

Notice of decision

Springvale Water Treatment Project – Modification 4

Interim Water Management Strategy

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development modification
Application number and project name	SSD 7592 MOD 4 Springvale Water Treatment Project Modification 4 – Interim Water Management Strategy
Applicant	SPRINGVALE COAL PTY LIMITED
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director – Resource and Energy Assessments under delegation from the Minister for Planning and Public Spaces has, under 4.55(1A) of the Environmental Planning and Assessment Act 1979 (the Act) modified the consent subject to recommended conditions.

A copy of the instrument of modification and conditions is available at <https://www.planningportal.nsw.gov.au/major-projects/project/25031>

A copy of the Department of Planning & Environment's assessment report is available at <https://www.planningportal.nsw.gov.au/major-projects/project/25031>

Date of decision

5 November 2019

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 and section 4.55 (3) of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the Environmental Planning and Assessment Regulation 2000;
- the objects of the Act;
- the considerations under s 7.17(2) of the Biodiversity Conservation Act 2016 (NSW);
- all information submitted to the Department during the assessment of the modification application and additional information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The decision maker was satisfied that the modification is of minimal environmental impact and that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted.

The key reasons for granting the modification are as follows:

- Benefits - the modification would provide a temporary water storage solution while allowing sufficient time for Springvale Water Treatment Project to be completed.
- Consistent with NSW Government Policy - the modification is permissible with consent, and is consistent with NSW Government policies;
- Impacts can be managed - the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. This includes ensuring that partially treated mine water transfers to Thompsons Creek Reservoir are limited to a maximum of 5,760 megalitres, until 31 January 2020;
- Community views considered - no issues were raised by the community during exhibition of the proposal; and
- Public interest – weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 13 September 2019 until 29 September 2019 and received advice from five public authorities and comments from one special interest group. No submissions were received from members of the public.

There were no community views required to be taken into consideration in making this decision. No issues were raised by the community and no public submissions were received during the exhibition period.