

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 14 September 2011, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.


Karen Jones
Director
Infrastructure Projects

Sydney

15 July

2014

SCHEDULE 1

Project Approval:

07_0125 granted by the then Minister for Planning and Infrastructure on 18 November 2008

For the following:

Water Related Services for Stage One Precincts

Modification:

07_0125 MOD 4: Construction of an Emergency Storage Tank at Mile End Road, Rouse Hill.

SCHEDULE 2

1. Delete table of definitions and replace with the following:

Act, the	<i>Environmental Planning and Assessment Act, 1979.</i>
Conditions of Approval	The Minister's conditions of approval for the project.
Councils	Baulkham Hills Shire Council, Blacktown City Council and Hawkesbury City Council.
DECC	Department of Environment and Climate Change, now OEH or EPA.
Department, the	Department of Planning and Environment.
Director-General, the	Director-General of the Department of Planning (now Secretary).
Director-General's Approval	A written approval from the Director-General (or delegate) where the Director-General's Approval is required under a condition. The Director-General may ask for additional information if the approval request is considered incomplete.
Director-General's Report	The report provided to the Minister by the Director-General of the Department under section 75I of the EP&A Act.
Dust	any solid material that may become suspended in air or deposited
EA	<i>North West Growth Centre water related services for first release precincts, Environmental Assessment</i> , prepared by Sydney Water Corporation and Sinclair Knight Merz and dated 13 February 2008.
EPA	Environment Protection Authority, formerly DECC.
EPL	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act, 1997</i>
EST	Emergency Storage Tank
Minister, the	Minister for Planning
OEH	Office of Environment and Heritage, formerly DECC.
Pipelines	The drinking water, recycled water and wastewater pipelines proposed in the EA, Preferred Project Report and modifications listed in condition 1.1.
Preferred Project Report	<i>North West Growth Centre water related services for first release precincts</i> , prepared by Sydney Water Corporation and dated July 2008.
Proponent	Sydney Water Corporation
Publicly Available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre).
Secretary	Secretary of the Department of Planning and Environment (or her delegate).
Site	Land to which Major Projects Application 07_0125 applies.

CONDITIONS

2. Delete conditions 1.1 and 1.2 and replace with the following:

- 1.1 The Proponent shall carry out the project generally in accordance with:
- a) Major Project Application 07_0125;
 - b) the EA;
 - c) the Preferred Project Report;
 - d) the letter from Sydney Water Corporation to the Department of Planning, dated 15 March, 2010, titled *Project Number 07_0125 Modification to North West Growth Centre water related services for first release precincts: request for modification*, and associated documents including modification application 07_0125 MOD 2 and Reed NWGC First Release Precincts – Package 1 Works Consistency Assessment WL 11 – INLET MAIN – Sunnyholt Rd to Newbury Avenue, Stanhope Gardens;
 - e) *North West Growth Centre Water Related Services for First Release Precincts Modification Assessment Report April 2012*;
 - f) *North West Growth Centre Water Related Services for First Release Precincts Modification Assessment Report Response to Submissions July 2012*;
 - g) *North West Growth Centre Water Related Services for First Release Precincts Modification Assessment Report April 2014*; and
 - h) *the conditions of this approval.*
- 1.2 In the event of an inconsistency between:
- a) the conditions of this approval and any document listed from condition 1.1a) to 1.1g) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
 - b) any document listed from condition 1.1a) to 1.1g) inclusive, and any other document listed from condition 1.1a) to 1.1g) inclusive, the most recent document shall prevail to the extent of the inconsistency.

3. Insert the following condition after condition 2.9:

- 2.9a Identified impacts to Aboriginal heritage, shall be minimised to the greatest extent practicable through both detailed design and construction. Where impacts are unavoidable, works shall be undertaken in accordance with the actions to manage heritage construction impacts required by condition 6.2(d) and under the guidance of an appropriately qualified heritage specialist.
- 2.9b Prior to the commencement of construction of the EST at Mile End Road, the Proponent shall:
- (a) In consultation with a suitably qualified archaeologist and geomorphologist, undertake archaeological investigation of this site using a methodology prepared in accordance with the document referred to in condition 6.2(d) and in consultation with the Registered Aboriginal Parties; and
 - (b) report on the results of the archaeological investigation, including recommendations (such as for further archaeological work) in accordance with the document referred to in condition 6.2(d). Where impacts cannot be avoided, recommendations for any further investigations or salvage under Condition 2.9c.
- 2.9c Prior to the commencement of construction of the EST at Mile End Road where Aboriginal objects of moderate to high significance are found to be present and cannot be avoided (Condition 2.9d(b)), the Proponent shall:
- (a) develop a detailed salvage strategy, prepared in accordance with the document referred to in condition 6.2(d) and in consultation with the Registered Aboriginal Parties; and

- (b) undertake any further archaeological excavation works recommended by the results of the Aboriginal archaeological investigation program.

Within twelve months of completing the above work, unless otherwise agreed by the Secretary, the Applicant shall submit a report containing the findings of the excavations, including artefact analysis and Aboriginal Site Impacts Recording Forms (ASIR), and the identification of final storage location for all Aboriginal objects recovered (testing and salvage), prepared in consultation with the Aboriginal stakeholders, the OEH (Aboriginal heritage) and to the satisfaction of the Secretary. A copy of this report shall be provided to the relevant Council.

4. Insert the following condition after condition 2.16:

Property Impacts

- 2.17 The southern section of existing Council cycleway adjacent to the EST on Mile End Road and impacted by the construction of the EST shall be reinstated in consultation with the Hills Shire Council within 1 month following completion of construction of the EST.
- 2.18 The EST at Mile End Road shall be designed and constructed in such a way to ensure that impacts to Hills Shire Council's existing drainage and overland flow paths in the area are minimised. Any alteration to these systems shall be reconstructed to a condition equal to or better than the existing arrangements.

5. Insert the following condition after condition 3.2:

- 3.3 Prior to commencement of rock breaking activities for the EST at Mile End Road, a vibration monitoring system shall be installed to warn operators when vibration levels are approaching the relevant peak particle velocity objective.