

Notice of Modification

Section 96(2) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, the Planning Assessment Commission of NSW modifies the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Ross Carter
Member of the Commission



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19 June 2017

SCHEDULE 1

The Development Consent for the Western Coal Services Project (SSD 5579), granted by the Planning Assessment Commission on 4 April 2014.

SCHEDULE 2

1. In the Schedule 1 DEFINITIONS, delete the definitions for "Director-General", "DRE", "Minister", "NOW", "P&I" and "SCA", and insert the following in alphabetical order:

Department	Department of Planning and Environment
DPI Water	Department of Primary Industries Water Division
Minister	Minister for Planning, or delegate
Residual Waste	Suspended solids liquid waste stream generated from the Springvale Water Treatment Project
Secretary	Secretary of the Department, or nominee
Springvale Water Treatment Project	Springvale Water Treatment Project (SSD 7592)

2. In the definition for "EIS", insert the following after the last paragraph:

"Statement of Environmental Effects titled *Western Coal Services Project State Significant Development 5579 – Modification 1* (dated November 2016) including the associated Response to Submissions (dated February 2017)"

3. Delete all references to:
- "Director-General", and replace with "Secretary";
 - "NOW", and replace with "DPI Water";
 - "P&I", and replace with "the Department"; and
 - "SCA", and replace with "WaterNSW".

4. After condition 8 of Schedule 2, insert the following:

Residual Waste

- 8A. The Applicant must not receive or emplace more than 0.35 megalitres per day (annual average) or 0.43 megalitres per day (daily maximum) of residual waste from the Springvale Water Treatment Project.

5. Delete condition 27 of Schedule 3 and replace with the following:

Riparian Habitat and Catchment Improvement Plan

27. The Applicant must prepare and implement a Riparian Habitat and Catchment Improvement Plan for the development to the satisfaction of the Secretary. This plan must:
- (a) be prepared in consultation with Local Land Services, OEH, EPA and WaterNSW, and be submitted to the Secretary for approval by the end of October 2017;
 - (b) describe the measures that would be implemented to improve and maintain the riparian habitat of Wangcol Creek for at least 100 metres downstream of the proposed Link Haul Road bridge crossing of the creek;
 - (c) detail additional compensatory water quality and catchment improvement measures to the value of at least \$250,000 which must be undertaken prior to the commissioning of the Springvale Water Treatment Project; and
 - (d) make arrangements to manage, protect and provide for the long-term security for the measures proposed to respond to (b) and (c) above.
6. In condition 45 of Schedule 3, delete “DRE” and replace with “Department”.
7. Insert condition 46 of Schedule 3 with the following:

Pollution Reduction Works

46. Prior to receiving any residual waste from the operation of the Springvale Water Treatment Project, the Applicant must complete the following pollution reduction works to the satisfaction of the EPA:
- (a) Establish a groundwater monitoring network across the Springvale Coal Services site that comprises an adequate number of bores that are located, established and operated in such a manner that will provide an understanding of surface water and groundwater interactions across the site;
 - (b) Design and install run-off diversion works to divert all clean water run-off generated from catchment areas up-gradient of the Springvale Coal Services Site; and
 - (c) Investigate options for long term treatment and discharge and/or beneficial reuse, of groundwater presently discharging from the site through LDP 006.
8. In Appendix 8, in “EIS Table 67”, delete “DRE” and replace with “the Department”.