

# Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure 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.



A/Director, Infrastructure Projects  
Department of Planning and Infrastructure

Sydney

*24 January*

2012

### SCHEDULE 1

**Project Approval:**

1997-01-15 granted by the Minister for Urban Affairs and Planning on 15 January 1997.

Modification 1 – Approved on 5 March 1999 to allow for the relocation of the plant, an increase in the irrigation area and construction of an effluent main from the plant to Picton.

Modification 2 – Approved on 30 March 2009 to allow for the extension of the approved Service Area Boundary.

**For the following:**

Picton Sewerage Scheme

**Modification:**

1997-01-15 Mod3:

The removal of the boundary of the Picton Sewerage Scheme to allow properties outside the approved Scheme boundary to connect to the Scheme using uncommitted spare capacity at the Picton Water Recycling Plant and Picton Reuse Farm.

## **SCHEDULE 2 CONDITIONS**

### **GENERAL**

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;
  - (e) the Request for Modification to the Minister's approval for the Picton Regional Sewerage Scheme, dated 15 November 2011, the Modification to the Picton Regional Sewerage Scheme Assessment Report prepared by Sydney Water dated November 2011 and Submissions Report Modification to the Picton Regional Sewerage Scheme dated November 2012; and
  - (f) 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.

### **LIMITS OF APPROVAL**

Delete condition 1A and replace with the following:

- 1A Nothing in condition 1(d) and 1(e) authorises any additional connections where any resultant additional flows would result in the capacity of the Sewage Treatment Plant and re-use farm, as permitted by conditions 1(a) and 1(b) being exceeded.

Delete condition 1B and replace with the following:

- 1B Sydney Water must, prior to authorising any additional connections under condition 1(d) or 1(e), review the uncommitted spare capacity and ensure that this capacity is sufficient to cater for proposed additional connections.

Insert condition before condition 35:

- 35A The Proponent shall prepare a report to the Director-General's satisfaction illustrating that all reasonable and feasible measures to minimise impacts to vegetation have been considered during detailed design and construction of SPS A, should SPS A be located at location A1 instead of A2.

### Construction Noise and Vibration

Delete condition 40 and replace with the following:

40. The Proponent shall monitor construction noise levels to verify compliance with the requirements specified in the Noise and Vibration Management Procedure. Should monitoring indicate exceedance, the Proponent shall consult the Director General and implement any additional mitigation measures as required.

Delete condition 41 and replace with the following:

41. All construction activities including entry and departure of heavy vehicles shall be restricted to the hours 7:00 am to 6:00 pm (Monday to Friday); 8:00 am to 1.00 pm (Saturdays) and at no time on Sundays and public holidays.

Works outside these hours which may be conducted in accordance with the *Interim Construction Noise Guideline* (Department of Environment and Climate Change NSW 2009).