 submitted to Wollongong City Council on 23 May 2001;
2. Environmental Impact Statement 'Illawarra Cogeneration Project Environmental Impact Statement Volume 1, and Volume 2 Appendices', May 2001 relating to the development;
3. 'Noise Impact Assessment' dated 12 July 2001 (Ref: SJS\1100\04.03\03670486);
4. 'Air Quality Impact Statement and Water Issues' dated 16 July 2001 (Ref: SJS\1100\04.03\003670494);
5. Duke Energy International 'Illawarra Cogeneration Project -- Response to EPA Request for Information' Final July 2001 (Ref: 110307);
6. Proposed Environment Protection Licence for Duke Energy International ('DEI') Illawarra Cogeneration Project ('ICP') BHP Steelworks Site -- Port Kembla (Ref: SJS/1100/04.07/003670305)
7. Technical Submission for the Illawarra Cogeneration Project for Duke Energy International Reference Number 003671752 dated 8/5/02
8. Correspondence from Duke Energy International to the EPA dated the 15/5/02 and 4/6/02
9. Report from Bridges Acoustics dated the 28/5/02 regarding the "Review of Noise Issues".
10. All other relevant correspondence in relation to the development.

The EPA also considered the public submissions received in relation to the proposed development.

**A2 Fit and Proper Person**

- A2.1** The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.

**A3 Premises Identification**

- A3.1** The application for an EPL must contain information clearly describing the premises to be the subject of the licence. This information must consist of official documentation such as a copy of the development consent, lease agreement or a rates notice. A map titled "Premises Covered by EPL" defining premises by shaded areas can accompany the description. The map must be clear in terms of where responsibility of either DEI or BHP Steel starts and finishes, including structures such as pipe work etc.

*Note: The applicant has advised that a new premises is to be created within the existing BHPSteel premises at Port Kembla. Section 56 of the POEO Act states:*

- a) The premises so specified are to be the whole of the premises at which the activities authorised or controlled by the licence (and ancillary activities) are carried on.*
- b) Premises may be so specified whether or not they comprise a single allotment of land.*

**P1 Location of monitoring/discharge points and areas**

- P1.1** The following points referred to in the table below are identified for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

EPA Identification No.	Type of monitoring point	Type of discharge point	Description of location
1	Air emissions monitoring	Discharge to Air	Boiler 1 Stack
2	Air emissions monitoring	Discharge to Air	Boiler 2 Stack
3	Air emissions monitoring	Discharge to Air	Boiler 3 Stack
4	Air emissions monitoring	Discharge to Air	Boiler 4 Stack

**LIMIT CONDITIONS**

**L1 Pollution of Waters**

- L1.1** The premises and activities carried out therein must not pollute surface or groundwater except as specified in the EPL for the premises.

## Discharge of Blowdown Waters

- L1.2 All cooling water blowdown, demineralisation wastewater and domestic wastewater must be directed to the inlet works of the Wollongong Sewage Treatment Plant unless otherwise approved by the EPA.

*Note: The above condition does not limit the applicant in investigating opportunities to treat and reuse the blowdown waters. Subject to the findings of the Blowdown Reuse Strategy detailed in condition O2.2 the EPA may vary this condition.*

## Gas condensates and waste waters from BOS Offgas Cooler

- L1.3 Any gas condensates and wastewaters from the BOS Offgas Cooler must be collected and directed to either the existing BHP BOS cooling system, BOS wastewater treatment system or the Wollongong Sewage Treatment System unless otherwise approved by the EPA.

## L2 Air

- L2.1 The Illawarra Cogeneration Plant must be designed and operated with the objective that emissions from the Illawarra Cogeneration Plant do not result in any adverse impacts to the environment or human health in the adjacent community except as specified in the EPL for the premises.

## Emission Limits

- L2.2 For each monitoring/discharge point specified in the table below the emission of a pollutant discharged at that point must not exceed the emission limits specified for that pollutant in the table.

Points 1, 2, 3 and 4

Pollutant	Units of measure	100 % limit	Reference conditions	Averaging period
Carbon monoxide (CO)	mg/m <sup>3</sup>	150	dry, 273 K, 101.3 kPa, 7% O <sub>2</sub>	Rolling 1-hour average
Dioxins and furans <sup>1</sup>	ng/m <sup>3</sup>	0.1	dry, 273 K, 101.3 kPa, 11% O <sub>2</sub>	As per test method
Hazardous substances <sup>2</sup>	mg/m <sup>3</sup>	5	dry, 273 K, 101.3 kPa, 7% O <sub>2</sub>	As per test method
Nitrogen dioxide (NO <sub>2</sub> ) or nitric oxide (NO), or both (as NO <sub>2</sub> )	g/s	12.2	NA	Rolling 1-hour average
Opacity	%	20	Gas stream temperature above dew point. Path length corrected to stack exit diameter.	Block 6-minute average
Solid particles	g/s	1	NA	As per test method
Sulphur dioxide (SO <sub>2</sub> )	g/s	26.2	NA	Rolling 1-hour average

*Note: <sup>1</sup>As defined in Part 9, Clause 19 of the Clean Air (Plant and Equipment) Regulation 1997.*

*<sup>2</sup>As defined in Table D, Part 5, Clause 12 of the Clean Air (Plant and Equipment) Regulation 1997.*

### Mass Limits

- L2.3 The actual load of an assessable pollutant discharged from the premises during the reporting period must not exceed the load limit specified for the assessable pollutant in the table below.

Assessable Pollutant	Load limit (tonnes per annum)
Coarse plus fine particulates	124
Nitrogen dioxide (NO <sub>2</sub> ) or nitric oxide (NO), or both as nitrogen dioxide (NO <sub>2</sub> )	1080
Sulfur dioxide	2597

### Odour

- L2.4 The applicant must not cause or permit the emission of offensive odours from the premises. The proponent must comply with section 129 of the Protection of the Environment Operations Act 1997.

### L3 Noise

- L3.1 The Illawarra Cogeneration Plant must be designed to operate so that noise emissions from the premises must not exceed an  $L_{Aeq(15 \text{ minute})}$  35 dB(A) at the most potentially affected residences.
- L3.2 Notwithstanding condition L3.1 the boiler stacks must be designed to operate so that the cumulative noise emissions from the four boiler stacks must not exceed an  $L_{Aeq(15 \text{ minute})}$  of 40 dB(A) at the most potentially affected residences.
- L3.3 The Illawarra Cogeneration Plant must be designed and operated so that noise emissions from the premises must not exceed  $L_{A1(1 \text{ minute})}$  55 dB(A) at the most potentially affected residence between 10 pm and 7am.
- L3.4 Near field noise limits for the purpose of demonstrating compliance with conditions L3.1, L3.2 and 3.3 will be specified in the EPL.

*Note: The applicant has agreed to submit detail of the near field noise levels and locations which will demonstrate compliance with conditions L3.1, L3.2 and L3.3. The EPA will attach these levels as noise limits and the locations as the monitoring points on the EPL.*

*Note: Compliance with this condition will be assessed in accordance with the principles of the NSW Industrial Noise Policy (see Chapters 4 and 11).*

## Hours of operation during construction

L3.5 All construction activities undertaken at the premises, and which are audible at residential premises, must be restricted to the following times:

- a) 7:00 am to 6:00 pm Mondays to Fridays;
- b) 8:00 am to 1:00 pm on Saturdays; and
- c) At no time on Sundays and Public Holidays.

L3.6 The hours of construction specified in conditions L3.5 may be varied with written consent by the EPA if the applicant can demonstrate to the EPA that the amenity of the residents in the locality will not be adversely affected.

