

# Notice of Modification

## Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning and Infrastructure, the Planning Assessment Commission of New South Wales (the Commission) modifies the project approval referred to in schedule 1, subject to the conditions in schedule 2.



**Gabrielle Kibble, AO**  
Member of the Commission



**Garry Payne, AM**  
Member of the Commission

Sydney

9 July 2012

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### SCHEDULE 1

The development consent (DA 183-8-2004-i) for the Camden Gas Project Stage 2: Mount Taurus – Harness Racing Club granted by the Minister Assisting the Minister for Infrastructure and Planning on 16 December 2004.

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### SCHEDULE 2

1. Under the heading "**Land**" in condition 1 of Schedule 1, insert the following after "(MP30)":
  - Lot 10/DP 1022204 (MP25)
  - Lot 10/DP 1022204 (associated gas infrastructure).
2. Under the heading "**Proposed Development**" in condition 1 of Schedule 1, insert the following after "MP14":
  - Construction, drilling and operation of 1 surface to in-seam well (MP25) adjacent to MP16 and upgrading (twinning) of the gas gathering line between MP16 and MP13/30.
3. In condition 2 of Schedule 2, delete all words after "March 2007" (except the notes); and insert:
  - (e) Modification Application MOD 13-10-2011, Camden Gas Project: MP25 Environmental Assessment dated October 2011, Response to Submissions dated 17 February 2012 and associated Statement of Commitments dated April 2012 (see Appendix 1); and
  - (f) Conditions of this consent.
4. In condition 5 of Schedule 2, delete "16" and replace with "17".
5. After condition 12 of Schedule 2, delete "Department of Climate Change" and replace with "Office of Environment and Heritage".
6. After condition 13B of Schedule 2, insert the following:
  - 13C. Noise from the drilling and construction of MP25 shall not exceed the sound pressure level (noise) limits in the table below:

Receiver Location	Weekday (7.00am-6.00pm)	Saturday (1.00pm-6.00pm)	Evening (6.00pm-10.00pm)	Night (10.00pm-7.00am)
	Saturday (7.00am-1.00pm)	Sunday (7.00am-6.00pm)		
Nearest Receiver	47	42	42	40

7. After condition 16 of Schedule 2, insert the following:

**Soil and Water Management at MP25**

- 16A. Prior to the commencement of construction of the gas well at MP25, the management plans submitted under conditions 15 and 16 must:
- (a) be updated by a suitably qualified expert;
  - (b) be re-submitted to the Director-General for approval prior to the commencement of construction activities at the MP25 gas well site;
  - (c) include measures to minimise impacts on surface water and groundwater quality at the MP25 gas well site, including but not limited to:
    - i. using above-ground baffle tanks to contain all drilling fluids during drilling operations;
    - ii. disposing of all drilling fluids and groundwater collected in the baffle tanks at an authorised wastewater treatment facility;
    - iii. ensuring that adequate spill control equipment and materials will be available at drill sites;
    - iv. a contingency plan to address any groundwater brought to the surface that exceeds the capacity of onsite detention structure, and would avoid discharges from the site (otherwise than in accordance with an environment protection licence); and
    - v. ensuring that no hydraulic fracturing occurs and that no fracking fluids containing Benzene, Toluene, Ethylbenzene and Xylene (BTEX) chemicals are used.

**Borehole Construction at MP25**

- 16B. The Applicant must ensure that the gas well at MP25:
- (a) is designed in consultation with, and in accordance with the specifications required by, the Division of Resources and Energy (DRE), under the Department of Trade, Investment, Regional Infrastructure and Services (DTIRIS);
  - (b) is cased with steel across the uppermost beneficial-use aquifer layer;
  - (c) has all casing fully cemented from casing shoe to surface, leaving no open annuluses; and
  - (d) has a blow-out prevention device on the wellhead secured to the steel casing.

in order to protect the integrity of any underground aquifers, prevent gas escape and maintain groundwater quality.

