



5 August 2022

Department of Planning and Environment
Locked Bag 5022
Paramatta, NSW, 2124

Attention: Stephen O'Donoghue (Director Resource Assessments)

Dear Stephen.

PROJECT APPROVAL 07_0084 – CONDITION 5.14 AND POST APPROVAL TIMEFRAMES

On the 23 March 2020, Origin Energy (OE) wrote to the Department to seek confirmation on project timelines and implementation of post approval requirements, specifically Condition 5.14 and other timeframes stipulated in conditions of Project Approval (PA) 07_0084. Since the original letter, changes in project scope meant that initial timeframes suggested for post approval compliance have been delayed. The purpose of this correspondence as it relates to MOD 1 is to provide an update on compliance with Condition 5.14, the initial timeframes proposed and various other post approval conditions. This condition states:

Within 3 months of:

- a) *the submission of an incident report under condition 5.1 above;*
- b) *any modification to the conditions of this approval (unless the conditions require otherwise);*
- c) *the submission of an audit report in accordance with condition 5.11 of this approval; or*
- d) *a direction of the Secretary under condition 1 of Schedule 2.*

the Proponent must review and, if necessary, revise the strategies, plans and programs required under this approval to the satisfaction of the Planning Secretary.

Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Planning Secretary for approval.

Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.

Since the initial letter in March 2020, OE received approval for MOD 2 to PA 07_0084 on 21 June 2022. Therefore, this correspondence will also provide timeframes for compliance with Condition 5.14 and various other post approval conditions as it relates to MOD 2, and in compliance with Condition 5.14 b).

Furthermore, OE is notifying the Department in accordance with Condition 5.9 and 5.10 that development under MOD 2 is planned to be staged. Due to recent changes in the expected operational timeframe for Eraring Power Station (EPS), OE is currently planning not to commence with any construction as proposed under MOD 2 to facilitate increase in ash recycling (e.g., construction of additional silos). Therefore, there is no construction phase planned of the development as per current staging plans. Instead, OE will increase ash recycling using the current facilities, in accordance with the approval, therefore placing the development directly into operations upon commencement. Road haulage under MOD 2 will not commence until the Operational Traffic Management Plan (Condition 4.10) has been approved by the Department.

The table in Attachment A outlines the status of strategies, plans and programs that are the subject of this approval and OE's planned commitment to meet the requirements of the various approval conditions and dates. This table outlines the implementation of post approval conditions since the March 2020 correspondence and an updated status in relation to the MOD 1 and MOD 2 post approval requirements.

OE seeks confirmation that the Department agrees to the timeframes and plans outlined within Attachment 1, in relation to both the requirements of Condition 5.14 and the timeframes stipulated within other conditions of approval. Additionally, OE seeks confirmation from the Department on staging plans in accordance with Condition 5.9 and 5.10.

Should the Department wish to discuss OE's progress against the Project Approval conditions, please don't hesitate to contact Mikayla Henderson (0460 032 343 or Mikayla.Henderson@originenergy.com.au) or myself on the below contact details.

Kind Regards,



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Attachment A - PA_07_0084 MOD1 and MOD2 Approval Obligations

Condition / Actions	MOD1 Approval Timeframe/Status	MOD 2 Approval Timeframe/Status
<p>Condition 1.5 Community Consultative Committee (CCC) - <i>The Applicant must operate a CCC for the Project to the satisfaction of the Planning Secretary. This CCC must be operated in general accordance with the Department's Community Consultative Committee Guidelines: State Significant Projects January 2019 during the life of the Project. This CCC must be operating within three months from the date of approval of MOD 1, or other timeframe agreed by the Planning Secretary.</i></p>	<p>18 May 2020 unless otherwise agreed by Planning Secretary</p> <p>CCC has been operating since 14 May 2020 with minutes published on EPS website.</p> <p>Construction of the project under MOD 1 has not yet commenced.</p>	<p>N/a</p>
<p>Condition 2.2 - <i>Within 12 months of commencing construction of MOD1 under this consent, or other timeframe agreed by the Planning Secretary, the Applicant shall retire the biodiversity credits specified in Table 1 to offset the biodiversity impacts of MOD1. The retirement of credits shall be carried out in consultation with BCS and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT</i></p>	<p>Within 12 months from the commencement of construction</p> <p>OE will advise the Department when the credits have been retired within 12 months of commencing construction and in consultation with BCS and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.</p> <p>Construction of the project under MOD 1 has not yet commenced.</p> <p>As previously discussed with the Department the design for MOD1 may result in a smaller area of vegetation disturbance requiring a smaller offset. In the event of this occurring (subject to final project design) OE will write to the Department requesting a minor modification of PA_07_0084 Condition 2.2 to reflect the actual offset required.</p>	<p>N/a</p>
<p>Condition 3.2 Groundwater Monitoring - <i>Prior to the commencement of the operation of the</i></p>	<p>GMP to be approved by the Department before commencement of operations.</p>	<p>Scope of the MOD 2 Project does not impact the GMP therefore no update</p>

