

ATTACHMENT 2

Development Consent

Section 80 of the *Environmental Planning & Assessment Act 1979*

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), approve the Development Application referred to in Schedule 1, subject to the conditions in Schedule 2.

The reason for these conditions is to:

- (i) Prevent and minimise any adverse environmental impacts associated with the development; and
- (ii) Provide for the on-going environmental management of the development.

This instrument includes changes made by MOD 27-3-2007 in July 2007 (marked in blue)

This instrument includes changes made by MOD 13-10-2011 in April 2012 (marked in green)

Diane Beamer MP
Minister Assisting the Minister for Infrastructure and Planning (Planning Administration)

Sydney,

2004

File No. S02/02299

SCHEDULE 1

Development Application:	DA-183-8-2004-i
Applicant:	Sydney Gas Operations Pty Limited
Consent Authority:	Minister Assisting the Minister for Infrastructure and Planning (Planning Administration)
Land:	Lot 1/DP 954424 (Wells MT1 - MT 10 inclusive) Lot 10/DP 1022204 (Wells MP13 - MP17 inclusive) Lot 10/DP 1022204 (MP30) Lot 10/DP 1022204 (MP25) Lot 10/DP 1022204 (associated gas infrastructure)
Proposed Development:	The Project includes: <ul style="list-style-type: none">• Connection of 15 existing coal seam methane wells to the previously approved Stage 2 Camden Gas Project – Gas Treatment Plant, for the production of methane gas; and• Construction of a Dam at the MT1 gas well site.• Construction, drilling and operation of 1 Surface to in-seam well (MP30) at MP13 and upgrading (twinning) of the gas gathering line between MP13 and MP14.• Construction, drilling and operation of 1 Surface to in-seam well (MP25) at MP16 and upgrading (twinning) of the gas gathering line between MP16 and MP13/30.
State Significant Development:	The proposed development is State significant development by virtue of a Declaration made by the Minister for Infrastructure and Planning on 13 June 2003

under Section 76A of the *Environmental Planning and Assessment Act 1979*.

Integrated Development:

The proposal is classified as integrated development under Section 91 of the *Environmental Planning and Assessment Act 1979*, as it requires an additional approval under the *Mine Subsidence Compensation Act 1961*

Note:

- 1) *To find out when this consent becomes effective, see Section 83 of the Act;*
- 2) *To find out when this consent is liable to lapse, see Section 95 of the Act; and*
- 3) *To find out about appeal rights, see Section 97 of the Act.*

SCHEDULE 2

Obligation to Minimise Harm to the Environment

1. The Applicant shall implement all practicable measures to prevent or minimise any harm to the environment that may result from the construction or operation of the development.

Terms of Approval

2. The Applicant shall carry out the development generally in accordance with the:
 - (a) DA submitted to the Department on 28 July 2004;
 - (b) "*Statement of Environmental Effects - Harness Racing Drilling Program*" Sydney Gas Company dated 24 June 2003;
 - (c) "*Review of Environmental Effects - Mt Taurus Drilling Program*" Sydney Gas Company dated March 2004;
 - (d) Modification Application MOD 27-3-2007 and *Camden Gas Project Joint Venture Gas Well and Gathering Line Modification Project Statement of Environmental Effects*, dated March 2007;
 - (e) Modification Application MOD 13-10-2011, *Camden Gas Project: MP25 Environmental Assessment* dated October 2011, Response to Submissions dated 17 February 2012 and *Statement of Commitments* dated April 2012; and
 - (f) Conditions of this consent.

If there is any inconsistency between the above documents, the latter document shall prevail over the former to the extent of the inconsistency. However, the conditions of this consent shall prevail over all other documents to the extent of any inconsistency.

