



Mrs C Johnston
C/O Henly Cox Urban Design Solutions
7 North Street
TERALBA 2284

Contact: Ms K E Swan
Our Ref: DA 8/2009/348/2
Your Ref:

Dear Mrs Johnston

NOTICE OF DETERMINATION OF MODIFIED DEVELOPMENT APPLICATION
Environmental Planning and Assessment Act, 1979

Pursuant to Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) notice is hereby given of the determination by Cessnock City Council of **Modified Development Application Number 8/2009/348/2**, for development on the subject land as described below. The application has been determined in accordance with the attached schedule.

DETAILS RELATING TO ORIGINAL CONSENT

Development Application No.	8/2009/348/1
Description of Development:	Industrial Workshop Staged Development comprising:- <u>Stage 1</u> - Erection 735m ² Industrial Building, Attached Office and Amenities Building, Fifteen (15) Carparking Spaces and Three (3) Banner Signs <u>Stage 2</u> - Erection 299m ² Attached Industrial Building.
Description of Modification:	Minor Variation to Condition No. Forty Six (46)
Property description:	LOT: 1 DP: 1128108 1 Styles Street KURRI KURRI
Applicant:	Mrs C A Johnston
Original date from which consent operates:	26/10/2009
Date of Determination of Modified Consent:	03/11/2010

If you are dissatisfied with this decision, Section 96(6) of the Environmental Planning and Assessment Act 1979 (as amended) gives you the right of appeal to the Land and Environment Court unless, the development is State significant development that has been determined following a public enquiry under Section 119 of the Act, or the development consent was granted by the Court.

Yours faithfully,

COPY

K SWAN
PLANNING ASSESSMENT OFFICER

3 November 2010

SP

**AMENDMENTS TO CONDITIONS OF CONSENT
DEVELOPMENT APPLICATION NO. 8/2009/348/2**

Condition No. 1

Compliance with conditions of original Development Application No. 8/2009/348/1 dated 26/10/2009.

Condition No. "46

Within 6 months from the commissioning of each individual furnace, air quality emission monitoring shall be carried out on each stack source during normal operations. The monitoring shall provide data on all emissions nominated in the Air quality impact assessment prepared by ENSR Australia Pty Ltd dated 20 October 2008 document number N4086601_AQIA_RPT_Oct2008.

The report shall note the level of emission and where levels exceed recommend emission levels reference in the above-mentioned report, shall include recommendations on what measures are to be applied to bring the emission into compliance with referenced emission standards.

Reason

To ensure the proposed development operates consistent with the proposed air quality outlined in ENSR Australia Pty Ltd dated 20 October 2008 document number N4086601_AQIA_RPT_Oct2008 so as to ensure and maintain public health and safety.

Amendment to Consent:

With the exclusion of all electric furnaces, within 6 months from the commission of each individual furnace, air quality emissions monitoring shall be carried out in each stack source during normal operations. The monitoring shall provide data on all emissions nominated in the Air quality impact prepared by ENSR Australia Pty Ltd dated 20 October document number N4086601_AQIA_RPT_Oct2008.

The report shall note the level of emission and where levels exceed recommend emission levels reference in the above-mentioned report, shall include recommendations on what measures are to be applied to bring the emission into compliance with referenced emission standards.

Reason

To ensure the proposed development operates consistent with the proposed air quality outlined in ENSR Australia Pty Ltd dated 20 October document number N4086601_AQIA_RPT_Oct2008 so as to ensure and maintain public health and safety.