Condition / Actions	MOD1 Approval Timeframe/Status	MOD 2 Approval Timeframe/Status
<p><i>project, the Proponent shall undertake a review of the existing groundwater monitoring regime</i></p> <p><i>The Proponent shall revise its groundwater monitoring regime, as necessary, and update its existing Groundwater Management Plan (GMP) in accordance with the groundwater monitoring review. A copy of the updated Plan shall be submitted to the Planning Secretary for approval prior to its implementation.</i></p>	<p>The existing GMP is currently being reviewed and updated. This plan is also being informed by the Mine Void Remediation Plan (MVRP) which has been prepared and is under consultation with various Departments. The GMP outlining the revised monitoring regime will be submitted at least 4 weeks before the commencement of MOD 1 operations.</p>	<p>proposed or required as per Condition 5.14</p>
<p>Condition 4.1/4.2 Construction Environmental Management Plan (CEMP) - <i>The Applicant shall prepare and implement a Construction Environmental Management Plan to outline environmental management practices and procedures to be followed during construction of the project. The Plan shall be consistent with Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004)</i></p> <p><i>Plans include a) Flora and Fauna Management Plan, b) Traffic Management Plan, c) Construction Noise Management Plan, d) Erosion and Sedimentation Management Plan, Aboriginal Heritage Management Plan</i></p> <p><i>The Plan shall be submitted for the approval of the Planning Secretary no later than one month prior to the commencement of any construction works associated with the project, or within such period otherwise agreed by the Planning Secretary. Construction works shall not commence until written approval has been received from the Planning Secretary.</i></p>	<p>CEMP to be submitted to the Department no later than 1 month prior to the commencement of construction</p> <p>Construction of MOD 1 project is not expected to commence before Q4 2022. OE will submit the drafted CEMP and associated sub-plans to the Department for approval no later than 1 month prior to the commencement of construction.</p>	<p>As per this letter, no Construction planned for MOD 2 at this stage and therefore no CEMP requirement as per Condition 5.14.</p>
<p>Condition 4.3 Operational Environmental Management Plan (OEMP) - <i>The Plan shall be submitted for the approval of the Planning Secretary no later than one month prior to the commencement of operation of the project, or within such period otherwise agreed by the</i></p>	<p>OEMP to be approved by the Department before commencement of operations.</p> <p>OEMP for the MOD 1 project is in draft and being prepared for submission to the Department at</p>	<p>Operations of MOD 2 as currently proposed will be captured under Condition 4.10 Operational Transport Management Plan. Therefore, no OEMP proposed to be required for this</p>

Condition / Actions	MOD1 Approval Timeframe/Status	MOD 2 Approval Timeframe/Status
<i>Planning Secretary. Operation of the project shall not commence until written approval has been received from the Planning Secretary.</i>	least 4 weeks prior to the commencement of operations.	current stage of the development in accordance with Condition 5.14.
Condition 4.6 Mine Void Remediation Plan (MVRP) - <i>Prior to carrying out any mine void remediation activities associated with the MOD 1 CCP storage facility expansion, the Applicant must prepare a Mine Void Remediation Plan. The Mine Void Remediation Plan must be prepared, in consultation with the EPA, DPIE Water, Dams Safety Committee, Centennial Coal and SA NSW, and to the satisfaction of the Planning Secretary.</i>	<p>MVRP to be approved by the Department before the commencement of any mine void remediation.</p> <p>The scope of the mine void remediation works has changed since the previous letter with the premise of MWRP being to not grout the mine voids through a change in placement and risk based approach. The MVRP has been prepared by suitability qualified and experienced hydrogeologist(s) and mine subsidence expert(s). The document is currently under consultation with the various stakeholders prior to being submitted to the Department for approval.</p>	Scope of the MOD 2 Project does not impact the MVRP therefore no update proposed or required as per Condition 5.14
Condition 4.7 MVRP Annual Progress Report	<p>31 October each year</p> <p>Progress report to be completed upon commencement of construction.</p>	N/a
Condition 4.8 Air Quality Management Plan (AQMP)	AQMP was approved for MOD 1 on 15 June 2022.	Scope of the MOD 2 Project does not impact the approved AQMP therefore no update proposed or required as per Condition 5.14. Operations to be captured by Condition 4.10.
Condition 4.9 Rehabilitation Management Plan (RMP) – <i>The proponent must prepare a RMP for all land disturbed by the development</i>	<p>RMP required to be submitted to the DPIE within 3 years of the MOD 1 approval i.e. 23 December 2022.</p> <p>A letter has been submitted by OE on 15 July 2022 regarding the RMP to request an extension on the timing due to significant operational changes at EPS. Response was received from the Department on 20 July 2022 and OE will</p>	N/a

