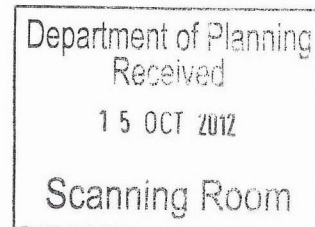




4 October 2012

Lisa Mitchell
Manager, Water Infrastructure Projects
Department of Planning and Infrastructure
23-33 Bridge Street
Sydney NSW 2000



Dear Ms Mitchell,

Request for modification to Minister's approval for The Oaks, Oakdale and Belimbla Park Sewerage Scheme

Sydney Water is seeking a modification to the approval granted by the Minister for Planning for the above project under section 75W of the Environmental Planning & Assessment Act 1979 (EP&A Act).

The modification is aimed at enabling Sydney Water to connect existing residences and/or approved developments located beyond the service area boundary identified in the 1999 Environmental Impact Statement and 2000 Representations Report. Connections will only be allowed where uncommitted spare capacity has been or may be identified and other specific criteria are met. Attachment A details the modification sought and criteria for connection. Attachment B is the modification consistency review.

It is considered that the proposed modification is within the system capacity assessed as part of the original assessment and subsequent approval process. The proposed modification will avoid the need for case-by-case modifications to be sought for individual properties not yet known to Sydney Water.

A completed modification application form is attached and we request that you address your invoice for the modification to Mark Obuchowski.

If you wish to discuss any matter relating to this modification please contact Cathy O'Rourke on 8849 6922.

Yours sincerely

Peter Fisher
Strategy Manager
Service and Asset Strategy
Liveable City Solutions

Attachment A: Consistency Review and Environmental Assessment of modification

Attachment B: Request to modify a major project

ATTACHMENT A

CONSISTENCY REVIEW AND ENVIRONMENTAL ASSESSMENT OF PROJECT MODIFICATION NO. 2 – THE OAKS, OAKDALE AND BELIMBLA PARK SEWERAGE SCHEME (OCTOBER 2012)

Prepared by:

Cathy O'Rourke
Senior Environmental Scientist
Engineering and Environmental Services
Sydney Water
4/10/12

1. Overview of modification and consistency review

LOCATION: THE OAKS, OAKDALE AND BELIMBLA PARK SEWERAGE SCHEME	
Change/ Reference No:	Modification No. 2
Description of the Approved Project	A sewerage scheme to service urban zoned properties within a defined scheme boundary in the towns of The Oaks, Oakdale and Belimbla Park. The scheme includes a gravity reticulation system in The Oaks and Oakdale and a low pressure sewerage system in Belimbla Park. Pumping stations and pipelines transfer sewage to the West Camden Water Recycling Plant for treatment, reuse and disposal.
Description of project change	Refer to Section 2.
Purpose of Consistency Review	<p>The purpose of this consistency assessment is to confirm or otherwise the consistency of allowing additional connections to the scheme from outside the scheme boundary with the Minister's approval for the scheme.</p> <p>This consistency assessment was conducted in September 2012 to identify any potential environmental impacts from the proposed modification and determine whether further environmental assessment is required.</p>
Analysis	<p>The environmental assessment component of the consistency review, provided in section 3, has identified that it is unlikely that there would be additional impacts to those identified within the EIS.</p> <p>The environmental impacts associated with the proposed additional connections would be assessed by the respective developers through separate assessment and approval processes.</p> <p>Allowing connections from outside the current scheme boundary would be inconsistent with Condition of Approval (CoA) 1. This states: "The Project shall be carried out in accordance with:</p> <ul style="list-style-type: none">• The proposal contained in the environmental impact statement (EIS), The Oaks, Oakdale & Belimbla Park Priority Sewerage Program prepared for the Sydney Water Corporation (SWC) by CH2MHILL Australia, dated September, 1999 as modified by the Review of Environmental Factors – Low Pressure Sewerage System at Belimbla Park, dated August 2003 and the

