

Modification of Minister's Approval

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

As delegate for the Minister for Planning under delegation executed on 14 September 2011, the Planning Assessment Commission (the Commission) of New South Wales, approves the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

Member of the Commission

Member of the Commission

Sydney

2017

File: 17/03540

SCHEDULE 1

Development Consent (DA 154-05-00) granted by the former Minister for Planning on 10 August 2000 for the Pulverised Coal Injection Facility at the BlueScope Steelworks, Port Kembla in the Wollongong local government area.

SCHEDULE 2

In Schedule 2 of DA 154-05-00

This consent is modified as follows:

1. Delete the definitions for "The Department", "The Minister", "The Director-General", "DECC" and insert the following definitions in alphabetical order:

Department	Department of Planning and Environment or its successors
EPA	Environment Protection Authority
Minister	Minister for Planning
MOD 3	Modification request DA 154-05-00 MOD 3, accompanied by the letter dated 24 February 2017 from BlueScope Steel
Secretary	Secretary of the Department of Planning and Environment, or nominee

2. Delete all references to "Director-General" and replace with "Secretary".
3. Delete all references to "DECC" and replace with "EPA".
4. In Condition 1 e), delete the word "and" after the semicolon.
5. In Condition 1 f), delete the period after the word "consent" and replace with "; and".
6. Insert new Condition 1 g) as follows:
 - 1 g) MOD 3.

7. Delete Condition 2 and replace with new Condition 2 as follows:
- 2) If there is any inconsistency between the above documents in Condition 1, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.
8. Delete Condition 19.
9. Insert new Condition 20A, after Condition 20 as follows:
- 20A) Feed coal sourced from locations other than Baal Bone Colliery, Clarence Colliery and Westcliff Colliery must be transported to the Steelworks by rail or ship, unless otherwise agreed to by the Secretary.
10. Delete Conditions 68 and replace with new Condition 68 as follows:
- 68) By 30 September 2019, and every three years thereafter, unless otherwise agreed to by the Secretary, the Applicant shall review and submit an Environmental Monitoring Report to the Secretary detailing the environmental performance of the PCI Facility to the satisfaction of the Secretary. This review must:
- a) describe the development that was carried out during the reporting period and the development that is proposed to be carried out during the next reporting period;
 - b) include a comprehensive review of the monitoring results and complaints records of the PCI Facility during the reporting period, which includes a comparison of these results against the:
 - (i) relevant statutory requirements, limits or performance measures/criteria;
 - (ii) requirements of any plan or program required under this consent, including but not limited to the following:
 - Plant Capacity Monitoring Program;
 - Coal Monitoring Program;
 - Operational Noise Monitoring Program;
 - Air Quality Monitoring Program;
 - Dust Management Plan;
 - Blowdown Monitoring Program; and
 - Stormwater Management Plan;
 - (iii) monitoring results of previous years; and
 - (iv) relevant predictions in the SEE and any modification documentation;
 - c) include data analysis of any new source coal(s) used in the PCI Facility over the previous reporting period;
 - d) identify any non-compliance during the reporting period and describe what actions were (or are being) taken to ensure compliance;
 - e) identify any trends in the monitoring data over the life of the PCI Facility;
 - f) identify any discrepancies between the predicted and actual impacts of the PCI Facility, and analyse the potential cause; and
 - g) describe what measures will be implemented during the reporting period to improve the environmental performance of the PCI Facility.
11. Delete Condition 69 and replace with new Condition 69 as follows:
- 69) After reviewing the report submitted under Condition 68, the Secretary may require the Applicant to address certain matters identified in the report. The Applicant must comply with any reasonable requirements of the Secretary.