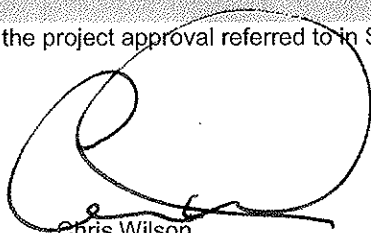


Notice of Modification

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

As delegate of the Minister for Planning, I modify the project approval referred to in Schedule 1, as set out in Schedule 2.



Chris Wilson
Executive Director
Major Projects Assessment

Sydney

28 July

2010

SCHEDULE 1

The project approval for the Mayfield West Remediation Project (Lot 223) granted by the Minister for Planning on 2 August 2002 (DA No. 381-12-2001-i).

SCHEDULE 2

1. Delete the definition for "DLWC" and insert in alphabetical order the following:

DECCW	Department of Environment, Climate Change and Water
NOW	NSW Office of Water
2. Delete all references to "DLWC" and replace with "NOW".
3. In condition 2 of Schedule 2, delete all words after "8 March 2002;" and insert:
 - (e) Modification application 381-12-2001-1 MOD 2 and accompanying Environmental Assessment titled *Environmental Assessment of Part 3A Application DA 381-12-2001-i MOD 2, Lot 223 North and Lot 2 DP 528411 and Lot 11 DP 625019 Mayfield West Newcastle NSW* dated February 2010; and
 - (f) conditions of this consent.
4. In condition 4A. of Schedule 2 delete "(b) Stage 2 – the remainder of the land to which this consent applies, being described as Lot 223 East" and insert:
 - (b) Stage 2 – the remainder of the land to which this consent applies, being described as Lot 223 East, Lot 223 North, Lot 11 and Lot 2 (see Figure 1).
5. After condition 6 insert:
 - 6A. The Applicant shall provide copies of all relevant contamination reports to Council, including:
 - Investigation reports;
 - Remedial action plan;
 - Validation and monitoring reports;
 - Site Audit Report and Site Audit Statement; and
 - Long-term EMP.
6. After condition 8 insert:
 - 8A. The surface area above the 4 sided barrier wall containment facility in Lot 223 must have a properly engineered seal-bearing layer, consisting of material that is at least 500mm thick with a permeability of less than 10^{-9} m/s, or an alternative capping layer comprising a geotextile material capable of achieving the same or better performance criteria. Capping in this area will be followed by the engineered capping layer applicable to the remainder of the Lot 223 North area.
7. After condition 24 insert:

24A. Prior to the construction of the barrier wall on Lot 223 North, the Applicant shall prepare an odour validation report, in consultation with DECCW, and to the satisfaction of the Director-General. The report shall demonstrate that the construction of the barrier wall would not generate offensive odours. The Report shall include:

- dispersion plume modelling;
- proposed mitigation measures, should modelling indicate offensive odours could be generated. This should include:
 - limiting exposed areas of free phase materials;
 - undertaking works in suitable weather conditions;
 - use of odour suppressants at the site and site boundaries;
 - covering of any excavated materials stockpiled on the site; and
 - installation of a meteorological monitoring station on the site.

24B. The Applicant must conduct odour monitoring at the site boundary for the duration of the proposed remediation works.

8. After condition 26 insert:

26A. Contaminated water shall not be used for dust suppression onsite.

9. After condition 64 of schedule 2, insert the following:

[illegible]

Figure 1: Project Site