**Gas Gathering Line – MP16 to MP30**

- 16C. For the gas gathering line between MP30 and MP16, the Applicant shall, to the satisfaction of the Director-General ensure that:
- (a) pipelines are designed, constructed and operated in accordance with the Australian Standard for Installation and Maintenance of Plastic Pipe Systems for Gas AS 3723-1989 (or its latest version);
  - (b) the route of the gas gathering and water transport systems and access roads follow previously or currently disturbed areas wherever practicable;
  - (c) trenches are not left open overnight, unless adequately covered;
  - (d) open trenching works within 20 metres of watercourses are only undertaken during dry weather conditions;
  - (e) construction activities do not impede lateral water flows;
  - (f) no crown or camber remains along any gas gathering system line, following rehabilitation;
  - (g) signs are erected at intervals along all gas gathering system lines indicating the presence of a buried gas pipeline; and
  - (h) impacts to riparian vegetation and endangered ecological communities are minimised.

8. Under the heading “**Heritage**” in Schedule 2, re-number the condition from “16A” to “16D”.
9. Under the heading “**Threatened Species**” in Schedule 2, re-number the condition from “16B” to “16E”.
10. After condition 17 of Schedule 2, insert the following:

- 17A. Prior to the commencement of construction of the gas well at MP25, the management plan submitted under condition 17 must:
- (a) be updated by a suitably qualified expert to include gas well MP 25; and
  - (b) be re-submitted to the Director-General for approval.

11. After condition 17 of Schedule 2, insert the following:
  - 21A. Prior to the commencement of construction of the gas well at MP25, the OEMP submitted under condition 22 must:
    - (a) be updated by a suitably qualified expert to include gas well MP 25; and
    - (b) be re-submitted to the Director-General for approval.
12. In conditions 24 and 25 of Schedule 2, insert "MP25" after "MP13 – MP17 inclusive".
13. Insert the following as Appendix 1:

### Statement of Commitments for MP25 and associated Infrastructure

Matter	Commitment
General	<ol style="list-style-type: none"> <li>1. The Proponent shall implement all practicable measures to prevent or minimise harm to the environment that may result from the construction, operation or rehabilitation to MP25 and associated infrastructure.</li> <li>2. The Proponent shall ensure compliance with Environment Protection Licence 12003.</li> <li>3. The Proponent shall ensure that the Petroleum Operations Plan for the project is to include MP25 prior to the commencement of construction of MP25.</li> <li>4. The Proponent shall construct and operate MP25 in accordance with the <i>Camden Gas Project Environmental Management Plan</i> (AGL Gas Production Camden 2008, or its latest version). This plan includes sub plans dealing with noise, flora and fauna, soil and water, Aboriginal cultural heritage, landscape and rehabilitation, air quality, waste, traffic, dangerous goods and hazardous materials storage, and emergency response.</li> </ol>
Surface water	<ol style="list-style-type: none"> <li>5. The Proponent shall prepare and update and implement the Soil and Water Management Plan for MP25 to the satisfaction of the Director-General. The plan will be submitted to the Director-General prior to construction commencing.</li> <li>6. The updated Soil and Water Management Plan will include the following measures for the minimisation of potential soil and water impacts from the twinning of the GGL between MP16 and MP30:           <ul style="list-style-type: none"> <li>• Spoil from the trench will be temporarily stockpiled on the upslope side of the trench.</li> <li>• If the trench is not back filled on the day of the excavation, cut-off trains or silt fencing will be installed upslope of the spoil to divert surface water.</li> <li>• Stormwater contained within the trench will not be released into any existing waterways.</li> </ul> </li> <li>7. The Proponent shall undertake regular on-site monitoring during construction of MP25 to ensure that the updated Soil and Water Management Plan is being implemented to prevent run-off from disturbed areas from entering the Nepean River.</li> <li>8. The Proponent shall implement all reasonable and feasible measures to ensure that there will be no discharge of polluted waters to either surface waters or groundwater from the site activities during the construction and operation of MP25.</li> <li>9. The Proponent shall ensure on-site storage of fuel, lubricants and any chemicals used in relation to MP25 will be kept to a minimum and these items will be stored in bunded containment areas.</li> <li>10. The Proponent will not use evaporation ponds in connection with MP25.</li> </ol>
Groundwater	<ol style="list-style-type: none"> <li>11. During drilling operations of MP25, the Proponent shall implement all reasonable and feasible measures to protect aquifers from any operational impacts.</li> <li>12. The Proponent will comply with all legislative requirements in respect of licensing any encountered groundwater resources during drilling of MP25. This includes ensuring that:           <ul style="list-style-type: none"> <li>• Construction of MP25 is to be undertaken by a driller holding a water driller's licence.</li> <li>• The need for an aquifer interference approval is discussed with the NSW Office of Water prior to the commencement of drilling at MP25.</li> <li>• At all stages of the construction and operation of MP25, a Water Bore Licence or Water Access Licence with sufficient entitlement to account for groundwater extraction from the project area at MP25 will be held.</li> </ul> <p>It is noted that no additional licence is expected to be required for MP25 because the site is already licensed and the current wellfield allocation is sufficient to cover the additional dewatering at this site.</p> </li> <li>13. The Proponent will sample the water quality of the completed MP25 well and monitor produced water volumes. If MP25 produces more than 50 KL/year, a flow meter will be installed and water volumes monitored monthly.</li> <li>14. The Proponent shall implement all reasonable and feasible measures to ensure that MP25 is</li> </ol>