	<p>Representations Report for a Low Pressure Sewerage System at Belimbla Park, dated October 2003;</p> <ul style="list-style-type: none"> • all identified plans, safeguards and mitigation measures presented in the Representations Report prepared by SWC, dated August 2000 (including all measures outlined in Table 6.1) as modified by the Review of Environmental Factors – Low Pressure Sewerage System at Belimbla Park, dated August 2003 and the Representations Report for a Low Pressure Sewerage System at Belimbla Park, dated October 2003; • The Oaks, Oakdale & Belimbla Park Sewerage Scheme Director-General's Report dated June 2001 as amended by The Oaks, Oakdale and Belimbla Park Sewerage Scheme – Proposed Modification – Low Pressure System at Belimbla Park Director-General's Report dated January 2004; and • The conditions of approval granted by the Minister.”
Conclusion	<p>No new mitigation measures are required, however a modification to the Minister's approval should be sought. This is because allowing additional connections from outside the scheme boundary is inconsistent with the Minister's approval.</p>

2. Details of the proposed modification to The Oaks, Oakdale and Belimbla Park Sewerage Scheme

A. Original modified proposal

The Oaks, Oakdale and Belimbla Park Sewerage Scheme (the Scheme) was approved by the then Minister of Planning and Urban Affairs in July 2001 under the former provisions of Part 5, Division 4 of the *Environmental Planning and Assessment Act 1979*. Sydney Water subsequently received approval for a modification to the Scheme in May 2004. This modification replaced the proposed gravity sewerage system in Belimbla Park with a low pressure sewerage system.

The original Scheme boundaries were specified in the September 1999 Environmental Impact Statement (EIS) and amended in the August 2000 Representations Report.

The Scheme serviced the following areas:

- all of the urban-zoned land identified within the villages of The Oaks and Oakdale by Wollondilly Local Environmental Plan 1991 (including Residential 2(a), Business 3(a), Special Uses 5(a) and Open Space 6(a))
- the village area of Belimbla Park which is zoned 5(c2)
- all Rural or Special Uses (Water Catchment) zoned land traversed by a sewer main servicing adjoining urban land was provided with a single point of connection to the sewer
- all properties that fronted gravity sewer mains were also provided with a point of connection
- residential properties along Steveys Forest Road and Egans Road, Oakdale, which are zoned Special Uses (Water Catchment 5(c2))
- lots 1-6, DP 25495 which front Burragorang Road, Oakdale (zoned Water Catchment 5(c2)).

B. Issue

Sydney Water has recently received two development feasibility applications from Wollondilly Council for areas outside the approved Scheme boundary for additional development of about 172 dwellings. Sydney Water has also received a number of other requests for connections to the Scheme from beyond the Scheme boundary.

Under the existing conditions of approval, Sydney Water cannot service these customers as they are outside the approved Scheme boundary.

As at February 2012, 74% of eligible properties within the Scheme boundary had connected to the Scheme. Sydney Water has assessed the system performance and predicted flows from the unconnected eligible properties and identified that there is uncommitted spare capacity.

C. Description of the proposed modification

A modification is requested to allow additional connections to The Oaks, Oakdale and Belimbla Park Sewerage Scheme from outside the service area boundary, where the following criteria are met:

- Sydney Water has identified uncommitted spare capacity within the sewerage system
- the property owner/developer is prepared to comply with Sydney Water's connection requirements

- the property owner/developer has obtained the relevant development consent under NSW planning laws.

Sydney Water suggests that a new condition of approval allowing servicing beyond the boundary, subject to the above criteria, being met would be appropriate for this modification.

D. Environmental impacts of the proposed modification

Additional connections are consistent with the Minister's October 2001 approval, except they would be outside The Oaks, Oakdale and Belimbla Park Sewerage Scheme area boundaries specified in the September 1999 EIS and August 2000 Representations Report.

The environmental impacts associated with the proposed additional connections would be assessed by the respective developers through separate assessment and approval processes.