Condition / Actions	MOD1 Approval Timeframe/Status	MOD 2 Approval Timeframe/Status
	review the response and coordinate a meeting with the Department to discuss further.	
Condition 4.10 Operational Traffic Management Plan – <i>the Applicant must prepare an Operational Traffic Management Plan to the satisfaction of the Planning Secretary prior to the commencement of road haulage associated with MOD 2. The plan must...</i>	N/a	Engagement of a suitably qualified and experienced person/s was approved by the DPE on 25 July 2022. The Operational Traffic Management Plan will be submitted to the Department prior to the commencement of haulage under MOD 2.
Condition 4A.1 / 4A.2 Long-Term Ash Management Strategy (LTAMS)	4A.2 By the end of October each year the LTAMS is to be updated and submitted to the DPE. The next update of the LTAMS will be submitted to the Department no later than 31 October 2022.	N/a
Condition 5.5 / 5.6 / 5.7 / 5.8 Compliance Reporting – <i>Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Requirements outlined in the Compliance Reporting Post Approval Requirements (2020) or its latest version. Compliance Reports must be submitted to the Department in accordance with the timeframes.... The Applicant must make each Compliance Report publicly available within 60 days of submitting it to the Planning Secretary.</i>	As per the Departments Compliance Reporting – Post Approval Requirements (DPE, 2020). In accordance with Post Approval Requirements (DPE, 2020) Compliance Reporting for MOD 1 will commence and occur annually from the commencement of operation of the project. Construction has not yet commenced.	As per the Departments Compliance Reporting – Post Approval Requirements (DPE, 2020). As MOD 2 requires notification of the commencement of operations under Condition 5.9, an Operational Compliance Report will be submitted annually from the date of notification for the duration of the operation.
Condition 5.9 / 5.10 Notification of Department – <i>Prior to commencing the construction, operations, upgrading or decommissioning of the project or the cessation of operations, the Applicant must notify the Department by the Major Projects website portal of the date of commencement or cessation of the relevant phase</i>	N/a	Prior to the commencement of construction, operations, upgrading or decommissioning of MOD 2. As per this letter, OE notifying the Department that no construction phase proposed and project will be staged. OE will notify the Department upon the commencement of Operations.
Condition 5.11 / 5.12 Independent Environmental Audit – <i>within one year of the</i>	N/a	OE will commission an Independent Environmental Audit, in accordance

Condition / Actions	MOD1 Approval Timeframe/Status	MOD 2 Approval Timeframe/Status
<p><i>date of physical commencement of development under Modification 2, and every three years thereafter... the Applicant must commission and pay the full cost of an Independent Environmental Audit of the project. The audit must:....</i></p>		<p>with the Requirements (NSW Government 2020) within one year of the date of physical commencement of MOD 2 (date of operational notification) and every 3 years thereafter.</p>
<p>Condition 5.14 Revision of Strategies, Plans and Program states we need to review all strategies, plans and programs related to the approval within 3 months where an incident report is submitted, modification has occurred, submission of an audit report or under direction of the Secretary and submit revised docs to the department within 4 weeks of the review of plans etc</p>	<p>This letter outlines the status of the various Strategies, Plans and Programs that are the subject of PA_07_0084 MOD1.</p>	<p>This letter outlines the status of the various Strategies, Plans and Programs that are the subject of PA_07_0084 MOD2.</p>
<p>Condition 5.6 Access to Information</p>	<p>Project information relating to MOD 1 is publishing on the OE website.</p>	<p>Project information relating to MOD 2 is published on the OE website. Additionally, a complaints register is being published on the website monthly.</p>