

Modification of Development Consent

Section 4.55(2) 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.



Steve O'Donoghue
Director – Resource Assessments
Energy, Industry and Compliance Division
NSW Department of Planning, Industry and Environment

Sydney

19 March 2021

SCHEDULE 1

The project approval for the Angus Place Coal Project (06_0021), granted by the Minister for Planning on 13 September 2006.

SCHEDULE 2

1. In the list of "DEFINITIONS", delete both definitions for "EA", and delete the definitions for "DoI CL&W", "DRG", "EA – Mod 1", "EA – Mod 2", "EA – Mod 3", "EA – Mod 4" and "OEH" and insert the following definitions in alphabetical order:

BCS
CEMP
DPIE Water
EA

Biodiversity, Conservation and Science Directorate, within the Department
Construction Environmental Management Plan
Water Group, within the Department

Project application 06_0021 and supporting documentation:

- Environmental Assessment titled *Angus Place Colliery Proposed Mining and Coal Transport*, dated January 2006;
- *Response to DEC Submission*, dated 8 March 2006; and
- *Angus Place – Response to Submissions*, dated 31 March 2006; as amended by:
 - o Modification application 06_0021 Mod 1 and supporting documentation:
 - Environmental Assessment titled *Angus Place Colliery, NSW Modification of Project Approval 06_0021 under Section 75W, Part 3A*, prepared by RPS and dated November 2010; and
 - *Response to Submissions*, prepared by Centennial Coal and dated April 2011, including its letter of clarification dated 23 May 2011 and the revised Statement of Commitments
 - o Modification application 06_0021 Mod 2 and supporting documentation:
 - Environmental Assessment titled *Environmental Assessment Angus Place Colliery, Ventilation Facility Project: Modification 2 of Project Approval 06_0021*, dated October 2012; and
 - *Response to Submissions*, dated December 2012
 - o Modification application 06_0021 Mod 3 detailed in the letter entitled *S75W Modification Application to PA_0021 for Longwall 980 and 900W*, dated 31 October 2013, including the attachments;
 - o Modification application 06_0021 Mod 4 and supporting documentation:

	- Environmental Assessment titled <i>Environmental Assessment Angus Place Colliery Development Continuity Project Section 75W Modification to Project Approval PA06_0021</i> and dated May 2014;
	- o Modification application 06_0021 Mod 5 and supporting documentation: - Environmental Assessment titled <i>Environmental Assessment Angus Place Colliery Water Treatment Project Section 75W Modification to Project Approval PA06_0021</i> and dated May 2018; - <i>Response to Submissions</i>, dated July 2018;
	- o Modification application 06_0021 Mod 6 and supporting documentation: - Modification Report titled <i>Angus Place Coal Project (MP_06_0021) and Springvale Water Treatment Project (SSD 7592) Modification 6 – Modification Report</i> dated November 2020; - associated <i>Submissions Report</i> (undated); and - additional information dated 8 February 2021, 23 February 2021 and 12 March 2021;
Heritage NSW	Heritage NSW, within the Department of Premier and Cabinet
ICNG	<i>Interim Construction Noise Guideline</i> (DECC 2009)
RR	NSW Resources Regulator
Water Softening Plant	Water Softening Plant, as shown in Appendix 2B
Water Transfer Pipeline	Angus Place to Mount Piper Power Station Water Transfer Pipeline as shown in Appendix 2A

2. In the definition for “Department”, after “Planning”, insert “, Industry”.
3. In the definition for “Minister”, after “Planning”, insert “ and Public Spaces”.
4. In Schedules 2 onwards, delete all:
 - (a) references to “DoI CL&W”, and replace with “DPIE Water”;
 - (b) references to “DRG”, and replace with “RR”.
 - (c) references to “OEH”, and replace with “BCS”, except in:
 - i. the last bullet point in condition 3C(ix) of Schedule 3; and
 - ii. commitment 28 in Appendix 6.
5. In condition 3C(ix) of Schedule 3, in the last bullet point, delete “OEH” and replace with “Heritage NSW”.
6. In condition 8(f) of Schedule 3, after “LDP001;”, delete “and”.
7. Delete condition 8(g) of Schedule 3, and insert:
 - (g) a Water Transfer Pipeline Monitoring Program for managing, monitoring and responding to leaks and spills from the water transfer pipeline; and
 - (h) a strategy for decommissioning water management structures on the site.
8. In condition 9(a) of Schedule 3, after “mine” insert “, including protocols for managing temporary storage in underground workings / goaf areas as part of the water management system”.
9. After condition 13A of Schedule 3, insert:

Transfer of water to Mount Piper Power Station

13B. The Proponent may transfer up to 2.6 ML of water per day to ‘Pond D’ at the Mount Piper Power Station using the Water Transfer Pipeline.
10. In condition 14 of Schedule 3, within ‘Table 3: Long term impact assessment criteria for particulate matter’, delete “30 µg/m³”, and replace with “25 µg/m³”.
11. Delete condition 32 of Schedule 3 and replace with:
 32. The Proponent must:
 - (a) take all reasonable steps to minimise the waste (including coal rejects and tailings) generated by the development;
 - (b) classify all waste in accordance with the Waste Classification Guidelines (EPA, 2014);
 - (c) dispose of all waste at appropriately licensed waste facilities; and
 - (d) monitor and report on the effectiveness of the waste minimisation and management measures in the Annual Review referred to in condition 3 of Schedule 5.