## L4 Load Limits

L4.1 The Illawarra Cogeneration Plant will be incorporated into the Load Based Licensing scheme under the fee based classification, *Electricity Generation (b) Generation of electrical power from gas*, once a licence variation has been issued under the Protection of the Environment Operations Act 1997. Using the Load Calculation Protocols, the licensee will then be required to monitor each of the associated assessable pollutants, calculate pollutant loads, and pay the pollutant load fee. The assessable pollutants applicable to this activity are given in the table below.

Assessable Pollutants - Electricity Generation (b) Generation of electrical power from gas.

Assessable Pollutant (Air)	Assessable Pollutant (Water)
NO <sub>x</sub>	Salt
	TSS

*Note 1: As per section 2.2.4 of the LBL Load Calculation Protocol, Duke Energy will assume responsibility for monitoring and calculating actual loads of these pollutants and paying the associated LBL load fees which are generated and transferred from the BHP premises. BHP will retain responsibility for all other assessable pollutants generated from Coke Production, Primary iron and steel production, and electricity generation activities conducted on their site, despite the fact they are discharged from the Duke premises.*

*Note 2. Salt for the purpose of calculating the assessable pollutant in the above table must be reported as per "Guide to Licensing Under the POEO Act Part B" Appendix 8.*

*Note 3. If Duke Energy sends waste waters to either a Sydney Water Corporation STP or BHP operation, deduction of Duke Energy's Load Based Licensing (LBL) pollutant loads may be pursued as per section 2.2.4 of the LBL Load Calculation Protocol.*



## L5 Waste

L5.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997.

L5.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.

*Note: Condition L5.2 is included to ensure that a premises based activity is not used as a waste facility (unless that scheduled activity is permitted by another condition).*

*Note: BHP indigenous gaseous fuels are not considered a "waste" for the purpose of conditions L5.1 and L5.2.*

## L6 General

### BHP Indigenous Fuels and BOS Off gas

L6.1 Available Indigenous Fuels (Supplied by BHP Steel) must be utilised (stored or consumed) to the maximum extent practicable.

*Note: Indigenous fuels include coke ovens gas collected from the coke ovens batteries, BOS Off-gas and blast furnace gases produced from the BHP Blast Furnaces.*

### Cooling Water Supply

L6.2 Available tertiary treated effluent water (supplied by Sydney Water Corporation) must be utilised to the maximum extent practicable unless otherwise approved by the EPA.

## OPERATING CONDITIONS

### O1. Construction Phase

#### Dust

O1.1 Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust.

## Construction Environmental Management

O1.2 Prior to commencing construction activities, measures must be developed and documented in the applicant's "Environmental Management Plan - Construction and Commissioning Phase" (including all pipe-work to and from the premises) that address but need not necessarily be limited to the following:

O1.2.1 measures that demonstrate how they will comply with condition O1.1 relating to the management of dust;

O1.2.2 measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities. The documentation should be prepared in accordance with the requirements outlined in *Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing). The document shall also include details about management of any contaminated soils/materials;

O1.2.3 management of any groundwater encountered during the construction phase to ensure compliance with L1.1;

O1.2.4 construction noise management measures to ensure compliance with condition L3.5. The measures must include details on the management of noise emissions during the construction, commissioning and operational stages of the development. The applicant must consult with the EPA during the preparation of these measures;

O1.2.5 confirmation the development will be above the 1 in 100 year flood event; and

O1.2.6 measures to ensure both air and noise emissions during the commissioning phase are minimized and meet the requirements of the EPL.

A copy of the measures must be provided with the application for EPL and implemented as appropriate prior to commencing construction. A copy must also be provided to Wollongong City Council prior to commencing construction.

*Note: Wollongong City Council is the appropriate regulatory authority for the southern construction area which is outside the BHP premises.*

O1.3 The measures specified in condition O1.2 must also address construction activities associated with the integration of the ICP with the BHP operations.

## O2 Operation Phase

### Operation – Water

#### Operational Environmental Management – Water and Dust

O2.1 Measures must be developed and documented in the applicant's "Environmental Management Plan - Operation Phase" that addresses but need not necessarily be limited to the following:

- a) measures that will ensure no discharge of polluted water from the Illawarra Cogeneration Plant at all times;
- b) a first flush stormwater management system designed to capture the first 15mm of stormwater for each square meter of catchment area consisting of paved or sealed areas;
- c) dust management to achieve the objective in condition O2.4;
- d) measures to minimise the environmental impact of incidents involving spillage of materials. The measures must include but should not necessarily be limited to procedures identifying immediate cleaning of the site and reporting;
- e) measures to collect and treat wastewater originating from any fire fighting operations or training;
- f) all unsealed areas must be vegetated and maintained so as to prevent polluted runoff;
- g) the sealing of all trafficable areas; and
- h) measures to collect and treat any workshop wash-down waters.

O2.1.1 The measures proposed in accordance with conditions O2.1(a) to O2.1(h) must be independently reviewed and a report submitted to the EPA and WCC at least 2 months prior to commissioning.

O2.1.2 The applicant must implement the measures specified in conditions O2.1(a) to O2.1(h) consistent with the recommendations of the independent review specified in condition O2.1.1. The EPA may vary the EPL subject to the findings and recommendations of this review.

#### Blowdown Water Reuse

O2.2 The applicant must submit a report to the EPA and WCC no later than 12 months after commissioning of the Illawarra Cogeneration Plant detailing investigations to beneficially reuse blowdown waters from the Illawarra Cogeneration Plant. The report must include a strategy to reduce the volume of blow down waters directed to the Wollongong STP or other BHP wastewater treatment facilities. The report must include details on but need not necessarily be limited to the following:

- characterisation of the types of pollutants in the blow down waters;
- frequency of sampling and analysis of blow down waters;

- identification of options to beneficially reuse blowdown waters to minimise the amount of blowdown water being directed to the Wollongong STP or other BHP wastewater treatment facilities;
- assessment of the feasibility and cost of these options;
- selection of options for implementation;
- time table for implementation of the selected options; and
- inclusion of any other recommendations.

*Note: The EPA may include the program referred to in condition O2.2 as a PRP on the EPL.*

#### **Bunding**

- O2.3 Impervious bunds must be constructed around all fuel, oil and chemical storage areas and the bund volume must be large enough to contain 110 per cent of the volume held in the largest container. The bund must be designed and installed in accordance with the requirements of the EPA Environment Protection Manual Technical Bulletin *Bunding and Spill Management*.

#### **Operation – Air**

- O2.4 There must be no visible dust emissions from any activity undertaken during operations at the premises.
- O2.5 Trucks which are entering and leaving the premises and carrying loads must be sealed or covered at all times, except during loading and unloading.

#### **Manufacturer's Performance Guarantees**

- O2.6 The applicant must provide with the application to the EPA for the EPL for the proposal the manufacturer's performance guarantees demonstrating to the satisfaction of the EPA that emissions of air pollutants from all sources will comply with:

- (a) The emission limits specified in condition L2.2; and
- (b) The plant and equipment design parameters specified in condition O2.7.

- O2.6.1 The manufacturer's performance guarantees must specify the volumetric flow rate for EPA identification points 1, 2, 3 and 4.

#### **O2.7 Plant and Equipment Design Parameters**

- O2.7.1 The design parameters for the discharge points specified in the table must meet the requirements specified in the table, or as otherwise approved in writing by the EPA.

### Plant and Equipment Design Parameters

EPA Identification no.	Minimum Stack Height (m)	Maximum Stack Diameter (m)
1	64	3.5
2	64	3.5
3	64	3.5
4	64	3.5

O2.7.2 All stacks shall be designed in accordance with good engineering practice<sup>1</sup> in order to minimise the effects of stack tip downwash and building wake effects on ground-level air pollutant concentrations.

Note: <sup>1</sup>The EPA refers to the following documents for determining good engineering practice stack height:

USEPA, 1985, *Guideline for Determination of Good Engineering Practice Stack Height (Technical Support Document for the Stack Height Regulations)*, Revised EPA-450/4-80-023R. United States Environmental Protection Agency, Washington DC, USA.