3. The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
 - (a) Any reports, plans or correspondence that are submitted in accordance with this consent; and
 - (b) The implementation of any actions or measures contained in these reports, plans or correspondence.
4. This approval is for a period of twenty one (21) years from the granting of the production lease.
5. Nothing in this consent permits the drilling and operation of any additional wells (beyond the approved 17 wells for gas production) or additional gas gathering lines (beyond those approved).
6. The Applicant shall provide Campbelltown City Council and Wollondilly Shire Council with the Geographical Positioning System (GPS) co-ordinates and digital survey data for gas well sites and gas gathering systems within their respective Local Government Area, in a format suitable to each of these Councils, within two months of the completion of the gas wells and gas gathering system.

7. The Applicant shall provide Campbelltown City Council and Wollondilly Shire Council with the wellhead configurations of each gas well within two months of the gas well being completed or two months from the date of this consent, whichever is the later.
8. The Applicant shall provide written notification to the Director-General that it has fulfilled the requirements of Conditions 6 and 7, within two weeks of the information being provided to the Councils.

Environmental Management

9. Except as may be expressly provided for by a licence under the Protection of the Environment Operations Act 1997 in relation to the development, the Applicant shall comply with section 120 of the *Protection of the Environment Operations Act 1997*, in carrying out this development.

Note: Section 120 of the *Protection of the Environment Operations Act 1997* applies to the disposal of wastewater.

10. The Applicant is required to ensure that the Dam at gas well site MT1 is appropriately lined so that waters stored in the dam do not potentially contaminate the surrounding and underlying soils.
11. The Applicant is not permitted to spray or discharge water from the earth Dam at gas well site MT 1, onto any land or water surface unless it has prior written approval from the Director-General.
12. The Applicant is required to store and manage the use and disposal of water in accordance with the current version of the Office of Environment and Heritage's "*Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes.*"
13. The Applicant shall undertake the development in a way that minimises the noise generated by the development.

Construction Hours

- 13A. The Applicant shall ensure that all construction work (except for the drilling (including well casing and grouting) of surface to in-seam wells), shall only be conducted between 7.00am and 6.00pm Monday to Friday and between 8.00am and 1.00pm Saturdays, unless inaudible at any residential receiver.

Note: *Inaudible means that the construction activity cannot be heard by the human ear at the nearest affected residential receiver.*

Construction Noise Criteria for Surface to in-seam Wells

- 13B. Noise from the drilling and construction of MP30 shall not exceed the sound pressure level (noise) limits in the table below:

Receiver Location	Weekday (7.00am-6.00pm) Saturday (7.00am-1.00pm)	Saturday (1.00pm-6.00pm) Sunday (7.00am-6.00pm)	Evening (6.00pm-10.00pm)	Night (10.00pm-7.00am)
Nearest Receiver	57	42	42	40

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

14. The Applicant is required to prepare and implement a Water Management Plan for the sites and the Dam at MT 1 for the life of the development. The Water Management Plan will include (and not be limited to) sediment and erosion control measures to be implemented prior to the construction of the earth Dam at gas well site MT1. The Applicant shall submit the Water Management Plan for the Director-General's approval within one month of the date of this consent.
15. The Applicant is required to prepare and implement a Flood Management Plan for the sites for the life of the development. The Flood Management Plan will include (and not be limited to) measures to minimise and mitigate flooding impacts. The Applicant shall submit the Flood Management Plan for the Director-General's approval within one month of the date of this consent.
16. The Applicant is required to prepare and implement a Soil and Water Management Plan for the sites for the life of the development. The Applicant shall submit the Soil and Water Management Plan for the Director-General's approval within one month of the date of this consent.

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, that would avoid discharges from the site (otherwise than in accordance with an EPA environment protection licence); and
 - v. ensuring that no hydraulic fracturing of MP25 occurs.

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.

Note: This condition is imposed 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) no crown or camber remains along any gas gathering system line, following rehabilitation;
- (f) signs are erected at intervals along all gas gathering system lines indicating the presence of a buried gas pipeline; and

Heritage

- 16D. The Applicant shall ensure that, if any historical archaeological relics within the meaning of the *Heritage Act 1977* are disturbed, the Heritage Council of NSW shall be notified in accordance with section 146 of the *Heritage Act 1977*.

