

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, the Independent Planning Commission **approves** the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Neal Menzies
Member of Commission (Chair)



Sarah Dinning
Member of Commission

Sydney

28 March 2025

SCHEDULE 1

Development consent:	SSD 7592 granted by the Planning Assessment Commission on 19 June 2017
For the following:	Springvale Water Treatment Project
Applicant:	Springvale Coal PTY Limited
Consent Authority:	The Independent Planning Commission of NSW
The Land:	The land defined in Appendix 1 of the development consent
Modification:	Water management during Mount Piper Power Station outages

SCHEDULE 2

1. In the list of definitions, delete the term 'BCD' and its definition, and insert the following definitions in alphabetical order:

Blended water	A blend of treated water and partially treated mine water with an indicative electrical conductivity range of 600 to 900 $\mu\text{S}/\text{cm}$
CPHR	Conservation Programs, Heritage and Regulation Group of the NSW Department of Climate Change, Energy, the Environment and Water
2. In Schedule 3, delete all references to 'BCD' and replace with 'CPHR'
3. In the list of definitions, in the definition of "Coxs River Water Supply Pipeline", after the words "treated water", insert "and partially treated mine water".
4. In the list of definitions, delete the definition for 'Department' and replace with 'Department of Planning, Housing and Infrastructure'.
5. In the definition for "EIS";
 - a. after the definition of "MOD 7" delete "and"; and
 - b. at the end of the definition of "MOD 8", delete the full stop and insert;
"; and
 - MOD 11 – '*Springvale Water Treatment Plant Modification Report for Modification 11 to SSD-7592 (Mod 11)*' dated December 2024, associated '*Springvale Water Treatment Facility Modification 11 Response to Submissions Report*' dated 28 February 2025, '*SWTP SSD – 7592 – Mod 11 Amendment Report*' dated 4 March 2025 and the Applicant's response to the Commission dated 24 March 2025."
6. In the list of definitions, in the definition of 'Heritage NSW', following the word 'Department', insert "of Climate Change, Energy, the Environment and Water".
7. In the list of definitions, in the definition of "Partially treated mine water", following the word "solids" insert "(also referred to as filtered water in MOD 11)".
8. In the definition for "Residuals Transfer Pipeline", delete "12_".
9. In the list of definitions, in the definition of "Treated water", following the word "Plant", insert "using filtering to remove solids and reverse osmosis to remove salts".
10. In Schedule 2, after Condition 6A, insert the following new conditions:
 - 6B. During the planned outage period scheduled to occur at Mount Piper Power Station in April and May 2025, and for a period of 14 days prior and 7 days following the planned outage, the Applicant may transfer up to:
 - (a) 42 megalitres per day of blended water, consisting of no more than 24 megalitres of partially treated mine water; or
 - (b) up to 24 megalitres per day of partially treated mine water;via the Coxs River Water Supply Pipeline to the Thompsons Creek Reservoir.
 - 6C. Prior to commencing transfer of blended water or partially treated mine water under condition 6B, the Applicant must install a water quality monitoring system capable of continuously and representatively recording water quality in the Thompsons Creek Reservoir. The Applicant must operate and maintain the water quality monitoring system for the duration of the development.
 - 6D. The Applicant must undertake the transfer of blended water or partially treated mine water under condition 6B in accordance with the following conditions:
 - (a) the Applicant must notify the EPA and WaterNSW prior to commencing the transfer of blended water or partially treated mine water under condition 6B;
 - (b) the Applicant must notify the EPA and WaterNSW, as soon as practicable after the Applicant becomes aware, that water quality in Thompsons Creek Reservoir exceeds $550\mu\text{S}/\text{cm}$ electrical conductivity (EC);

- (c) the Applicant must operate the Thompsons Creek Reservoir's destratification system for the term of the planned outage period;
- (d) the Applicant must immediately cease the transfer of blended water or partially treated mine water if:
 - monitoring indicates that there is a risk that water will exceed 600µS/cm electrical conductivity (EC); or
 - the Thompsons Creek Reservoir's destratification system is not fully operational; and
- (e) during the period of any transfer of blended water or partially treated mine water under condition 6B, daily environmental releases from Thompsons Creek Reservoir must be limited to the minimum volume required under the water access licence of 0.8 megalitres per day between 1 September and 30 April and 0.3 megalitres per day between 1 May and 31 August.

6E. The Applicant must publish in a prominent place on its website weekly updates during the planned outage period and monthly updates thereafter, comprising the following information:

- (a) the discharge points of any water discharges from the development;
- (b) the volumes of any water discharged from those points (including cumulative volumes from the commencement of this condition);
- (c) quality of those discharges (including maximum, median and minimum values);
- (d) salt loadings resulting from those discharges (including cumulative loadings from the commencement of this condition);
- (e) for any week in which water is discharged to the Thompsons Creek Reservoir under Schedule 2, Condition 6B:
 - water quality within the Thompsons Creek Reservoir; and
 - operational status of the Thompsons Creek Reservoir's destratification system.

11. In Schedule 3, Condition 4 replace (b) with:

include:

- detailed baseline data on surface water flows and quality in the watercourses that could potentially be affected by the proposal;
- a program to augment the baseline data over the life of the development;
- a detailed description of measures to ensure that the Applicant complies with the water management performance measures (Table 1);
- a program to monitor and report on the performance measures;
- reporting procedures for the results of the monitoring program;
- a Trigger Action Response Plan to respond to any foreseeable or actual exceedances of the water management performance measures and mitigate any adverse surface water impacts of the development; and
- details of contingency measures to effectively manage foreseeable variations in water inflows (volume and quality) to the Water Treatment Plant, outages of the Water Treatment Plant and outages at Mount Piper Power Station.

**End of modification
(SSD 7592 MOD 11)**