

ASSESSMENT REPORT

West Hornsby and Hornsby Heights Sewage Treatment Plants Upgrade (MOD 1)

1. INTRODUCTION

This report is an assessment of a request to modify the Minister's Approval for the West Hornsby and Hornsby Heights Sewage Treatment Plants Upgrade (the project). The project is located in the Hornsby Shire local government area.

The request has been lodged by Sydney Water pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval to enable Sydney Water to adopt its certified systems (Environmental Management System (EMS) and Integrated Management System (IMS) in lieu of project specific Operational Environmental Management Plans (OEMPs) for the project.

2. SUBJECT SITE

The project is located in the Hornsby Shire local government area. The site is shown in **Figure 1**.

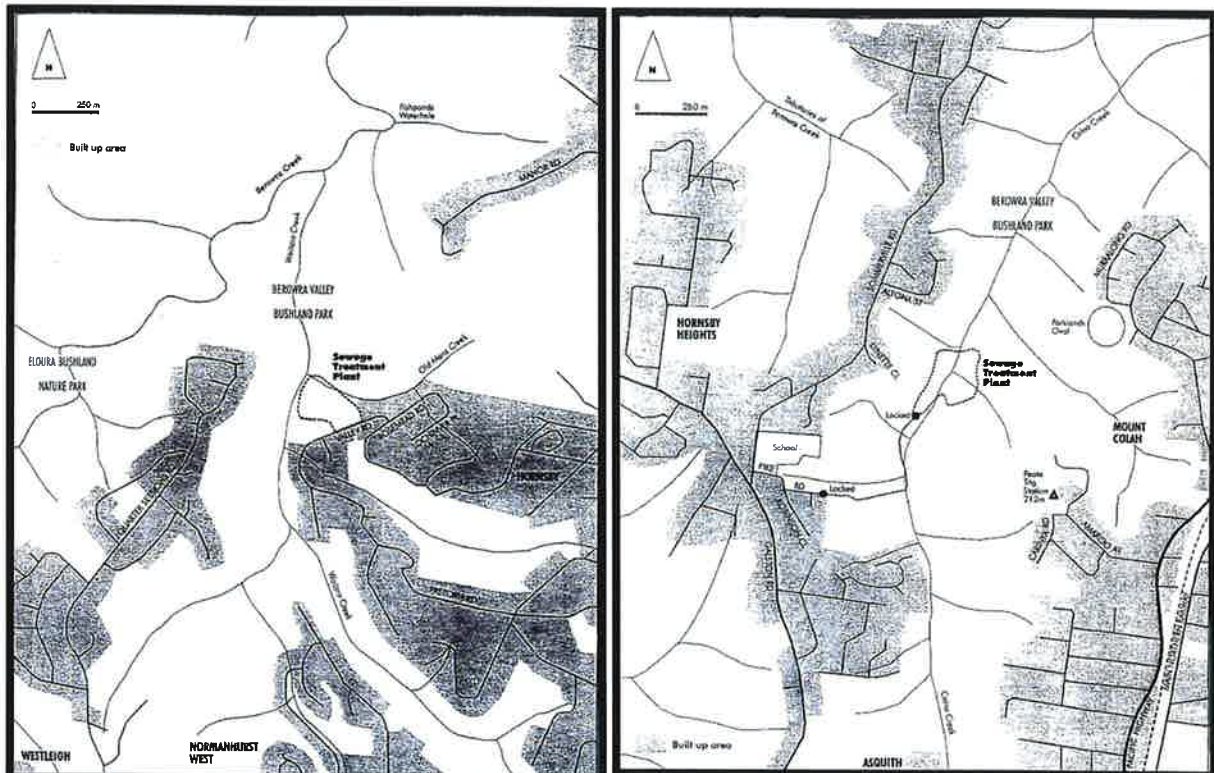


Figure 1: Site context showing the sewage treatment plants by black dotted line (Source: Proponent's original application).

