

APPENDIX F: NOTICE OF MODIFICATION

Notice of Modification

Section 96(2) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, the Planning Assessment Commission of NSW modifies the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

Member of the Commission	Member of the Commission	Member of the Commission
Sydney	2017	
SCHEDULE 1		
The Development Consent for the Western Coal Services Project (SSD 5579), granted by the Planning Assessment Commission on 4 April 2014.		
SCHEDULE 2		
1.	In the Schedule 1 DEFINITIONS, delete the definitions for "Director-General", "DRE", "Minister", "NOW", "P&I" and "SCA", and insert the following in alphabetical order:	
	Department	Department of Planning and Environment
	DPI Water	Department of Primary Industries Water Division
	Minister	Minister for Planning, or delegate
	Residual Waste	Suspended solids liquid waste stream generated from the Springvale Water Treatment Project
	Secretary	Secretary of the Department, or nominee
	Springvale Water Treatment Project	Springvale Water Treatment Project (SSD 7592)
	WaterNSW	The State Water Corporation of NSW
2.	In the definition for "EIS", insert the following after the last paragraph:	
	"Statement of Environmental Effects titled <i>Western Coal Services Project State Significant Development 5579 – Modification 1</i> (dated November 2016) including the associated Response to Submissions (dated February 2017)"	
3.	Delete all references to:	
	a) "Director-General", and replace with "Secretary";	
	b) "NOW", and replace with "DPI Water";	
	c) "P&I", and replace with "the Department"; and	
	d) "SCA", and replace with "WaterNSW".	
4.	After condition 8 of Schedule 2, insert the following:	
	Residual Waste	
	8A. The Applicant must not receive or emplace more than 0.35 megalitres per day (annual average) or 0.43 megalitres per day (daily maximum) of residual waste from the Springvale Water Treatment Project.	

5. Delete condition 27 of Schedule 3 and replace with the following:

Riparian Habitat and Catchment Improvement Plan

27. The Applicant must prepare and implement a Riparian Habitat and Catchment Improvement Plan for the development to the satisfaction of the Secretary. This plan must:
- (a) be prepared in consultation with OEH, EPA and WaterNSW, and be submitted to the Secretary for approval by the end of October 2017;
 - (b) describe the measures that would be implemented to improve the riparian habitat of Wangcol Creek for at least 100 metres downstream of the proposed Link Haul Road bridge crossing of the creek; and
 - (c) detail additional compensatory water quality and catchment improvement measures to the value of at least \$250,000 which must be undertaken prior to the commissioning of the Springvale Water Treatment Project.
6. In condition 45 of Schedule 3, delete "DRE" and replace with "Department".
7. In Appendix 8, in "EIS Table 67", delete "DRE" and replace with "the Department".