Matter	Commitment	
Soil and water quality	constructed, operated and decommissioned to avoid and minimise gas migration risks and adverse impacts to beneficial aquifers including associated groundwater users, surface waters and groundwater dependent ecosystems.	
	15. The Proponent will implement erosion and sediment control measures consistent with the requirements of <i>Managing Urban Stormwater: Soils and Construction manual</i> (Landcom 2004, or its latest version).	
	16. The Proponent will minimise stockpile heights and volumes, where practical. Soil stockpiles will have a maximum height of 3 m and will be battered to a maximum slope of 2 (horizontal) to 1 (vertical).	
	17. The Proponent shall implement all reasonable and feasible measures to ensure that no drilling fluids used during drilling of MP25 are discharged to land. The Proponent will line pits with polyethylene (a geotechnical liner), bunded on the upslope and downslope and one other side. Drill cuttings, including coal fines, will be managed by regular inspection of levels in pits to ensure that each pit does not exceed approximately 80% of its holding capacity.	
	18. In the event of likely significant movement from soil stockpiles due to rainfall or wind, the Proponent will ensure that additional containment measures for stockpiles are implemented as directed by the Field Environment and Safety Officer.	
	19. The Proponent shall ensure that construction activities associated with MP25 and the twinning of the GGL between MP16 and MP30 do not impede lateral water flows, where practicable.	
	20. The Proponent will vegetate stockpiles associated with MP25 in the event that material is to remain on site for a long period of time.	
	21. Soil stockpiles will be moistened if the material is being transported by wind.	
	22. The Proponent will install appropriate control measures at the downslope perimeter of disturbed areas on the MP25 drill site. These will be used when water ponding for settling of sediments and energy loss is the objective.	
	23. Spill response equipment will be kept on-site during the drilling of MP25 and any work over of MP25 and will be replaced as required. This equipment will include, but not be limited to, absorbent materials, shovels, and sand bag sacks.	
Flooding	24. In the event of continued inclement weather, field roads shall be assessed by AGL personnel and a decision on the suitability of roads broadcast to all employees. In the event of inclement weather personnel are to stay on gravel/shale road surfaces at all times to minimize environmental impacts.	
	25. In the event of sustained severe weather the Proponent will ensure the water level of the Nepean River is observed. When it is observed to be rising and approximately 2 m below the 68 m above sea level flood marker located under the Menangle Road Bridge, the Flood Response Coordinator (Rosalind Park Gas Plant Operator) is to be informed and placed on standby.	
	26. The Proponent will nominate one or more Field Production Operators to regularly monitor river levels and report back to the Field Production Supervisor, initially on an hourly basis (or more frequently if required).	
	27. The Proponent shall ensure that temporary fencing used during site rehabilitation of MP25 is of a form that does not obstruct the free flow of floodwaters, and that, where feasible, does not become moving debris during flooding.	
	28. The Proponent will locate stockpiles associated with MP25 on higher ground (where possible) to avoid impact from less intense flooding.	
	29. The Proponent will immediately dispose of any contaminated soil generated during the construction of MP25, subject to daily monitoring.	
	30. The Proponent will promptly spread soil stockpiles during site rehabilitation, following drilling and completion activities for MP25.	
	Ecology	31. The Proponent shall take all practicable measures to minimise potential flora and fauna impacts of the proposed MP25 and associated infrastructure.
		32. The Proponent shall take all practicable measures to limit the potential spread of noxious weeds in constructing MP25.
		33. The existing sedimentation fence installed between the proposed twinned GGL between MP16 and MP30 and the Riverflat Eucalypt Forest EEC will be maintained throughout the construction period.
34. The Proponent shall ensure that no works are undertaken within the drip line of trees on the western side of the access track near the proposed GGL twinning between MP16 and MP30.		
35. The Proponent shall ensure that all personnel are informed during their site induction that the fenced-off vegetation to the west of MP25 is an EEC and that it is not to be accessed or otherwise impacted during construction activities.		
36. Five River She-oaks will be planted in tubestock form at the southern portion of the		