USEPA, 1995, *User's Guide to the Building Profile Input Program*, Revised February 1995, EPA-454/R-93-038. United States Environmental Protection Agency, Washington DC, USA.

USEPA, 1997, *Addendum to ISC3 User's Guide, The PRIME Plume Rise and Building Downwash Model*. United States Environmental Protection Agency, Washington DC, USA.

O2.7.3 The stack diameters and heights for the discharge points specified in the table shall be designed in such a manner which will ensure that the ground-level concentration (glc) criteria specified in the table are not exceeded at any location at or beyond the boundary of the premises.

### Stack Height GLC Criteria

EPA Identification No	Pollutant	Ground-Level Concentration Criteria ( $\mu\text{g}/\text{m}^3$ )	Averaging Time	Percentile
1, 2, 3, 4	Sulphuric acid ( $\text{H}_2\text{SO}_4$ )	33	3 minute	99.9
1, 2, 3, 4	Hydrogen chloride (HCl)	200	3 minute	99.9

O2.7.4 Within 6 months of issue of the EPL for the proposal, the applicant shall carry out dispersion modelling, prepare a report and submit the findings to the EPA and WCC. The report must demonstrate that the stack diameters and heights for the discharge points identified in the table have been designed in a manner acceptable to the EPA.

## O2.8 Commissioning Plan

Within 6 months of issue of the EPL for the proposal, the applicant shall, in conjunction with BHP Steel, develop a commissioning plan to the satisfaction of the EPA and WCC which will ensure that the combined emissions from the ICP, BHP Steel No. 1 Power House and BHP Steel No. 2 Blower Station will result in no additional exceedances of the EPA's environmental outcomes for air quality included in *NSW EPA, 2001, Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW*.

## Operation - Noise

### Noise Compliance Procedure

O2.9 The applicant must develop a noise compliance monitoring procedure for submission with an application for an EPL. The purpose of this procedure is to identify and document a methodology that allows for an accurate determination of compliance with the noise limits specified L3.1, L3.2 and L3.3.

O2.9.1 The procedure must address but need not necessarily be limited to:

- a) Details of a methodology to assess compliance including justification;
- b) Noise emission limits at specific near field locations including tonality which correspond with compliance with noise limits specified in conditions L3.1, L3.2 and L3.3;
- c) Details of methodology to assess the tonality of the noise and comply with the "NSW Industrial Noise Policy".

O2.9.2 The applicant must consult with the EPA on the development of the procedure as outlined in condition O2.9 prior to its implementation.

## Operation - Waste

O2.10 All liquid and non liquid wastes resulting from activities and processes at the Illawarra Cogeneration Plant must be assessed, classified and managed in accordance with the EPA's Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-liquid Wastes (1999), or any other EPA document superseding this guideline.

O2.11 Any, slurries, dusts and sludges associated from activities at the premises must be treated and recycled wherever reasonably possible.

O2.12 The applicant must implement measures to minimise or eliminate the amount of non-liquid waste requiring disposal to landfill.

O2.12.1 No later than 12 months after commissioning the applicant must develop a Non Liquid Waste Minimisation Strategy that demonstrates how they will comply with condition O2.12.

O2.12.2 The strategy will include details on but need not necessarily be limited to the following:

- a) characterisation of the wastes including the types of pollutants and physical and chemical parameters;
- b) identification of options to eliminate off site disposal of the non liquid waste;
- c) identification of options to minimise the amount of non liquid waste which requires landfill disposal, including options to maximise beneficial reuse of the non liquid waste to meet the requirements of condition O2.11;
- d) assessment of the feasibility and cost of these options;
- e) selection of options for implementation;
- f) a time table for implementation of the selected options; and
- g) inclusion of any other recommendations.

O2.12.3 The applicant must prepare a report for submission to the EPA and WCC, no later than 18 months after commissioning on the findings of the Non Liquid Waste Minimisation Strategy. The EPL may be varied subject to the findings and recommendations of the strategy.

*Note: The EPA may include the program referred to in condition O2.12.1 and O2.12.2 as a PRP on the EPL.*

**Activities must be carried out in a competent manner**

O2.13 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

**Maintenance of plant and equipment**

O2.14 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

## MONITORING AND RECORDING CONDITIONS

### M1 Air

#### Requirement to monitor concentration of pollutants discharged

M1.1 For each monitoring/discharge point specified below, the applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure and sample at the frequency, specified opposite in the other columns:

#### Source Emissions Sampling and Analysis Requirements Points 1, 2, 3 and 4

Pollutant	Units of measure	Frequency <sup>1</sup>	Sampling Method <sup>1</sup>
Coarse particulates	mg/m <sup>3</sup>	Post commissioning, quarterly	OM-9
Dioxins and furans	ng/m <sup>3</sup>	Post commissioning, annually	TM-18
Fine particulates	mg/m <sup>3</sup>	Post commissioning, quarterly	OM-5
Hazardous substances	mg/m <sup>3</sup>	Post commissioning, quarterly	TM-12, 13 & 14
Hydrogen chloride (HCl)	mg/m <sup>3</sup>	Post commissioning, quarterly	TM-7 & 8
Hydrogen fluoride (HF)	mg/m <sup>3</sup>	Post commissioning, quarterly	TM-9
Polycyclic aromatic hydrocarbons (PAH)	ng/m <sup>3</sup>	Post commissioning, quarterly	OM-6
Solid particles	mg/m <sup>3</sup>	Post commissioning, quarterly	TM-15
Sulphuric acid mist (H <sub>2</sub> SO <sub>4</sub> ) or sulphur trioxide (SO <sub>3</sub> ), or both (as SO <sub>3</sub> )	mg/m <sup>3</sup>	Post commissioning, quarterly	TM-3
Volatile organic compounds (VOC)	mg/m <sup>3</sup>	Post commissioning, quarterly	OM-2
Parameter	Units of measure	Frequency	Sampling method
Dry gas density	kg/m <sup>3</sup>	Post commissioning, quarterly	TM-23
Moisture	%	Post commissioning, quarterly	TM-22
Molecular weight of stack gases	g/g.mole	Post commissioning, quarterly	TM-23
Oxygen	%	Post commissioning, quarterly	TM-25
Temperature	K	Post commissioning, quarterly	TM-2
Velocity	m/s	Post commissioning, quarterly	TM-2



Pollutant	Units of measure	Frequency <sup>1</sup>	Sampling Method <sup>1</sup>
Volumetric flow rate	m <sup>3</sup> /s	Post commissioning, quarterly	TM-2
Other	Units of measure	Frequency	Sampling method
Selection of sampling positions	NA	NA	TM-1

*Note: <sup>1</sup>Or as otherwise approved in writing by the EPA.*

### Continuous Source Emissions Monitoring Requirements Points 1, 2, 3 and 4

Pollutant	Units of measure	Frequency <sup>1</sup>	Sampling method <sup>1</sup>
Carbon monoxide (CO)	mg/m <sup>3</sup>	Continuous	CEM-4
Nitrogen dioxide (NO <sub>2</sub> ) or nitric oxide (NO), or both (as NO <sub>2</sub> )	mg/m <sup>3</sup>	Continuous	CEM-2
Opacity	%	Continuous	CEM-1
Sulphur dioxide (SO <sub>2</sub> )	mg/m <sup>3</sup>	Continuous	CEM-2
Parameter	Units of measure	Frequency <sup>1</sup>	Sampling method <sup>1</sup>
Moisture	%	Continuous	TM-22
Oxygen	%	Continuous	CEM-3
Temperature	K	Continuous	TM-2
Volumetric flow rate	m <sup>3</sup> /s	Continuous	CEM-6

*Note: <sup>1</sup>Or as otherwise approved in writing by the EPA.*

### M1.2 Requirement to monitor annual loads of pollutants discharged

Within 6 months of commissioning, the applicant must develop and implement a program which will provide information on the annual loads of nitrogen oxides, sulfur dioxide and coarse and fine particulates. The applicant will consult with the EPA prior to finalizing the program. Calculations of annual loads of nitrogen oxides and sulfur dioxide must utilize data from continuous emissions monitoring in accordance with the requirements set out in condition M1.1. Calculations of annual loads of nitrogen oxides, sulfur dioxides and coarse and fine particulates must utilise sampling and analysis methods in accordance with the requirements set out in condition M1.1 or use a predictive emissions monitoring system. A copy of this report must be forwarded to the EPA and WCC upon completion.

