

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, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Stephen O'Donoghue
Director
Resource Assessments

Sydney

30 April 2024

SCHEDULE 1

Development consent: MP05_0195 granted by the Minister for Planning on 31 July 2006
For the following: Colongra Power Station
Applicant: Snowy Hydro Limited
Modification: Modification 5 – Temporary Diesel Storage Tanks

SCHEDULE 2

1. In the list of definitions:
 - a. Delete the following terminology and its respective definition:
 - i. DEC;
 - ii. Director General, the
 - iii. Director General's Approval;
 - iv. Director General's Report; and
 - v. Submission report.
 - b. Insert, in alphabetic order: "

AEMO	Australian Energy Market Operator
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance
Non-compliance	An occurrence, set of circumstances or development that is a breach of this approval
Planning Secretary	Secretary under the EP&A Act, or nominee
TfNSW	Transport for NSW"
 - c. Delete the definition of "Council" and replace with "Central Coast Council";
 - d. Delete the definition of "Department" and replace with "Department of Planning, Housing and Infrastructure";

- e. In the definition of EA, after “December 2005” insert: “and Munmorah Gas Turbine Facility, Submissions Report, prepared by Parsons Brinckerhoff Australia Pty Ltd and dated May 2006;
Munmorah Gas Turbine Facility Supporting Information for Section 75W Application (dated February 2007);
Colongra Lateral Pipeline Project – Request for modification of Ministers Approval regarding construction hours (dated October 2008);
Request to Modify a Major Project or Concept Project (dated November 2013);
Colongra Power Station Planning Approval Administrative Modification (dated June 2022);
Colongra Power Station Temporary Diesel Storage Capacity Increase (05_0195) (dated January 2024) and additional information dated 4 April 2024;”
 - f. At the end of the definition of Minister insert: “and Public Spaces, or delegate”
 - g. Delete the definition of Proponent and replace with “Snowy Hydro Limited, or any person who seeks to carry out the project approved under this approval”
2. Replace all instances of “shall” with “must” except for in conditions 1.2, 1.3, 1.5, 1.10, 2.7, 2.11, 2.13, 2.24 and 2.28.
 3. Replace all instances of “DEC” with “EPA”;
 4. Replace all instances of “Director General” with “Planning Secretary”;
 5. Replace all instances of “the RTA” and “the Roads and Traffic Authority” with “TfNSW”
 6. In condition 1.1 delete “generally in accordance with the”
 7. In condition 1.1, delete (a), (b), (c) and (e) and replace with:
 - a) in compliance with the conditions of this approval;
 - b) in accordance with all written directions of the Planning Secretary;
 - c) generally in accordance with the EA; and
 8. In condition 1.1 (d), before “the concept approval”, insert “in accordance with”
 9. In condition 1.1 insert a full stop after “(05_0195)”
 10. Delete condition 1.4 and replace with:
 - 1.4 Consistent with the requirements in this approval, the Planning Secretary may make written directions to the Proponent in relation to:
 - a) the content of any strategy, study, system, plan, program, review, audit, notification, report, or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - b) the implementation of any actions or measures contained in any such document referred to in condition 1.4(a).
 11. After condition 1.13, insert: “
 - 1.14 With the approval of the Planning Secretary, the Proponent may:
 - a) prepare and submit any strategy, plan or program required by this approval on a staged basis (if a clear description is provided as to the specific stage and scope of the project to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - b) combine any strategy, plan or program required by this approval (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined);
 - c) update any strategy, plan or program required by this approval (to ensure the strategies, plans and programs required under this approval are updated on a

regular basis and incorporate additional measures or amendments to improve the environmental performance of the project); and

d) combine any strategy, plan or program required by this approval with any similar strategy, plan or program required by an approval for any adjoining infrastructure subject to common, shared or related ownership or management.

1.15 If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this approval if those requirements are not applicable to the particular stage.

1.16 If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this approval.”

12. In condition 2.3 replace “National Energy Market Operator (currently NEMMCO)” with “AEMO”

13. In condition 2.16, after “Manual” insert “(1998)”

14. In condition 2.24, delete the first instance of “shall” and replace with “must”

15. In condition 2.28, delete the first five instances of “shall” and replace with “must”

16. Delete condition 6.1 and replace with: “

6.1 The Planning Secretary must be notified in writing via the Major Projects website immediately after the Proponent becomes aware of an incident. The notification must identify the project (including the project application number and the name of the project if it has one) and set out the location and nature of the incident.

“

17. Delete condition 6.2 and replace with: “

6.2 The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Proponent becomes aware of any non-compliance.

A non-compliance notification must identify the project and the application number for it, set out the condition of approval that the project is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance”

End of modification

(MP05_0195-Mod 5)