

29 November 2012

Lisa Mitchell  
Manager, Water Infrastructure Projects  
Department of Planning and Infrastructure (DP&I)  
23-33 Bridge Street  
Sydney NSW 2000

Dear Ms Mitchell,

**Response to submissions for modification to Minister's approval for The Oaks, Oakdale and Belimbla Park Sewerage Scheme (23-Jul-01- MOD 2)**

Please find attached Sydney Water's response to submissions received for the above proposed modification.

Submissions were received from Wollondilly Shire Council and the Environment Protection Authority (EPA) following public exhibition of the modification application. The DP&I also sought clarification on wet weather overflows in the Lake Burragorang drinking water catchment. The attached document provides a response to the issues raised by Wollondilly Council, the EPA and DP&I.

If you wish to discuss any matter relating to the modification or Sydney Water's response to the submissions, please contact Cathy O'Rourke on 8849 6922.

Yours sincerely



Peter Fisher  
Strategy Manager  
Service and Asset Strategy  
Liveable City Solutions

*Attachment A: Response to submissions*

## **Attachment A – Response to submissions**

### *Submission 1 – Environment Protection Authority (EPA)*

The EPA provided the following comments on the modification:

- Sydney Water must ensure that the Proposal does not affect compliance with conditions of environment protection licence 1675 for the West Camden Sewage Treatment System (STS)
- Sydney Water should ensure that the Proposal does not compromise the environmental performance of the West Camden STS.

Sydney Water modelled the potential impacts from the proposed modification on the environmental performance of the West Camden Sewage Treatment System. The results were outlined in application documents. The modelling confirmed that connection of additional properties outside of the boundary (within the design capacity of the system) will not increase the number of wet weather overflows and would not affect compliance with the conditions of the environmental protection licence 1675.

The modification request would 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.

### *Submission 2 – Wollondilly Shire Council*

Wollondilly Shire Council's submission supported Sydney Water's application provided that:

- the additional connections remain within the spare capacity of the existing approved scheme
- the applicant seeking connection has a valid approval for development in accordance with the Environmental Planning and Assessment Act 1979 (the Planning Act)
- the environmental assessment of the connection and servicing works are determined to be acceptable by Sydney Water Corporation and Sydney Catchment Authority.

As outlined in Sydney Water's submission, the first two points above will form part of the criteria for assessing whether to allow new connections outside of the scheme boundary.

Regarding the third point made by Council, the environmental assessment of an additional connection would be undertaken by the applicant (developer) under Part 4 of the Planning Act and submitted to Council with a development application. Sydney Water has no review or approval role under Part 4. Sydney Water would rely on the development consent granted by Wollondilly Council as Sydney Water would have no authority to review the environmental assessment.

The Sydney Catchment Authority has a concurrence role under Part 4 of the Planning Act where works are undertaken within the Sydney drinking water catchment. Development approval cannot be granted without the Authority's concurrence. In these instances, the Sydney Catchment Authority would review the environmental assessment as part of the Part 4 approval process. An additional review process would be unwarranted.

*Condition 37(c) - wet weather overflow events within the Lake Burragorang Water Catchment*

The Department of Planning and Infrastructure requested confirmation from Sydney Water about how the modification would impact on condition 37(c) of the Minister for Planning's approval for the scheme, which states

“c) There shall be no more than five (5) wet weather overflows in a ten year period from the sewerage reticulation system within the Lake Burragorang water catchment. The adequacy of this standard for wet weather overflows shall be monitored for environmental performance and reported as part of the Environmental Impact Audit Reports in Condition No. 30.”

Sydney Water has undertaken additional modelling to assess the potential impact on this condition. The modelling has confirmed that even with additional connections from outside the boundary, the wet weather overflow performance for the sewerage reticulation systems within the Lake Burragorang water catchment will not exceed 5 events in 10 years. This is subject to the connection criteria being met (as outlined in Sydney Water's modification application).