### M2 Noise

#### Noise Compliance Monitoring

M2.1 No later than three months after commissioning the ICP the applicant must implement a noise-monitoring program to confirm performance and to demonstrate whether they are complying with Condition L3.1, L3.2 and L3.3, and confirm the outcomes of the Noise Compliance Procedure condition O2.9. The program must include details on but need not be limited to the following:

- methodologies for noise monitoring;
- location of noise monitoring;
- frequency of noise monitoring; and
- recommended noise reduction strategies including a time frame for implementation to achieve compliance with noise planning goals if required.

M2.1.1 The applicant must prepare a report for submission to the EPA and WCC no later than eight months after commissioning on the findings of the program. The EPL may be varied subject to the findings and recommendations of the program.

*Note: The EPA may include the program referred to in condition M2 as a condition on the EPL.*

### M3 Recording of pollution complaints

M3.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M3.2 The record must include details of the following:

- (a) the date and time of the complaint;
- (b) the method by which the complaint was made;
- (c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- (d) the nature of the complaint;
- (e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- (f) if no action was taken by the licensee, the reasons why no action was taken.

M3.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M3.4 The record must be produced to any authorised officer of the EPA who asks to see them.

### M4 Telephone complaints line

M4.1 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint

M4.2 This condition does not apply until 3 months after this condition takes effect.

## REPORTING CONDITIONS

### R1 Annual Return documents

What documents must an Annual Return contain?

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- (a) a Statement of Compliance; and
- (b) a Monitoring and Complaints Summary.

R1.2 A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

### Period covered by Annual Return

R1.3 An Annual Return must be prepared in respect of each reporting period, except as provided below.

*Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.*

R1.4 Where this licence is transferred from the licensee to a new licensee,

- (a) the transferring licensee must prepare an annual return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- (b) the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

*Note: An application to transfer a licence must be made in the approved form for this purpose.*

R1.5 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on

- (a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- (b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

### Deadline for Annual Return

- R1.6 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

### Notification where actual load can not be calculated

- R1.7 Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date. The notification must specify:
- (a) the assessable pollutants for which the actual load could not be calculated; and
  - (b) the relevant circumstances that were beyond the control of the licensee.

### Licensee must retain copy of Annual Return

- R1.8 The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

### Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

- R1.9 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- (a) the licence holder; or
  - (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.
- R1.10 A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

### R2 Notification of environmental harm

- R2.1 Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

*Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.*

**R3 Written report**

**R3.1** Where an authorised officer of the EPA suspects on reasonable grounds that:

- (a) where this licence applies to premises, an event has occurred at the premises; or
- (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- (c) and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

**R3.2** The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

**R3.3** The request may require a report which includes any or all of the following information:

- (a) the cause, time and duration of the event;
- (b) the type, volume and concentration of every pollutant discharged as a result of the event;
- (c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
- (d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- (e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- (f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- (g) any other relevant matters.

**R3.4** The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

**R4 Notification to the EPA when specific activities occur**

**R4.1** The applicant must advise the EPA and WCC in writing at least 24 hours before the commencement and end of commissioning.

*Note: Advice from the applicant dated the 4 June 2002 indicates that commissioning is programmed to commence in July 2004 and be completed in September 2005.*

## GENERAL CONDITIONS

### G1 Environmental Awareness Training

- G1.1 All staff including contractors and subcontractors must be trained in environmental awareness and responsibility required under the POEO Licence both generally and specific to the applicant's activities. The training program must be developed and implemented prior to any works commencing at the site.

### G2 Contingency Planning

- G2.1 Prior to construction the applicant must document and implement measures to minimise the environmental impacts of any emergency situations that could arise at the Illawarra Cogeneration Plant. These measures must be implemented as programmed in the documentation. The documentation must:
- a) identify any threats to the environment and/or public health that could arise from the disruption of operations of the Plant. These threats may include fire, explosion, problems during construction and operation of the Plant, compromise in gas quality received at the ICP, pump failures, power or other utility failure, pipeline failure, natural disaster, accidental spills and discharges etc;
  - b) identify any subsequent direct or indirect environmental effects of disruption in the operation of the Plant may have on other operations at the premises;
  - c) identify the pollution that would result due to the disruption of operations and what impact the pollution would have on the health of the community and the environment;
  - d) identification of emergency alternative sources of cooling water in the event tertiary treated effluent (TTE) provided by Sydney Water is not available;
  - e) develop actions to effectively respond to the disruption of operations so the risk of pollution is minimised;
  - f) develop a communications strategy for alerting relevant agencies and the potentially affected community in the event of the disruption to operations leading to significant pollution;
  - g) ensure that all relevant employees are familiar with the documentation; and
  - h) when developing this documentation, identify opportunities to integrate with BHP emergency plans.

A review of the adequacy of these measures must be undertaken by a person with appropriate expertise and skills.

### **G3 Complaint Management Response System**

**G3.1** A complaint management response system must be developed and implemented to provide an immediate response to complaints from the community. A copy of this system must be forwarded to the EPA with the EPL application and to WCC. The system must incorporate but need not necessarily be limited to the following elements:

- a) A 24 hour complaint hot-line to receive complaints regarding the development;
- b) A procedure for immediate investigation of complaints;
- c) A database of complaints and responses/actions that is readily accessible to the community and regulatory authorities;
- d) A complaint verification procedure which correlates potential sources of noise, dust and odour with an operation or activity by assessing relevant meteorological data;
- e) A procedure for investigating the cause of any complaints including a communications protocol with any other industrial facilities within the BHP complex; and
- f) Providing feedback to the complainant, community and regulatory authorities on the outcomes of the investigations.

**G3.1.1** The applicant must consult with the EPA on the development of the system. The EPA may vary the EPL based on the information provided in the system.

### **G4 Copy Of License Kept At The Premises Or On The Vehicle Or Mobile Plant.**

**G4.1** A copy of this license must be kept at the premises or on the vehicle or mobile plant to which the license applies.

**G4.2** The license must be produced to any authorised officer of the EPA who asks to see it.

**G4.3** The license must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.

## **DEFINITIONS**

In these General Terms of Approval except in so far as the context or subject matter otherwise indicates or requires:

"Applicant" means Duke Energy International.

"Commissioning" means the commencement of the initial firing of the boilers and ends when the tuning of all boilers is completed. Commercial operation will follow the end of commissioning.

"dB(A)" means the units used to measure "A weighted" sound pressure levels. A-weighted is an adjustment made to sound level measurement to approximate the response to the human ear.

"EIS" means Environmental Impact Statement.

"EPA" means the NSW Environment Protection Authority.

"EPL" means Environment Protection Licence.

"GTA" means General Terms of Approval.

"ICP" means Illawarra Cogeneration Plant

"IDA" means Integrated Development Application.

"LAeq(15 minute)" means the equivalent continuous A weighted sound pressure level measured over a 15 minute period.

"L<sub>A1(1 minute)</sub>" means the sound pressure level that is exceeded for 1 per cent of the time when measured over a 1-minute period.

"m/s" means meters per second.

"m<sup>3</sup>/s" means meters cubed per second.

