

Modification of Minister's Approval

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

I, the Director-General of the Department of Planning, in accordance with the Instrument of Delegation issued by the Minister for Planning, on 4 March 2009, pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* determine to approve of the modification to the approval referred to in Schedule 1 in the manner set out in Schedule 2.



Director-General
As delegate for the Minister for Planning

Sydney, 30th March 2009

MOD 71-12-2008

SCHEDULE 1

Project Approval:	Granted by the Minister for Urban Affairs and Planning on 15 January 1997 (W91/00171 Q02/00220).
For the following:	The construction and operation of the Picton Sewerage Scheme in the Wollondilly Local Government Area.
Modification:	Extension of the Approved Service Area Boundary.

SCHEDULE 2

The Approval is modified by:

1. Delete condition 1 and replace with the following:

1. The proposal shall be carried out in accordance with:

- (a) the proposal contained in the environmental impact statement (EIS) Picton Regional Sewerage Scheme prepared for the Sydney Water Corporation by ERM Mitchell McCotter, dated January 1996 (hereafter referred to as 'the EIS'), subject to modifications to the proposal as described in Section 2.4 of the Picton Regional Sewerage Scheme Director-General's Report, dated November 1996 (hereafter referred to as 'the Director-General's Report');
- (b) the review of environmental factors (REF) Proposed Modifications to the Picton Regional Sewerage Scheme, Sydney Water TransUtilities Consortium, dated November 1998, the Representations Report dated 14 December 1998 and the Addendum to the Representations Report dated 29 January 1999, but excluding the connection of additional properties as defined in section 3.15 of the Representations Report dated 14 December 1998;
- (c) all identified plans, safeguards and mitigation measures identified in the EIS, as summarised in Appendix B of the Director-General's Report, except as modified in accordance with the procedures, safeguards and mitigation measures presented in the review of environmental factors Proposed Modifications to the Picton Regional Sewerage Scheme, Sydney Water TransUtilities Consortium, dated November 1998, the Representations Report dated 14 December 1998 and the Addendum to the Representations Report dated 29 January 1999;
- (d) the Request for Modification to Minister's approvals for the Jamberoo; Mulgoa, Wallacia and Silverdale; and Picton Sewerage Schemes prepared by Sydney Water, dated 24 November 2008, as amended by Sydney Water's email to the Department of Planning in relation to criteria for additional connections, dated 10 March 2009; and
- (e) the conditions of approval granted by the Minister

Despite the above in the event of any inconsistency the later document shall prevail. The conditions of this approval shall prevail over any other document in the event of an inconsistency.

Any modification to the proposal which would be inconsistent with the conditions of approval shall only be carried out with the prior approval of the Minister.

It shall be the ultimate responsibility of Sydney Water to ensure compliance with the conditions of this approval.

These conditions do not relieve the Proponent of the obligation to obtain all other approvals and licences from all relevant authorities required under any other Act. Without affecting the generality of the foregoing, the Proponent shall comply with the terms and conditions of such approvals and licences.

2. Insert the following after Condition 1:

Limits of Approval:

- 1A Nothing in condition 1(d) authorises any additional connections where any resultant additional flows would result in the capacity of the collection system, Sewage Treatment Plant and re-use farm, as permitted by conditions 1(a) and 1(b) being exceeded.
 - 1B Sydney Water must, prior to authorising any additional connections under condition 1(d), review the uncommitted spare capacity and ensure that this capacity is sufficient to cater for proposed additional connections.
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