

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning I approve the modification of the development consent referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Chris Ritchie
Director
Industry Assessments

Sydney

11 March 2022

File: SF21/151905

SCHEDULE 1

Development Consent

Development Consent: 06_0139 granted by the Minister for Planning on 22 November 2009

For the following: Eastern Creek Waste Project

Modification 10

Modification Application: 06_0139 Mod-10

Modification to:

- install and operate two permanent enclosed LFG flares at a location approximately 50 m northeast of MPC 1
- install supporting infrastructure for the flares
- decommission four temporary LFG flares located in the landfill void

Applicant: ThaQuarry Pty Ltd & ACN114 843 453 Pty Ltd

Consent Authority: Minister for Planning

The Land: Lot 1 and Lot 2 DP 1145808 and Lot 2 DP 1247691, Eastern Creek in the Blacktown local government area

SCHEDULE 2

This consent is modified as follows:

1. Replace the definition for the Department with:

Department Department of Planning and Environment

2. Replace the definition for Modification Assessments with the following:

Modification Assessments The document assessing the environmental impact of a proposed modification of this approval and any other information submitted with the following modification requests made under the EP&A Act:

- 06_0139 MOD 1 prepared by Light Horse Business Centre and dated August 2010, as amended by additional information dated 6 September 2010 and 13 September;
- 06_0139 MOD 2 dated 9 November 2010;
- 06_0139 MOD 3 prepared by Light Horse Business Centre and dated 10 May 2011, as amended by the revised Environmental Assessment Report prepared by Light Horse Business Centre and dated September 2011;
- 06_0139 MOD 4 prepared by Urbis Pty Ltd and dated October 2013;
- 06_0139 MOD 5 prepared by Urbis Pty Ltd and dated 18 March 2015, as amended by the Response to Submissions prepared by Urbis Pty Ltd and dated 19 May 2015 and the Spoil Management Plan prepared by Genesis Xero Waste and dated September 2015;
- 06_0139 MOD 6 prepared by EMM Consulting and dated 30 August 2018, as amended by the Response to Submissions report prepared by EMM Consulting and dated 20 November 2019;
- 06_0139 MOD 8 prepared by Arcadis Australia Pacific Pty Limited and dated 12 November 2020, as amended by the Response to Submissions report prepared by Arcadis Australia Pacific Pty Limited and dated 28 January 2021; and
- 06_0139 MOD 10 prepared by Jackson Environment and Planning and dated 30 November 2021, as amended by the Response to Request for Additional Information prepared by Jackson Environment and Planning and dated 8 February 2022.

3. Replace the definition for Planning Secretary with:

Planning Secretary

Secretary of the Department of Planning and Environment

4. Insert new Conditions 36a and 36b immediately after Condition 36 as follows:

Landfill Gas

36a. The Applicant must design, install and operate a permanent landfill gas flaring system in accordance with the requirements of the relevant legislation and guidelines, including the POEO (Clean Air) Regulation 2021 and the EPA's Solid Waste Landfill Guidelines (2016).

36b. Within three months of commissioning of the permanent landfill gas flaring system, the Applicant must prepare an Evaluation Report to the satisfaction of the Planning Secretary. The Evaluation Report must:

- a) be prepared by a suitably qualified and experienced person(s);
- b) be prepared in consultation with the EPA;
- c) include the following:
 - i. evaluation of the effectiveness of the permanent flares and landfill gas extraction system at minimising surface landfill gas emissions; and
 - ii. quantification of the H₂S emission rates (surface flux) from the landfill surface.