"°C" means degrees celcius.

"Kg/m<sup>3</sup>" means Kilogram per cubic meter

"g/s" means grams per second

"mm" means millimetres.

"mg/m" means milligrams per cubic meter.

"waste" has the same meaning as in the Protection of the Environment Operations Act 1997 and excludes gaseous wastes.

"Offensive odour" means odour

- (a) that, by reason of its strength, nature, duration, character or quality, or the time at which it emitted, or any other circumstances:
  - (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or



- (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or
- (b) that is of a strength, nature, duration, character or quality prescribed by the regulations or that is emitted at a time, or in other circumstances, prescribed by the regulations.

It is a defence in proceedings against a person for an offence against this section if the person establishes that:

- (a) the emission is identified in the relevant environment protection license as a potentially offensive odour and the odour was emitted in accordance with the conditions of the license directed at minimising the odour, or
- (b) the person affected by the odour were a person engaged in the management or operation of the premises.

A person who contravenes this section is guilty of an offence.

"POEO" means Protection of the Environment Operations Act 1997.

"Premises" means Lot 1 DP 606434 Springhill Road, Lot A DP 417095 and Lot 53 DP 652788 Old Port Road, Port Kembla.

"PRP" means Pollution Reduction Program.

"Steelworks Site" means all parts of the premises excluding the ICP site.

"WCC" means Wollongong City Council.

GENERAL TERMS OF APPROVAL FROM THE ENVIRONMENT  
PROTECTION AUTHORITY TO VARY ENVIRONMENT  
PROTECTION LICENCE (EPL) FOR BHP (AIS) STEELWORKS NO.  
6092 AS PART OF D767/01 FOR THE ILLAWARRA COGENERATION  
PLANT

ADMINISTRATIVE CONDITIONS

A1 Information supplied to the EPA

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

1. Development Application DA no. D767/01 submitted to Wollongong City Council on 23 May 2001
2. Environmental Impact Statement 'Illawarra Cogeneration Project Environmental Impact Statement Volume 1, and Volume 2 Appendices', May 2001 relating to the development;
3. 'Noise Impact Assessment' dated 12 July 2001 (Ref: SJS\1100\04.03\03670486)
4. 'Air Quality Impact Statement and Water Issues' dated 16 July 2001 (Ref: SJS\1100\04.03\003670494)
5. Duke Energy International 'Illawarra Cogeneration Project - Response to EPA Request for Information' Final July 2001 (Ref: 110307)
6. Proposed Environment Protection Licence for Duke Energy International ("DEI") Illawarra Cogeneration Project ("ICP") BHP Steelworks Site - Port Kembla (Ref: SJS\1100\04.07\003670305)
7. Technical Submission for the Illawarra Cogeneration Project for Duke Energy International Reference Number 003671752 dated 8/5/02
8. Correspondence from Duke Energy International to the EPA dated the 15/5/02 and 4/6/02
9. Report from Bridges Acoustics dated the 28/5/02 regarding the "Review of Noise Issues".
10. All other relevant correspondence in relation to the development.

The EPA also considered the public submissions received in relation to the proposed development.

A2 Separation of EPLs between the Licensee and Duke Energy International

The granting of a separate EPL to Duke Energy International for the development, would result in the EPA making consequential variations to BHP's existing EPL No. 6092 to exclude from that licence the premises otherwise described in the Duke licence.

### A3 Premises Identification

- A3.1 The application for an EPL variation must contain information clearly describing the premises in relation to the ICP. This information must consist of official documentation such as a copy of the development consent, lease agreement or a rates notice. A map titled "Premises Covered by EPL" defining premises by shaded areas can accompany the description. The map must be clear in terms of where responsibility of either DEI or BHP Steel starts and finishes, including structures such as pipe work etc.

*Note: DEI has advised the EPA that a new premises is to be created within the existing BHP Steel premises at Port Kembla. Section 56 of the POEO Act states:*

- a) The premises so specified are to be the whole of the premises at which the activities authorised or controlled by the licence (and ancillary activities) are carried on.*
- b) Premises may be so specified whether or not they comprise a single allotment of land.*

### A4 Right of Access

- A4.1 The Licensee must allow access for any EPA authorised officer at any time to the Duke Energy International premises.

## LIMIT CONDITIONS

- L1 Decommissioning of the No 1 Power House and Boilers at the No 2 Blower Station
- L1.1 The No 1 Power House and the boilers at the No 2 Blower Station must be decommissioned no later than 2 years after the commissioning of the ICP unless otherwise approved by the EPA.

### Gas Condensates or other waste waters from the ICP

- L2 Any gas condensates or other waste waters received from the ICP must be collected and directed to the BHP Coke Ovens or BOS wastewater treatment systems unless otherwise approved by the EPA.

## OPERATING CONDITIONS

### O1. Operational Phase

#### Operation - Water

- O1.1 The licensee must document measures which will be implemented to ensure the concentration limits at the EPL discharge points are not compromised as a result of the construction and operation of the ICP.

- O1.1.1 The licensee must prepare and submit a report to the EPA with the application for the EPL variation that documents the proposed measures and a timetable for their implementation. The EPL may be varied subject to the findings and recommendations of the program.

*Note: The EPA may include the program referred to in condition O1.1 and O1.1.1 as a PRP on the EPL.*

#### Operation – Air

##### Commissioning Plan

- O2.1 Within 6 months of issue of the EPL variation, the licensee shall in conjunction with Duke Energy International, develop a commissioning plan to the satisfaction of the EPA and WCC which will ensure that the combined emissions from the ICP, BHP Steel No. 1 Power House and BHP Steel No. 2 Blower Station will result in no additional exceedances of the EPA's environmental outcomes for air quality included in *NSW EPA, 2001, Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW*.

##### Mass Emissions of Pollutants from the BHP Premises

- O2.2 With an application for an EPL variation the licensee must provide information on loads of the pollutants detailed in following table discharged from the premises. This information is required to enable the EPA to set load limits for the total emission of these pollutants from the premises.

Pollutant
Coarse plus fine particulates
Nitrogen dioxide (NO <sub>2</sub> ) or nitric oxide (NO), or both as nitrogen dioxide (NO <sub>2</sub> )
Sulfur dioxide

*Note: The documentation must include existing loads of pollutants discharged from the premises separate from loads emitted from the ICP. The EPA will specify annual loads and limits for the above pollutants in the EPL.*

## GENERAL CONDITIONS

### G1 Contingency Planning

G1.1 Prior to construction the licensee must document and implement measures to minimise the environmental impacts of any emergency situations that could arise as a result of the construction and operation of the ICP which could impact BHP operations. The documentation must:

- a) identify any threats to the environment and/or public health that could arise from the disruption of operations of the ICP. These threats may include fire, explosion, problems during construction and operation of the Plant, compromise in steam supply from the ICP operations, a compromise in gas quality to the ICP, power or other utility failure, natural disaster, landslip, accidental spills and discharges etc;
- b) identify any subsequent direct or indirect environmental effects of disruption in the operation of the ICP may have on other operations at the BHP premises;
- c) identify the pollution that would result due to the disruption of operations and what impact the pollution would have on the health of the community and the environment.
- d) develop actions to effectively respond to the disruption of operations so the risk of pollution is minimised;
- e) develop a communications strategy for alerting relevant agencies and the potentially affected community in the event of the disruption to operations leading to significant pollution;
- f) ensure that all relevant employees are familiar with the documentation; and
- g) when developing this documentation, identify any opportunities to integrate with ICP emergency plans.

A review of the adequacy of these measures must be undertaken by a person with appropriate expertise and skills.

### Definitions

"Licensee" means BHP Steel (AIS) Pty Ltd

"EPL" means Environment Protection Licence Number 6092.

"EPA" means NSW Environment Protection Authority.