3. APPROVAL HISTORY

On 8 September 1999, the Minister for Urban Affairs and Planning granted approval under Division 4 of Part 5 of the EP&A Act for the West Hornsby and Hornsby Heights Sewage Treatment Plants Upgrade. The project has not previously been modified.

4. PROPOSED MODIFICATION

On 28 April 2017, the Proponent lodged a section 75W modification application seeking approval to insert a new condition allowing Sydney Water to adopt its certified management systems (EMS and IMS), in lieu of project specific OEMPs to manage environmental risks.

The proposed condition would read, as follows:

Notwithstanding Condition 17, if an existing environmental management system that is administered by the Proponent and prepared in accordance with the AS/NZS ISO 14000 Environmental Management System (EMS) series, or similar certified system, which addresses and is applicable to this project, then that EMS may be submitted in lieu of the OEMP. Details of the existing EMS must be provided to the Secretary demonstrating its application to this project.

5. STATUTORY CONSIDERATION

5.1 Modification of approval

The modification request relates to a project approved under Division 4 of Part 5 of the EP&A Act before its repeal in 2005. In accordance with clause 88(3) to Schedule 6 of the EP&A Act, the approval is taken to be an approval under Part 3A of the Act. Section 75W of the Act, as in force immediately before its repeal on 1 October 2011, and as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

The Department is satisfied that the proposed changes are within the scope of section 75W of the EP&A Act, and the proposal does not constitute a new application.

5.2 Approval Authority

The Minister for Planning is the approval authority for the request. However, the Director, Modification Assessments, may determine the request under delegation as:

- the relevant council has not made an objection, and
- a political disclosure statement has not been made, and
- there were no public submissions in the nature of objections.

6. CONSULTATION

The modification request was made publicly available on the Department's website and referred to Hornsby Shire Council (the Council), the Office of Environment and Heritage, Environment Protection Authority, Department of Primary Industries and the Department of Industry for comment.

Council and the **agencies** raised no objection to the proposed modification.

7. ASSESSMENT

The Proponent seeks to modify the approval to allow it to adopt its EMS and IMS in lieu of implementing a specific OEMP, to manage the potential operational impacts associated with the project.

The modification is sought to remove duplication between the OEMP requirements of Condition 17 and Sydney Water's existing procedures and processes, improve efficiency, and provide a consistent approach to Sydney Water's operational management.

Sydney Water has prepared an OEM "Roadmap" to demonstrate how it would implement its existing procedures and processes to meet the requirements of the OEMP.

The Department considers the proposed modification permitting Sydney Water to use its existing EMS and IMS systems is acceptable for the following reasons:

- the intent of Condition 17 would still be met as the proposed condition would require Sydney Water to demonstrate that all appropriate operational management measures have been addressed
- site specific operational issues would still need to be addressed under Sydney Water's EMS and IMS systems
- it would remove duplication of OEMP requirements and processes used by Sydney Water and provide a consistent approach to managing its assets
- the Department has imposed the condition on other Sydney Water approvals allowing it to use EMS and IMS management systems in lieu of an OEMP.

The Department's assessment, therefore, concludes the proposal to allow Sydney Water to use its EMS and IMS management systems instead of an OEMP is acceptable. Consequently, the Department is satisfied the modification is in the public interest and recommends the request be approved subject to conditions.

8. RECOMMENDATION

It is recommended that the Director, Modification Assessments, as delegate for the Minister for Planning:

- **consider** the findings and recommendation of this report
- **determine** that the request (MOD 1) falls within the scope of section 75W of the EP&A Act
- **modify** the approval (MOD 1)
- **sign** the attached approval of the modification (**Appendix A**).

Recommended by:



Tim Green
Planner
Modification Assessments

Recommended by:



Natasha Harras
Team Leader
Modification Assessments

DECISION

The recommendation is approved by:

 14/12/17

Anthony Witherdin
Director
Modification Assessments
as delegate of the Minister for Planning.

APPENDIX A: NOTICE OF MODIFICATION

A copy of the notice of modification can be found on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8433

APPENDIX B: SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website, as follows:

1. Modification request

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8433

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8433