

# Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, under delegation executed on 26 April 2021, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Joanna Bakopanos  
**A/Director**  
**Industry Assessment**

Sydney

13 May 2021

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## SCHEDULE 1

### Approval

**Application Number:** 08\_0129 granted by the then Minister for Planning on 1 December 2009

**For the following:** Orica Ammonium Nitrate Expansion Project

### Modification 4

**Modification Application:** 08\_0129-Mod-4

Modification to install Nitrate Effluent Tank

**Applicant:** Orica Australia Pty Ltd

**Consent Authority:** Minister for Planning and Public Spaces

**The Land:** 15 Greenleaf Road, Lot 3 in DP 234288, Kooragang Island, Newcastle

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## SCHEDULE 2

This consent is modified as follows:

### In the definitions

1. Delete the following definitions:

EA (MOD 1)  
EA (MOD 2)  
EA (MOD 3)  
MOD 1  
MOD 2  
MOD 3

2. In the definition for 'Project' delete the words ', EA (MOD 1), EA (MOD 2) and EA (MOD 3)' and replace with ' and Modification Assessments'.
3. Insert the following definition in alphabetical order:

Modification Assessments

The document assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification requests or applications made under the EP&A Act:

- MOD 1 - Environmental Assessment titled *Kooragang Island Facility Uprate Modification Request*, dated 20 April 2011, and the associated response to submissions titled *Response to Submissions: Orica Modification 1*, dated 22 July 2011, prepared by AECOM
- MOD 2 - Environmental Assessment titled *Kooragang Island Modification Request Environmental Assessment* dated 13 November 2013, and the associated response to submissions titled *Response to Submissions Report* dated 10 February 2014, prepared by AECOM
- MOD 3 - Environmental Assessment titled *Orica Kooragang Island Ammonia Production Limit Increase* dated 28 April 2015 prepared by AECOM, and the associated response to submissions titled *Response to Submissions Report* dated 6 October 2015, prepared by Orica
- MOD 4 - Statement of Environmental Effects titled *Project Approval 08\_0129 Orica Kooragang Island: Modification Application – MOD 4 Nitrates Effluent Pond Replacement Project*, dated March 2021 prepared by Orica and the associated response to request for information, dated 16 April 2021, prepared by Orica

## **In Schedule 2: Administrative Conditions**

4. Delete Condition 2 and replace with the following:
  2. The Proponent shall carry out the Project in accordance with the:
    - a) EA;
    - b) Modification Assessments;
    - c) Site Layout Plans (Appendices A, B and E); and
    - d) Statement of Commitments for the Project (Appendices C and D).

## **In Schedule 4: Environmental Management, Reporting and Auditing**

5. In Condition 50(e), delete the words ', EA (MOD 1), EA (MOD 2) and, EA (MOD 3)' and replace with ' and Modification Assessments'.
6. In Condition 53(a), delete the words ', EA (MOD 1), EA (MOD 2) and, EA (MOD 3)' and replace with ' and Modification Assessments'.

## **In the Appendices**

7. Insert Appendix E after Appendix D titled 'Site Layout Plans' as shown in Appendix 1 of this modifying instrument.

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**Appendix 1:**

**APPENDIX E:  
SITE LAYOUT PLANS**

<b>Job No.</b>	<b>Drawing No.</b>	<b>Rev.</b>	<b>Date</b>	<b>Title</b>
PR000631	211004-00035-PI-DSK-0003	B	09/03/2021	Nitrate Effluent Tank Storage Tank 15-74F66 Elevations of Tank and Ancillary Piping
PR000631	211004-00035-PI-DSK-0001	C	09/03/2021	Nitrate Effluent Tank Storage Tank 15-74F66 General Arrangement, Tank, Tie-In Points and Ancillary Piping

**End of modification  
(08\_0129-Mod-4)**