"ICP" means Illawarra Cogeneration Plant

"POEO" means The Protection of The Environment Operations Act

"WCC" means Wollongong City Council

## CONDITIONS IMPOSED BY COUNCIL AS PART OF THIS INTEGRATED DEVELOPMENT CONSENT

### BUILDING

- 1 All building work must be carried out in accordance with the provisions of the Building Code of Australia.

### CONSTRUCTION CERTIFICATES

- 2 A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing. A construction certificate certifies that the provisions of Clauses 79A-79H of the Environmental Planning and Assessment Amendment Regulations, 1998 have been satisfied, including compliance with the Building Code of Australia and conditions of Development Consent.

### INSPECTIONS/CERTIFICATION

- 3 Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:
  - a) appoint a **Principal Certifying Authority** and notify Council of the appointment (if Council is not appointed), and
  - b) notify Council of their intention to commence the erection of the building (at least 2 days notice is required).

The Principal Certifying Authority must determine when inspections and compliance certificates are required.

### CONSTRUCTION

- 4 To prevent any damage by wind uplift adequate fixing and bracing to be provided to roof structure to withstand the loading requirements of AS 1170.1 & AS 1170.2.
- 5 These plans should be presented to Integral Energy and the Sydney Water for their specific requirements.
- 6 Prior to any work commencing on the site it is the responsibility of the owner to contact Workcover Authority in writing in respect to any demolition or use of any crane, hoist, plant or scaffolding.

### SITE MANAGEMENT

- 7 Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:
  - a) does not spill onto the road pavement; and,
  - b) is not placed in drainage lines or water courses, and cannot be washed into these areas.

If soil or other materials are spilled accidentally onto the road or gutter, they must be removed prior to the completion of the day's work.

- 8 Temporary sediment fences (eg. haybales or geotextile fabric) must be installed on the site prior to excavation in accordance with Council's Guidelines. Upon completion of the development, sediment fencing is to remain until the yard is grassed or alternatively, a 2 metre strip of turf is provided along the lower boundaries.
- 9 Sediment traps must be installed on site around all affected stormwater inlets and drainage lines in accordance with Council's Guidelines. All sediment control measures are to be maintained until the site has been rehabilitated (i.e. landscaping established).
- 10 The applicant must provide an adequate receptacle to store all waste generated by the development pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and reusable materials.
- 11 The warning sign for soil and water management must be displayed in a prominent position on the building site that is visible from both inside and outside the Illawarra Cogeneration Plant site and at construction laydown areas. The sign must be displayed throughout the construction period and shall read: Warning: Fine *"It is illegal to allow soil, cement slurry or other building materials to be pumped, drained or placed in a position where they are likely to enter the stormwater system or natural watercourse"*.
- 12 Failure to provide and maintain sediment control measures can result in water pollution. Council officers are authorised to issue on-the-spot fines of up to \$1500 for offences under the Protection Of The Environmental Operations Act 1997.
- 13 Drains, gutters, access ways and roadways must be maintained free of sediment and any other material. Gutters and roadways must be swept/scraped regularly to maintain them in a clean state.
- 14 Building operations such as brick cutting, the washing of tools or paint brushes, or other equipment and the mixing of mortar must not be carried out on the roadway or public footpath or any other locations which could lead to the discharge of materials into the stormwater drainage system or natural watercourse.

#### ACCESS AND EGRESS

- 15 A required exit must have an unobstructed height throughout of no less than 2 metres and the minimum width (except for doorways) must be not less than 1 metre. (D1.6)

- 16 Every doorway serving as a required exit from a storey or leading to or forming part of a required exit or path of travel to an exit must have a clear opening of not less than 2m in height and not less than 750 mm in width.
- 17 Doors serving as or forming part of a required exit must be readily openable without a key, and by means of a single handed action on a single device which is located between 900 mm and 1200 mm above the floor and does not comprise a bolt or a padlock or a separately operated deadlock from the side that would face any person seeking egress from the building.(D2.21)

## STORMWATER MANAGEMENT

- 18 A detailed flood study prepared by a qualified engineer must be submitted prior to the release of the Construction Certificate. The flood study must investigate and confirm the likely 1 in 100 year and PMF level at the proposed Illawarra Cogeneration Plant site. The results will then be used to set the floor level of the proposed buildings at either 0.5 m above the 1 in 100 year flood level or at the PMF level, whichever is the greater.
- 19 The applicant must design and construct parking area levels to limit the 1 in 100 year ARI flood flow velocity and depth to within the limits specified in Appendix B of the Floodplain Development Manual published by the New South Wales Government.
- 20 The applicant must provide overflow paths to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1 in 100 year ARI events and/or the Probable Maximum Flood event with unblocked pipes must also be incorporated in the design. Overflow paths must also be provided in low points and depressions.
- 21 The applicant must ascertain the depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, etc) and account for these in the preparation of the working drawings to be submitted.
- 22 Note: The applicant is advised that under existing circumstances and during prolonged rainfall events, flooding of the site may occur and it is in the applicant's interests to take all necessary precautions to minimise the risk of property loss and/or damage.



- 23 The applicant must obtain written verification from a suitably qualified civil engineer, stating that all stormwater drainage and related work has been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans must include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels. This information must be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate and use of the development.
- 24 Prior to construction, the applicant must prepare a detailed Stormwater Management Plan for the site, which has been prepared in consultation with the Environment Protection Authority and Council, to mitigate the impacts of stormwater runoff from the development and its operations. The plan should be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared for the catchment, the Plan should be consistent with the guidance contained in "Managing Urban Stormwater: Council Handbook" (available from the Environment Protection Authority). The Plan must be submitted for approval as part of the Environmental Management Plan – Construction and Commissioning Phases.

#### EROSION AND SEDIMENT CONTROL

- 25 The applicant must prepare an Erosion and Sediment Control Plan which describes the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction of the Illawarra Cogeneration Plant. The document should be prepared in accordance with the requirements outlined in *Managing Urban Stormwater: Soils and Construction* (available from Department of Housing).

#### SOIL REMEDIATION

- 26 The applicant must submit a report to the satisfaction of Council, incorporating an assessment of contamination of any soils proposed to be excavated as part of the development. Should this assessment indicate that remediation of soils is required, the applicant must prepare and implement a Remedial Action Plan for the development. This plan must:
- be prepared by a suitably qualified and experienced person;
  - be prepared in accordance with the EPA's Guidelines for Consultants Reporting on Contaminated Sites;
  - consider the potential for on site landfarming as opposed to off site disposal of any contaminated soils;
  - describe the proposed remediation works in detail;
  - outline the proposed remediation work program;

- identify the relevant statutory approvals and requirements for this work;
- specify standards and/or performance measures for the work;
- describe what actions and measures will be implemented to minimise any potential impacts associated with the remediation works, and ensure that these works will comply with the specified standards and performance measures;
- describe how the environmental performance of the works will be monitored, and what actions will be implemented if any non-compliance is detected;
- describe how the completed remediation works will be evaluated and validated; and
- describe the role, responsibility, authority, accountability and reporting arrangements of key personnel involved in the program.

The applicant must not carry out any remediation work on the site before the Remedial Action Plan has been approved by Council.

## LANDSCAPING

- 27 The applicant must submit a Landscape Masterplan as detailed in Wollongong City Council Draft Landscape Code for the Illawarra Cogeneration Plant site. The Masterplan must be prepared prior to the issue of the Construction Certificate.
- 28 The Illawarra Cogeneration Plant must not be used until a Landscape Compliance Certificate, issued by Council or an Accredited Landscape Certifier, is submitted to the Principle Certifying Authority. The Certificate must state that the completed works have been constructed in accordance with the approved Landscape Concept Plan, Landscape Conditions and Landscape Masterplan.
- 29 The applicant must submit prior to the issue of the Construction Certificate a report from the Drainage Consultant and Landscape Designer that the Landscape Masterplan and the Drainage Plan are compatible.
- 30 The applicant must implement a Landscape Maintenance Programme for a minimum period of 6 months from the issue of the Landscape Compliance certificate. This is to ensure that all landscape work becomes well established by regular maintenance. Council will not release the Bank Guarantee until a Landscape Maintenance Certificate, issued by Council or an Accredited Landscape Certifier, is submitted to Council. The Certificate must state that the works have been maintained so that all works stated in the Landscape Conditions and shown on the approved Landscape Concept Plan and Landscape Masterplan are well established.