12. After condition 34 of Schedule 3, insert:

Pre-commissioning of Water Softening Plant

- 34A. Prior to commissioning the Water Softening Plant, the Proponent must develop and implement:
- a) a comprehensive Emergency Plan and detailed emergency procedures for the water softening plant. The plan must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'; and
 - b) a comprehensive Safety Management System, covering all on-site operations and associated transport activities involving hazardous materials. The Safety Management System must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.

Ongoing operation of Water Softening Plant

- 34B. The Proponent must store all chemicals, fuels and oils used on-site in accordance with:
- a) the requirements of all relevant Australian Standards; and
 - b) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook*, if the chemicals are liquids.

Note: In the event of any inconsistency between the requirements of conditions 34A and 34B, the most stringent requirement shall prevail to the extent of the inconsistency.

13. After condition 39 of Schedule 3, insert:

CONSTRUCTION

Water Transfer Pipeline Construction Environmental Management Plan

40. Prior to the commencement of construction of the pipeline associated with Modification 6, the Proponent must prepare a Construction Environmental Management Plan (CEMP) to the satisfaction of the Secretary. The CEMP must be prepared:
- a) in consultation with the EPA, TfNSW, WaterNSW and Council;
 - b) generally in accordance with the *Guideline for the Preparation of Environmental Management Plans* (DIPNR 2004) to outline environmental management practices and procedures to be followed during construction, including:
 - i) erosion and sediment controls;
 - ii) an unexpected finds protocol for Aboriginal cultural heritage;
 - iii) air quality management measures;
 - iv) waste management measures;
 - v) noise management measures including:
 - implementing reasonable and feasible noise mitigation measures in accordance with the ICNG; and
 - undertaking construction during standard hours as defined in the ICNG, unless otherwise agreed by the Secretary;
 - vi) traffic and access management measures; and
 - vii) protocols to avoid or minimise impacts on biodiversity, for example, clearly delineating the disturbance footprint consistent with the EA.

The Proponent must implement the approved CEMP.

14. In Appendix 1:
- o delete each of the columns in the table labelled "County" and "Parish";
 - o in the first table, after the entry labelled "Newnes State Forest", insert:

1	825124
3	829137
2	567915
174	751651
385	751651
16	751651
101	1137972
32	827807
5	1087684
1	1087684
1	702619
2	702619
357	751651