Matter	Commitment
	construction pad following the completion of construction of MP25.
	37. The Proponent shall ensure that the River She-oaks within the site compound of MP25 and the Riverflat Eucalypt Forest EEC are avoided during the proposed activities. This includes erecting para-webbing around the root zone of the one established River She-oak within the site compound prior to construction and between the site compound and the regeneration area to the south, as shown in Figure 5.2 of the RTS.
	38. The Proponent shall ensure that dead wattles removed by the preparation of the site compound and the northern access route are placed in a nearby area so that potential native fauna habitat in the vicinity is not reduced.
	39. The Proponent shall monitor the health of the relocated four wattles identified in Photo 5.1 of the EA following relocation and during site rehabilitation. Practicable measures to restore the health of the trees will be applied, as necessary.
Noise	40. The Proponent shall conduct construction activities, except for drilling of MP25, only between the following hours: <ul style="list-style-type: none"> <li>• 7am to 6pm Monday to Friday; and</li> <li>• 8am to 1pm Saturdays.</li> </ul>
	41. The Proponent shall implement all reasonable and feasible best practice measures to undertake the development in a way that minimises the noise generated.
	42. The Proponent shall ensure that all personnel are made aware that noise generating activities, apart from the drilling of MP25, are to be minimised between 10pm and 7am.
	43. The Proponent shall undertake noise monitoring during initial drilling of MP25 to affirm and calibrate noise predictions.
Air quality	44. The Proponent shall implement all practicable measures to minimise dust and other emissions generated by construction and operation of MP25 and associated infrastructure, in accordance with the <i>Camden Gas Project Environmental Management Plan (Air Quality Management Sub-Plan)</i> (AGL Gas Production Camden 2008, or its latest version).
	45. The Proponent shall arrange for annual inspection of the twinned GGL between MP16 and MP30 by a specialist third party gas detection inspection service. The leakage survey of the below ground pipelines will be conducted at a sensitivity of 10 parts per million.
Historical heritage	46. In accordance with section 146 of the <i>Heritage Act 1977</i> , the Proponent will notify the Heritage Council of NSW if any historical archaeological relics (within the meaning of the Heritage Act) are disturbed by the proposed works.
Aboriginal cultural heritage	47. If any potential Aboriginal Object is discovered during construction of the proposed works, the Proponent will ensure that procedures listed in the <i>Camden Gas Project Environmental Management Plan (Aboriginal Cultural Heritage Management Sub Plan)</i> (AGL Gas Production Camden 2008) are followed. This includes: <ul style="list-style-type: none"> <li>• All works within the immediate vicinity should cease until the potential Aboriginal Object(s) can be assessed and recorded by a qualified archaeologist.</li> <li>• The extent and significance of the Aboriginal Object(s) will be determined.</li> <li>• The Aboriginal Object(s) will be recorded and collected, and later relocated to an appropriate location at the completion of works. Immediately after collection, construction may then continue.</li> <li>• Should any of these Aboriginal Object(s) be deemed culturally significant, then further investigation with a qualified archaeologist should be undertaken to determine the need for further archaeological investigation. If the Aboriginal Object(s) are not regarded to be significant, these will be collected for analysis, and relocation.</li> </ul>
Rehabilitation	48. The Proponent shall progressively rehabilitate the MP25 well surface location and any other parts of the site impacted by the development to the satisfaction of the Director-General and DRE, unless agreed otherwise, and in consultation with the landowner.
	49. The Proponent shall consult with the landowner regarding the method of closure and rehabilitation for the twinned GGL between MP16 and MP30.
Community consultation	50. The Proponent shall undertake community consultation regarding the works, including the provision of written notice well in advance of the proposed activities, and coordination of the construction works program to accommodate the racing schedule at the Menangle Park Paceway.