Wastewater modeling assessment

Wastewater from the Scheme flows to the West Camden Water Recycling Plant. Sydney Water has carried out wastewater modeling to assess the impacts on the environmental performance of the West Camden Sewage Treatment System (STS), specifically the impacts on the management of wastewater overflows.

The Environmental Protection Licence (EPL) No.1675 for the West Camden STS extends to the operation of The Oaks, Oakdale and Belimbla Park Sewerage Scheme. The EPL states that the Scheme is designed for an ultimate average dry weather flows (ADWF) of 0.85 ML/day from The Oaks, Oakdale and Belimbla Park.

ADWF for The Oaks, Oakdale and Belimbla Park are summarised in Table 1. ADWF from the villages is currently 0.48 ML/d. ADWF from unconnected properties within the Scheme boundary is predicted to be 0.13 ML/d. This equates to an uncommitted spare capacity of 0.24 ML/d, which is equivalent to about 530 additional properties.

Table 1 Oaks, Oakdale and Belimbla Park Sewerage Scheme

Village	Eligible properties for connection	Connected properties		Unconnected properties within approved Boundary	
		Properties	Flow (ADWF) ML/d*	Properties	Flow (ADWF) ML/d#
Oakdale	350	257	0.22	93	0.04
The Oaks	606	481	0.26	125	0.06
Belimbla Park	178	106		72	0.03
Total	1134	844	0.48	290	0.13

Notes:

*Average Dry Weather Flow (ADWF) based on the existing discharge rate

Flow estimated based on design discharge rate 150 litres/person/day

There are two designed overflow locations servicing The Oaks, Oakdale and Belimbla Park Scheme at Sewage Pumping Station (SPS) 781 and SPS 780 (located at Lot 1, DP1091006, Burragorang Road and Lot 1, DP 1074480, Burragorang Road, The Oaks respectively). These SPSs have been designed and constructed to prevent discharges in dry weather. The connection of properties outside the boundary will remain within the ultimate system design capacity.

The impact of The Oaks, Oakdale and Belimbla Park in wet weather on West Camden STS performance has been assessed using the West Camden trunk sewer model. The EPL allows a maximum of 18 overflow events in a 10 year period. The 2010 calibrated model, which includes

ultimate flows from the Scheme, predicts 15 events in 10 years. The modelling showed that the connection of additional properties outside of the boundary (up to the design capacity of the system) will not increase the number of wet weather overflows.

Therefore, Sydney Water considers that the transfer of wastewater from outside the boundary of The Oaks, Oakdale and Belimbla Park to the West Camden STS can be accommodated without increasing wet weather overflows within the Oaks, Oakdale and Belimbla Park catchment or downstream.

E. Justification

The proposed modification is justified on the basis that:

- Sydney Water has confirmed there is unallocated spare capacity in The Oaks, Oakdale and Belimbla Park Sewerage Scheme.
- It is more effective and efficient than seeking a case by case modification to the service area boundary. Sydney Water could respond in a more timely manner and with greater certainty to requests for connection to the system.

3. Environmental Assessment

Assessment of Impacts			Consistent with EIS & REF impacts	
Flora and Fauna	Assessment of Impacts	Additional Mitigation Measures Required	Yes	No
Will the proposed change have any effect (additional to those previously assessed in the EIA) on any threatened flora species or endangered ecological communities listed pursuant to the <i>TSC Act</i> and the <i>EP&BC Act</i> ? <i>If yes, additional Flora and Fauna study would need to be submitted with this assessment.</i>	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Will the proposed change have any effect (additional to those previously assessed in the EIA) on potential habitat for threatened fauna species or populations? <i>Input from flora/ fauna consultant likely to be required.</i>	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Will the proposed change have any effect (additional to those previously assessed in the EIA) on locally significant stands of vegetation/ remnant trees?	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Will the proposed change result in the clearing of additional vegetation (additional to those previously assessed in the EIA)?	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Heritage	Assessment of Impacts	Additional Mitigation Measures Required	Yes	No
Will the proposed change have any effect (additional to those previously assessed in the EIA) on locally, regionally or State listed heritage items? <i>Input from heritage consultant likely to be required.</i>	Unlikely Any new connections to the system require relevant assessment and planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Will the proposed change have any effect (additional to those previously assessed in the EIA) on any aboriginal artefacts or potential	Unlikely Any new connections to the system require assessment and appropriate planning approval	No additional mitigation measures are required.	Y	