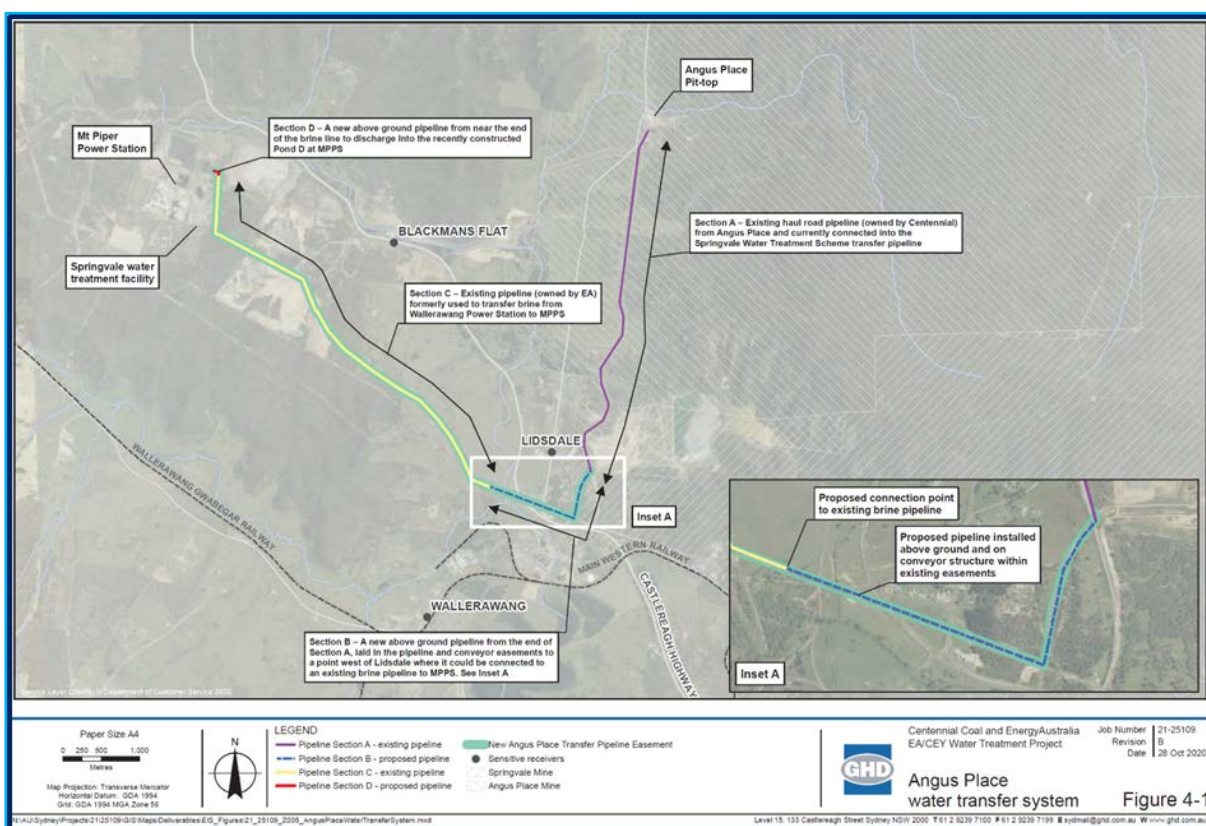
13	751651
375	751651

- in the first table, insert the following columns to the right of this table:

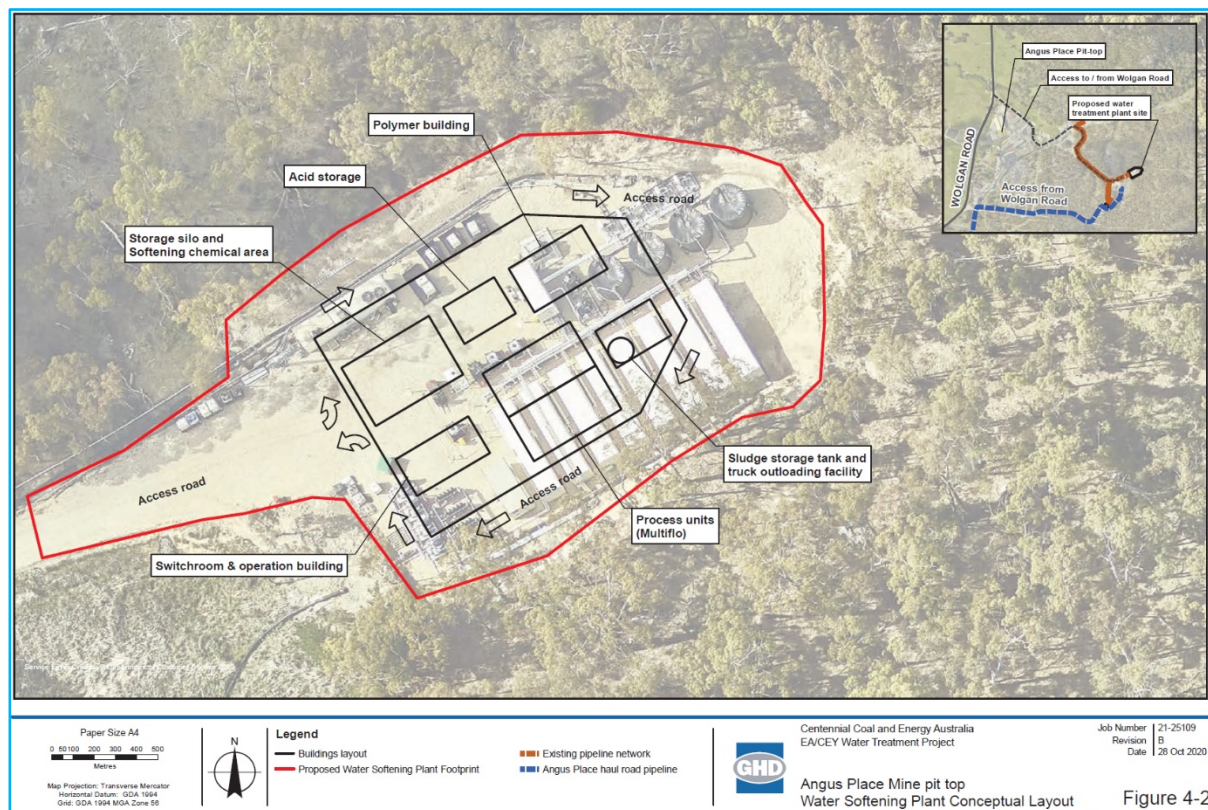
Lot	DP
502	825541
101	1240974
102	1240974
9	804929
5	1244030
6	1244030
7	1244030
8	1244030
371	751651

- After Appendix 2, insert the following appendices on separate landscape-oriented pages, with the headings and figures centred on the pages:

APPENDIX 2A – ANGUS PLACE TO MOUNT PIPER POWER STATION PIPELINE



APPENDIX 2B – WATER SOFTENING PLANT



16. In commitment 28 in Appendix 6, delete “OEH” and replace with “Heritage NSW”.

17. Update the Table of Contents.

End of modification
(06_0021 MOD 6)