

Modification of Minister's Approval

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

I, the Director of Infrastructure Projects, Major Project Assessments Division of the Department of Planning, in accordance with the Instrument of Delegation issued by the Minister for Planning, on 25 January 2010, pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* determine the modification to the approval referred to in Schedule 1 in the manner set out in Schedule 2.



Scott Jeffries
Director
Infrastructure Projects
As delegate for the Minister for Planning

Sydney

1 June

2010

File No: 9039738

SCHEDULE 1

Project Approval:

granted by the Minister for Planning on 29 October 2008.

For the following:

Approval of the Stage 2 project, involving:

- the conversion of the (Stage 1) open cycle gas-fired power station (project approval 06_0029) into a combined-cycle gas-fired power station, including the use of the transmission line and gas pipeline constructed as part of Stage 1; and
- the construction and operation of water pipeline infrastructure to cater for Stage 1 and Stage 2, as required.

Concept Approval:

The project is the second stage of the approved concept plan for the Bamarang Gas Turbine Power Facility (06_0029).

Major Project:

The project is part of the Bamarang Gas Power Facility, which was declared a Major Project under section 75B(1)(a) of the *Environmental Planning and Assessment Act 1979*, because it is development of a kind described in clause 24 of Schedule 1 of *State Environmental Planning Policy (Major Projects) 2005*.

Modification:

Delta Electricity has sought a modification to the Bamarang Gas-fired Power Station Concept Plan Approval (MP 06_0029) and Stage 2 Project Approval (MP 08_0021) to expand the Stage 2 combined cycle (base load) power station from approximately 400 to approximately 450 megawatts.

SCHEDULE 2

The Approval is modified by:

1. Replacing existing condition 1.1 e) with the following:

- 1.1e) Application to Modify a Project Approval, MP08_0021 (Stage 2 Project) MOD 1, accompanied by *Proposed Gas Power Facility at Bamarang: Application to Modify the Project Approval – Section 75W Environmental Assessment*, prepared by GHD Pty Ltd for Delta Electricity and dated September 2009;
- f) *Response to Submissions*, prepared by Delta Electricity and dated 8 March 2010, accompanied by *Proposed Gas Turbine Power Station, Bamarang: Addendum to Air Quality Impact Assessment and Plume Rise Assessment*, prepared by Heggies Pty Ltd for GHD Pty Ltd, dated 5 March 2010;
- g) *Proposed Gas Turbine Power Station, Bamarang: Addendum to Air Quality Impact Assessment and Plume Rise Assessment*, prepared by Heggies Pty Ltd for GHD Pty Ltd, dated 31 March 2010; and
- h) the conditions of this approval.

2. Replacing existing condition 1.2 with new condition 1.2 as follows:

- 1.2 In the event of an inconsistency between:
 - a) the conditions of this approval and any document listed from condition 1.1a) and 1.1c) inclusive and 1.1e) and 1.1g) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
 - b) any document listed from condition 1.1a) and 1.1c) inclusive and 1.1e) and 1.1g) inclusive, and any other document listed from condition 1.1a) and 1.1c) inclusive and 1.1e) and 1.1g) inclusive, the most recent document shall prevail to the extent of the inconsistency.

3. Replacing existing condition 1.6 with new condition 1.6 as follows:

- 1.6 The project shall comprise two heat recovery steam generators and one steam turbine with a total nominal output capacity of approximately 450 megawatts.

4. Replacing existing condition 2.21 with new condition 2.21 as follows:

2.21 *Aviation Hazards*

Prior to the commissioning of the project, the Proponent shall consult with the DoD, the Civil Aviation Safety Authority and Air Services, including seeking any necessary approval(s) from these agencies, with respect to the management of aviation hazards (particularly the operations at HMAS Albatross). Consultation with the DoD, Civil Aviation Safety Authority and Air Services shall include, but not necessarily be limited to resolution of the following issues to the satisfaction of these agencies:

- a) updates to and notations on flight plans, maps and other relevant documentation to identify the project as a potential aviation hazard;
- b) on-going consultation and notification requirements between the Proponent, the DoD, Civil Aviation Safety Authority and Air Services, where relevant, particularly in relation to the hours, modes and durations of commissioning and operational phases of the project; and
- c) such other matters as the parties may consider relevant.

5. Replacing existing condition 5.4 c) vi) with new condition 5.4 c) vi) as follows:

- 5.4 c) vi) details of all management methods and procedures that will be implemented to control individual and overall noise emissions from the site, including a description of the determined sound power levels of operational plant and equipment to ascertain compliance with the noise goals specified under this approval;