Assessment of Impacts			Consistent with EIS & REF impacts	
archaeological deposits (PADs)? <i>Input from heritage consultant likely to be required.</i>	under the EP&A Act			
Noise and Vibration	Assessment of Impacts	Additional Mitigation Measures Required	Yes	No
Will the proposed change result in the generation of noise during either construction or operation (additional to those previously assessed in the EIA)?	Unlikely. Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Will the proposed change result in the generation of vibration impacts (additional to those previously assessed in the EIA)?	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Visual Amenity/ Land Use	Assessment of Impacts and Change	Additional Mitigation Measures Required	Yes	No
Will the proposed change increase the building envelope of an approved above ground structure, involve a new above ground structure or involve relocation of an above ground structure to a new location?	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Will the proposed change result in impacts to private property access during construction or operation (additional to those previously assessed in the EIA)?	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Traffic Management	Assessment of Impacts	Additional Mitigation Measures Required	Yes	No
Will the proposed change result in the generation of additional traffic either during construction or operation (additional to those previously assessed in the EIA)?	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Air Quality	Assessment of Impacts	Additional Mitigation Measures Required	Yes	No
Will the proposed change result in the emission of chemicals or odours (additional to those previously assessed in the EIA) to the air either during construction or operation?	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	

Assessment of Impacts			Consistent with EIS & REF impacts	
Will the proposed change result in the generation of additional dust (additional to those previously assessed in the EIA)?	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Soil Contamination/ ASS	Assessment of Impacts	Additional Mitigation Measures Required	Yes	No
Will the proposed change result in the disturbance of contaminated land/ generation of ASS (additional to those previously assessed in the EIA)?	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Water Quality	Assessment of Impacts	Additional Mitigation Measures Required	Yes	No
Will the proposed change involve discharge of polluted waters (additional to those previously assessed in the EIA) from the subject site(s) either during construction or operation of the project?	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Waste/ Hazardous Materials	Assessment of Impacts	Additional Mitigation Measures Required	Yes	No
Will the proposed change result in the generation of waste (additional to those previously assessed in the EIA) during either construction or operation of the project?	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act under the EP&A Act	No additional mitigation measures are required.	Y	
Will the proposed change lead to an increase in the quantity or change in type of hazardous chemicals required for either construction or operation (additional to that previously assessed in the EIA)?	Unlikely Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	No additional mitigation measures are required.	Y	
Community/ Stakeholders	Assessment of Impacts	Details of Additional Consultation	Yes	No
Are there any additional properties affected as a consequence of the proposed change?	Yes – properties outside the scheme would be able to connect to the scheme subject to certain criteria. Any new connections to the system require assessment and appropriate planning approval under the EP&A Act	None required	Y	
Were there any specific submissions received	Yes	Requests were made by residents outside	Y	

Assessment of Impacts			Consistent with EIS & REF impacts	
<p>during the EIA exhibition relating to the proposed change?</p> <p><i>Refer to Director-General's assessment report and PPR for submissions/ issues raised during EIA exhibition.</i></p>		<p>the scheme boundaries to connect to the scheme during the display of the EIS.</p> <p>These requests were addressed in the 2000 Representations Report and the 2001 Director-General's Report</p>		