Threatened Species

- 16E. The Applicant shall ensure that, during the drilling and construction of MP30 and upgrading of the gas gathering lines, impacts on threatened species are minimised by implementing actions including, but not limited, to the following:
- (a) The recommendations outlined in Sections 6 and 7 of the Ecosearch Environmental Consultants Pty Ltd report titled "*Flora and Fauna Assessment, AGL –Gas Well and Gathering Line Project Modifications*"; and
 - (b) Marking the boundaries of endangered ecological communities (EECs) and locations of other known threatened species and, where possible, avoiding construction activities within these areas.
17. The Applicant is required to prepare and implement a Weed Management Plan for the sites for the life of the development. The Applicant shall submit the Weed Management Plan for the Director-General's approval within one month of the date of this consent.
18. Prior to the commencement of construction of the gas well at MP25, the management plan submitted under in 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.

Redrilling and Refracking Management Plan

Note: For the purposes of this consent the redrilling and/or additional fraccing of a well does not constitute wellhead maintenance.

19. The Applicant shall obtain the prior approval of the Director-General for the redrilling and/or additional fraccing of a gas well.
20. The Applicant shall prepare a Redrilling and Refracking Management Plan in consultation with the Department of Primary Industries for the redrilling and/or refracking of an existing well. The Plan shall be submitted to the Director-General no later than one month prior to the commencement of the work or within such period as agreed by the Director-General. The Plan shall include, but not necessarily be limited to:
- (a) a description of all the activities to be undertaken on the well site during the redrilling and/or refracking work;
 - (b) details of how the environmental performance of the work will be monitored and what actions will be taken to address identified adverse environmental impacts;
 - (c) reference to the relevant parts of the Environmental Management Plan required under condition 22 of this consent;
 - (d) compliance with all the relevant environmental performance requirements of this consent; and
 - (e) arrangements for complaints handling procedures during the redrilling/refracking work.

21. The Applicant shall give written notification of the proposed redrilling/refracking work to potentially affected residences and other noise sensitive receivers at least fourteen days prior to work commencing.

Operational Environmental Management Plan (OEMP)

22. The Applicant shall prepare and implement an Operational Environmental Management Plan (OEMP) to provide environmental management practices and procedures to be followed during the operation of the development. The OEMP shall be forwarded to the Director-General for approval within one month of the date of this consent. The OEMP shall include, but not necessarily be limited to:
 - (a) identification of all statutory and other obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;
 - (b) a description of the roles and responsibilities for all key personnel involved in the operation of the development;
 - (c) the overall environmental policies and principles to be applied to the operation of the development;
 - (d) standards and performance measures to be applied to the development, and a means by which environmental performance can be periodically reviewed and improved; and
 - (e) management policies to ensure that environmental performance goals are met and to comply with conditions of this consent.
23. Prior to the commencement of construction of the gas well at MP25, the OEMP submitted under in 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.
24. The Applicant shall supply a copy of the OEMP to Campbelltown City Council and Wollondilly Shire Council within fourteen days of the Director-General's approval. The Applicant shall ensure that a copy of the OEMP is publicly available.
25. The Applicant shall review and update the OEMP annually, or as directed by the Director-General

Annual Environmental Performance Reporting

26. The Applicant shall include the operation of MT1 - MT10 inclusive, MP13 – MP17 inclusive, MP25 and MP30, and the associated gas gathering system and the conditions of this consent, in the Annual Environmental Performance Report required under Schedule 5 Condition 5 of development consent DA-282-6-2003-i, dated 16 June 2004.

Independent Environmental Audit

27. The Applicant shall include the operation of MT1 - MT10 inclusive, MP13 – MP17 inclusive, MP25 and MP30, and the associated gas gathering system, and the conditions of this consent, in the Independent Environmental Audit required under Schedule 5 Condition 8 of development consent DA-282-6-2003-i, dated 16 June 2004.