- 31 No alteration is allowed to the approved Landscape Concept Plan or Landscape Masterplan without an amended Development Application. The applicant may substitute plant species if they are not commercially available with the consent of the Landscape Designer.
- 32 The applicant must provide a common tap/taps/irrigation system to permit all landscape works to be adequately watered. Location of common taps must be indicated on the landscape masterplan for the Construction Certificate as detailed in the Wollongong City Council Draft Landscape Code.

#### DESIGN AND LIGHTING

- 33 The colours and materials used in the proposed Illawarra Cogeneration Plant must be in accordance with the BHP Environmental Improvement Program - Masterplan for the Steelworks Site.
- 34 The applicant must ensure that any external lighting associated with the Illawarra Cogeneration Plant is mounted, screened and directed in such a manner so as to not cause a nuisance to land uses surrounding the Steelworks site or motorists on adjoining or nearby roads. The lighting must be the minimum level of illumination necessary.

#### ROADS AND TRAFFIC

- 35 The applicant must prepare a Traffic Management Plan incorporating all the points outlined in Table 10.1 pages 10.6 and 10.7 of the Environmental Impact Statement. The Traffic Management Plan must also include:
- the number of vehicles parking in the northern and southern parking areas;
  - a plan showing the routes for all heavy vehicle traffic during the construction and operation of the plant;
  - a plan of each car parking area and laydown areas, clearly showing the delineation of car parking spaces and the separation from the laydown areas, access points and gates to the site.

#### SOUTHERN LAYDOWN AREA

- 36 The southern laydown area must be adequately sealed and finished to prevent wind blown dust causing pollution problems.
- 37 The car parking area must have parking designed in accordance with Australian Standard 2890.1 Parking Facilities – Off Street Car Parking.
- 38 Goods and/or waste or extraneous material must not be stored in the vehicular manoeuvring and parking areas. Those areas must be kept clear at all times for the free movement of vehicles.

- 39 With the exception of garbage and recycling collection vehicles, the applicant must not permit the reversing of vehicles onto or away from the road reserve at the southern laydown area. All vehicles must be driven forward onto and away from the site and adequate space must be provided and maintained on the land to permit all vehicles to turn in accordance with Australian Standard 2890.1 Parking Facilities – Off Street Car Parking.
- 40 The loading and/or unloading of all goods and materials used in conjunction with the Illawarra Cogeneration Plant at the southern laydown area must take place only on the land.
- 41 The applicant must erect and maintain signs indicating the entrance and exit crossings and must mark directional arrows on the pavement indicating vehicle movement in the southern laydown area. The sign must be so erected as to be clearly legible by persons using the adjoining road or entering or leaving the land. Signs must –
- (a) be rectangular in shape, having dimensions of 0.45 metres in width and 0.6 metres in height;
  - (b) be two-sided and contain only the word IN or OUT together with a directional arrow indicating the direction of movement;
  - (c) have lettering and directional arrows coloured black and the background coloured white;
  - (d) be reflectorised; and
  - (e) no part of the sign is to stand at a height greater than 1.2 metres above pavement level.

## HAZARD AND RISK MANAGEMENT

### Pre-Construction Studies

- 42 At least one month prior to the commencement of the construction of the Illawarra Cogeneration Plant (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Director-General may agree, the applicant must prepare and submit for the approval of the Director-General the studies set out under subsections (a) to (d) (the pre-construction studies). Construction, other than of preliminary works, must not commence until approval has been given by the Director-General and, with respect to the fire safety study, approval has also been given by the Commissioner of the NSW Fire Brigades.

(a) Fire Safety Study

A Fire Safety Study for the proposed Illawarra Cogeneration Plant. This study must cover all aspects detailed in the Department of Planning's Hazardous Industry Planning Advisory Paper No. 2, "Fire Safety Study Guidelines". The study must also be submitted for approval, to the NSW Fire Brigades.

(b) Hazard and Operability Study

A Hazard and Operability Study for the proposed Illawarra Cogeneration Plant by an independent qualified person approved by the Director-General prior to the commencement of the study. The study must be carried out in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 8, "HAZOP Guidelines".

The study should, in particular, address the emergency shutdown scenarios for the various parts of the system, such as the gas trains and the resulting diversion of the excess gases safely to the flare. The adequacy of the flare to handle the maximum gas load under a worst case failure scenario of the boilers should also be evaluated.

(c) Final Hazard Analysis

A final Hazard Analysis of the proposed Illawarra Cogeneration Plant. The analysis should be prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 6, "Guidelines for Hazard Analysis".

In particular, the analysis should consider the effect of a lightning strike on the gasholder and recommend a comprehensive lightning protection system.

(d) Construction Safety Study

A Construction Safety Study prepared in accordance with Hazardous Industry Planning Advisory Paper No. 7, "Construction Safety Study Guidelines". For projects in which the construction period exceeds six (6) months, the commissioning portion of the Construction Safety Study may be submitted two months prior to the commencement of commissioning.

### Pre-Commissioning Studies

- 43 No later than two months prior to the commencement of the proposed Illawarra Cogeneration Plant, or within such further period as the Director-General may agree, the applicant must prepare and submit for the approval of the Director-General the studies set out under subsections (a) and (b) (the pre-commissioning studies). Commissioning must not commence until approval has been given by the Director-General.

(a) Emergency Plan

A comprehensive emergency plan and detailed emergency procedures for the proposed development. This plan must include detailed procedures for the safety of all people outside of the Illawarra Cogeneration Plant who may be at risk from the Illawarra Cogeneration Plant. The plan must be in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1, "Industry Emergency Planning Guidelines".

(b) Safety Management System

A document setting out a comprehensive safety management system, covering all operations on-site and associated transport activities involving hazardous materials. The document must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. Records must be kept on-site and must be available for inspection by the Director-General upon request. The Safety Management System must be developed in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 9, "Safety Management".

The Safety Management System should detail the testing and maintenance systems for the safe shutdown and also the lightning protection system for the gas holder.

**Compliance Reports**

- 44 One month prior to the commencement of operation of the Illawarra Cogeneration Plant, the applicant must submit to Council, a compliance report detailing compliance with conditions 42 and 43, including:
- (a) dates of study submission, approval, commencement of construction and commissioning;
  - (b) actions taken or proposed, to implement recommendations made in the studies; and
  - (c) responses to each requirement imposed by the Director-General under condition 46.

## Hazard Audit

- 45 Twelve months after the commencement of operations of the proposed Illawarra Cogeneration Plant, or within such further period as the Director-General may agree, the applicant must carry out a comprehensive hazard audit of the proposed plant and within one month of the audit submit a report to the Director-General. The audit must be carried out at the applicant's expense by a duly qualified independent person or team approved by the Director-General prior to commencement of the audit. Further audits must be carried out every three years or as determined by the Director-General and a report of each audit must within a month of the audit be submitted to the Director-General. Hazard audits must be carried out in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 5, "Hazard Audit Guidelines".

The audit must include a review of the site safety management system and a review of all entries made in the incident register since the previous audit.

## Further Requirements

- 46 The applicant must comply with all reasonable requirements of the Director-General in respect of the implementation of any measures arising from the reports submitted in respect of conditions 42 to 45 inclusive, within such time as the Director-General may agree.