4. Consistency with Conditions of Approval

Conditions of Approval	Consistent with CoA?	
	Yes	No
Condition 1 of the Minister for Planning's Conditions of Approval required the project be carried out consistent with the: <ul style="list-style-type: none"> a. project contained within the EIS, REF and Representations Reports b. procedures, safeguards and mitigation measures identified in the EIS, REF and Representations Reports c. Director-General's Reports d. conditions of approval granted by the Minister 	Y	N N N
The proposed change is consistent with the requirements in the Minister's Conditions of Approval		Not CoA 1
The proposed activity is consistent with the objectives of the project	Y	
The proposed change is consistent with the description of the approved project		N
The proposed change is consistent with the described impacts of the project	Y	
No new conditions are required – the proposed change is consistent and can be managed by the current conditions		N
In assessing the impacts, the proposed change is consistent with the approved project in terms of: <ul style="list-style-type: none"> • there are no significant impacts • the proposed impacts are similar or less in scale to the approved impacts • there will be no new receivers (ie residents/business etc) affected by an impact who were not previously impacted • there are no new impacts 	Y Y Y Y	
Conclusion	Yes	No
Is preparation of an Assessment Report and modification to the Project Approval required? <i>Note - If the answer to any of the above questions is NO then preparation of an Environmental Assessment and a modification to the Project Approval will need to be sought from the Department of Planning and Infrastructure.</i>	Y	

5. Conclusion

Consistency with EA documents	<p>The proposed change is considered to be inconsistent with the project described within the 1999 EIS, 2003 REF, 2000 & 2003 Representations Reports and 2001& 2004 Director General's Reports.</p> <p>The proposed change is consistent with the procedures, safeguards and mitigation measures identified in the EIS, REF and Representations Reports.</p>
Consistency with MCoA	<p>The proposed change is inconsistent with CoA 1.</p>
Recommendation	<p>A modification to the Minister's approval is required.</p> <p>New mitigation measures or conditions of approval are not considered necessary.</p> <p>Sydney Water recommends that Condition 1 of the Minister's Conditions of Approval be modified by inclusion of the italicised text below:</p> <ol style="list-style-type: none"> 1. The Project shall be carried out in accordance with: <ol style="list-style-type: none"> a) The proposal contained in the environmental impact statement (EIS), The Oaks, Oakdale & Belimbla Park Priority Sewerage Program prepared for the Sydney Water Corporation (SWC) by CH2MHILL Australia, dated September, 1999 as modified by the Review of Environmental Factors – Low Pressure Sewerage System at Belimbla Park, dated August 2003 and the Representations Report for a Low Pressure Sewerage System at Belimbla Park, dated October 2003; b) all identified plans, safeguards and mitigation measures presented in the Representations Report prepared by SWC, dated August 2000 (including all measures outlined in Table 6.1) as modified by the Review of Environmental Factors – Low Pressure Sewerage System at Belimbla Park, dated August 2003 and the Representations Report for a Low Pressure Sewerage System at Belimbla Park, dated October 2003; c) The Oaks, Oakdale & Belimbla Park Sewerage Scheme Director-General's Report dated June 2001 as amended by The Oaks, Oakdale and Belimbla Park Sewerage Scheme – Proposed Modification – Low Pressure System at Belimbla Park Director-General's Report dated January 2004; d) <i>the Consistency Review and Environmental Assessment of Project Modification No. 2 - The Oaks, Oakdale and Belimbla Park Sewerage Scheme, prepared by Sydney Water, dated 4 October 2012; and</i> e) the conditions of approval granted by the Minister. <p>Sydney Water also recommends that a new condition be added after</p>

Condition 1:

1A. The proponent shall, prior to authorising any additional connections as described under condition 1d):

- a) review the uncommitted spare capacity of the sewerage system*
- b) ensure that this capacity is sufficient to cater for the proposed additional connections*
- c) ensure that the property owner/developer is prepared to comply with sydney Water's connection requirements*
- d) ensure that the property owner/developer has obtained the relevant development consent under NSW planning laws.*

Sign-off:

C. O'Rourke 4/10/12

Cathy O'Rourke
Senior Environmental Scientist
Engineering and Environmental Services