

# Notice of Modification

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

As delegate of the Minister for Planning under delegation dated 16 February 2015, I modify the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Natasha Harras  
Acting Director  
Regional Assessments

Sydney *9<sup>th</sup> March* 2016

---

### SCHEDULE 1

<b>Project Approval:</b>	<b>MP 06_0303</b> granted by the Minister for Planning on 18 July 2007.
<b>For the following:</b>	Upgrade and continued use of the brewery.
<b>Proponent:</b>	Lion Beer, Spirits and Wine Australia
<b>Consent Authority:</b>	Minister for Planning
<b>The Land:</b>	29 Nyrang Street, Lidcombe
<b>Modification:</b>	<b>MP 06_0303 MOD 6:</b> upgrade works to the existing plant and a reduction in number of car spaces on the site.

---

The above approval (MP 06\_0303) is modified as follows:

### SCHEDULE 2

#### Administrative Conditions

(a) Condition 2 is amended by the insertion of the **bold and underlined** words as follows:

#### Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:
  - a) EA;
  - b) Revised site plan contained in Appendix A;
  - c) Statement of Commitments in Appendix B;
  - d) Modification Application 06\_0303 MOD 1 and supporting document titled *Tooheys Brewery, Lidcombe – Cogeneration Facility – Part 3A Modification- Environmental Assessment, prepared by ARUP, September 2009;*
  - e) Modification Application 06\_0303 MOD 2 and supporting documentation titled *Tooheys Brewery, Lidcombe – Heineken Brewing Expansion – Part 3A Modification- Environmental Assessment, prepared by ARUP, May 2010;*

- f) Modification Application 06\_0303 MOD 3 and supporting document titled *Tooheys Brewery, Waste Water Treatment Plant, Environmental Assessment, , September 2011, including Statement of Commitments prepared by ARUP;*
- g) Modification Application 06\_0303 MOD 4 and supporting document titled *Tooheys Brewery, Acoustic Criteria, Modification of Acoustic Criteria prepared by ARUP Pty Ltd, dated 19 July 2012;*
- h) Modification Application 06\_0303 MOD 5 and supporting document titled *Tooheys Brewery, Section 75W Modification Application requesting the deletion of Condition 24b, dated 1 September 2014 prepared by ARUP; and*
- i) **Modification Application 06 0303 MOD 6 and supporting documentation titled Modification 6 to 06 0303 Tooheys Brewery Upgrade, Environmental Assessment prepared by Beca Pty Ltd dated 22 January 2016**

### **Specific Environmental Conditions**

- (b) Condition 27 is amended by the insertion of the **bold and underlined** words as follows:

The Proponent shall ensure that **floor levels of** all buildings constructed are above the 1 in 100 year flood level of Haslam's Creek.

**Prior to the issue of a Construction Certificate for the grain intake structure and silo approved as part of Modification 6, certification from a hydraulic engineer is to be obtained, demonstrating that:**

- **the structures incorporate flood compatible building components below the 100 year flood level;**
- **the structures have been appropriately designed to withstand the forces of floodwater and debris in a 100 year event;**
- **the structures will not result in any adverse flooding impacts within or outside of the site; and**
- **the storage of goods within the silo is located above the 100 year flood level, plus 0.50m freeboard.**

**End of Modification**