*Note: Reference to the Director-General should be read as Director General of the Department of Planning or nominee.*

## ENVIRONMENTAL MANAGEMENT PLANS

### Environmental Management Plan – Construction and Commissioning Phases

- 47 The applicant must prepare and implement an Environmental Management Plan - Construction and Commissioning Phase for the Illawarra Cogeneration Plant. This plan must:
- a) describe the proposed construction works;
  - b) outline the proposed work program;
  - c) identify all the relevant statutory requirements and conditions of consent that apply to the construction phase of the development;
  - d) set standards and performance measures for each of the relevant environmental matters associated with the construction work;
  - e) describe what actions and measures will be implemented to mitigate the potential impacts of the construction works, and to ensure that these works will comply with the relevant standards and performance measures;
  - f) explain how the environment performance of the construction works will be monitored, and what actions will taken if any non compliance is detected;

- g) describe the role, responsibility, authority, accountability, and reporting of key personnel involved in the construction of the development ; and
- h) describe training and environmental awareness procedures.
- i) the Environmental Management Plan must include:
  - Effluent Quality Management Plan.
  - Soil and Water Management Plan.
  - Noise and Vibration Management Plan.
  - Air Quality Management Plan (Dust, Odour).
  - Traffic/Access Management Plan.
  - Visual, Landscaping and Rehabilitation Plan.
  - Hazards and Risk Management Plan.
  - Waste and Energy Management Plan.
  - Communication Plan, including internal and external communication and community consultation.
  - Checking and Corrective Action including:
    - Monitoring and Measurement
    - Environmental Monitoring Quality Assurance Plan
    - Non-conformance and Corrective and Preventative Action
    - Compliance and Verification Reporting
    - Environmental Management Plan Auditing.
  - Contingency Plan.

No construction work may occur on any aspect of the proposal before the Construction and Commissioning Plan for that particular aspect of the development has been approved by Council.

The applicant must ensure that a copy of the Environmental Management Plan – Construction and Commissioning Phase is submitted to Council and the EPA and is publicly available.

#### Environmental Management Plan – Operational Phase

- 48 The applicant must prepare and implement an Environmental Management Plan – Operational Phase for all operations at the site. This plan must:
- a) describe the proposed operations;
  - b) identify all the relevant statutory requirements that apply to the operation of the development;
  - c) set standards and performance measures for each of the relevant environmental issues;
  - d) describe what actions and measures will be implemented to mitigate the potential impacts of the development, and to ensure that the development meets these standards and performance measures;
  - e) describe what measures and procedures will be implemented to:
    - register and respond to complaints;



- ensure the operational health and safety of the workers; and
  - respond to potential emergencies, such as plant failure;
- f) describe the role, responsibility, authority, and accountability of all the key personnel involved in the operation of the development;
- h) the Environmental Management Plan must include:
- Effluent Quality Management Plan.
  - Soil and Water Management Plan.
  - Noise and Vibration Management Plan.
  - Air Quality Management Plan (Dust, Odour).
  - Traffic/Access Management Plan.
  - Visual, Landscaping and Rehabilitation Plan.
  - Hazards and Risk Management Plan.
  - Waste and Energy Management Plan.
  - Communication Plan, including internal and external communication and community consultation.
  - Checking and Corrective Action including:
    - Monitoring and Measurement
    - Environmental Monitoring Quality Assurance Plan
    - Non-conformance and Corrective and Preventative Action
    - Compliance and Verification Reporting
    - Environmental Management Plan Auditing.
  - Contingency Plan.

The Environmental Management Plan - Operational Phase must be approved by Council before the Illawarra Cogeneration Plant may be commissioned.

The applicant must ensure that a copy of the Environmental Management Plan Operational Phase is submitted to Council and the EPA and is publicly available.

#### **Annual Environmental Management Report**

- 49 Twelve months after commissioning the Illawarra Cogeneration Plant, and annually thereafter for the duration of the development, the applicant must submit an Annual Environmental Management Report to the EPA and Council. This report must:
- a) identify all the standards, performance measures, and statutory requirements the development is required to comply with;
  - b) review the environmental performance of the development to determine whether it is complying with these standards, performance measures, and statutory requirements;
  - c) identify all the occasions during the previous year when these standards, performance measures, and statutory requirements have not been complied with;

- d) include a summary of any complaints made about the development, and indicate what actions were taken (or are being taken) to address these complaints;
- e) include the detailed reporting from the Environmental Monitoring Program and identify any trends in the monitoring over the life of the project; and
- f) where non-compliance is occurring, describe what actions are or will be taken to ensure compliance, who will be responsible for carrying out these actions, and when these actions will be implemented.

After reviewing the Annual Environmental Management Report, Council or the EPA may require the applicant to address certain matters identified in the report. The applicant must comply with any reasonable requirements of the Council and the EPA.

#### BANK GUARANTEE

- 50 The applicant must comply with all conditions of this consent and carry out all works described in the development application, at the expense of the applicant. The applicant must deliver to the Council an unconditional bank guarantee for the amount of \$10,000 to secure performance of those works and conditions. Delivery of that Bank Guarantee must be made prior to the issue of the Construction Certificate. The guarantee will be released by the Council upon completion of the Illawarra Cogeneration Plant, and in respect of development involving landscape works, after a 6 month period from the completion of the landscaping to ensure sufficient establishment of those works upon application being made to Council in writing. In the event of default by the applicant, Council will convert the Bank Guarantee to cash.

The reasons for the imposition of the conditions are -

- 1 To minimise any likely adverse environmental impact of the proposed development.
- 2 To ensure the protection of the amenity and character of land adjoining and in the locality.
- 3 To ensure the proposed development complies with the provisions of Environmental Planning Instruments and Council's Codes and Policies.
- 4 To ensure the development does not conflict with the public interest.

## ENDORSEMENT OF DATE OF CONSENT

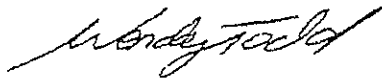
9 AUGUST 2002

### NOTES:

- 1 This consent becomes effective and operates from the date shown as "Endorsement of date of consent" on this notice.
- 2 This consent will lapse unless development is commenced within two years (three years with the approval of Council) from the date shown as "Endorsement of date of consent" on this notice.
- 3 Section 97 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court exercisable within twelve months from the date of receipt of this notice.
- 4 The holder of a development consent must also hold a current Construction Certificate under the provisions of the Environmental Planning and Assessment Act, 1979.
- 5 Where the consent is for building work or subdivision work, no temporary buildings may be placed on the site and no site excavation, filling, removal of trees or other site preparation may be carried out prior to the issue of a Construction Certificate and appointment of a Principal Certifying Authority.
- 6 A Tree Management Order has been proclaimed in the City of Wollongong. Under this order, no tree on the land the subject of this approval may be ringbarked, cut down, topped, lopped or wilfully destroyed except with the prior consent of Council which may be given subject to such conditions as Council considers appropriate. However, unless specified otherwise in this consent, those trees which are specifically designated to be removed on the plans approved under this consent or are within 3 metres of an approved building footprint may be removed, provided that a Construction Certificate has been issued for the development the subject of this consent and a Principal Certifying Authority appointed and the required Bank Guarantees have been lodged with Council.

- 7 The proposed Illawarra Cogeneration Plant will result in the decommissioning of the No. 1 Power Plant and the boilers at No. 2 Blower Station. A heritage assessment of each of these plants must be undertaken prior to decommissioning and submitted to Council. The future of the Power Plant and Blower Station cannot be determined until this assessment is completed.
- 8 A heritage assessment of the No. 4 Blast Furnace must be undertaken prior to the demolition of the structure, and submitted to Council.

Yours faithfully



Wendy Todd  
Development Project Officer  
*Wollongong City Council*  
Direct Line (02) 4227 7314

Encl