

Notice of Modification

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

As delegate of the Minister for Planning, I modify the development consent referred to in Schedule 1 as set out in Schedule 2.



Chris Wison
Executive Director
Major Projects Assessment

Sydney

26 August

2010

File No: S04/00422

SCHEDULE 1

Application No: 05_0098.

Proponent: WSN Environmental Solutions

Approval Authority: Minister for Planning

Land: Lot 35 DP 1098588, Lot 21 DP 1125616, Lot 2 DP 1076817 and Lot 33 DP 1096463, Camden local government area

Project: Jacks Gully Alternative Waste Technology Facility

SCHEDULE 2

The project approval is modified by:

1. Replacing existing condition 1.1 in Schedule 1 with the following:
 - 1.1 The Proponent shall carry out the project generally in accordance with the:
 - a) Major Project Application 05_0098, lodged with the Department of Planning on 14 December 2005;
 - b) environmental assessment: *Environmental Assessment: Proposed Alternative Waste Technology Facility at Jacks Gully Waste and Recycling Centre* (WSN Environmental Solutions, March 2006, Volumes 1 and 2);
 - c) the Statement of Commitments, prepared by WSN Environmental Solutions and dated March 2006;

- d) Responses to Submissions prepared by WSN Environmental Solutions, dated 16 June 2006; and
- e) Modification 1 (06_0098 Mod 1), change the property description following subdivision;
- f) Modification 2 (06_0098 Mod 2), amendment to the land description;
- g) modification application 05_0098 MOD 3, dated March 2010, accompanied by documents titled *Macarthur Resource Recovery Park – Application under S.75W of the Environmental Planning & Assessment Act 1979 to Modify the Ministers Consent No. 05/0098 dated 7 September 2006 – Environmental Assessment, As amended June 2010 and Jacks Gully AWT Plant Landfill Gas Supply Hazards and Operability Study dated August 2009*; and
- h) conditions of this approval.

2. Insert new condition 1.4 directly after condition 1.3:

- 1.4 Within 3 months of the date of the approval for 05_0098 MOD 3 the Proponent shall:
- a) obtain and provide copies to the Director-General all necessary building certificate(s) from Camden City Council for all buildings and structures the subject of modification application 05_0098 MOD 3; and
 - b) ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the Building Code of Australia.

Notes:

- Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.
- As the 1998 consent was issued under the Unamended Act it refers to Building Applications which have been replaced with Construction Certificates under the Amended Act. As such, all reference to Building Applications in the 1998 consent shall be noted as references to Construction Certificates. In accordance with the clause 20 of the Environmental Planning and Assessment (Savings and Transitional) Regulation 1998, as the Minister issued a Building Approval, the Minister is the Principal Certifying Authority.

3. Insert new condition 2.24 directly after condition 2.23:

- 2.24 Prior to the commissioning the gas pipeline, the Proponent shall:
- a) implement the proposed safeguards and actions listed in Appendix A of the HAZOP study report (AECOM, 26 August 2009)
 - b) prepare and implement a Commissioning Procedure; and
 - c) prepare and implement a Safety and Operating Plan (SAOP);
- for the pipeline based on Australian Standard AS/NZS 4645.1-2008 – Gas Distribution Networks, Part 1:- Network Management, to the satisfaction of the Director-General.