

Modification of Approval

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

I, the Director-General, in accordance with the Instrument of Delegation issued by the Minister for Planning, on 4 March 2009, pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* determine the modification to the approval referred to in Schedule 1 in the manner set out in Schedule 2.

Shaddad

Sam Haddad
Director-General
as delegate for the Minister for Planning

Sydney, *20th March* 2009

MP 06_0190 MOD 5

SCHEDULE 1

Project Approval:

granted by the Minister for Planning on 20 June 2007 (MP 06_0190).

For the following:

Construction and operation of the Western Sydney Recycled Water Initiative - Replacement Flows Project, involving the interconnection of three existing sewage treatment plants and treating the available effluent from these plants via a new Advanced Water Treatment Plant (AWTP) to replace the water that is currently released from Warragamba Dam for extraction and river health purposes. The project involves the construction and operation of the following key components:

- an AWTP at the St Marys STP site for the treatment of the tertiary treated effluent from Quakers Hill, Penrith and St Marys STPs. The AWTP would produce up to 50ML/day of highly treated recycled water for discharge to the Hawkesbury-Nepean River downstream of Penrith Weir, and about 8ML/day of a concentrate for discharge to the Northern Suburbs Ocean Outfall Sewer (NSOOS);
- a pipeline for the transfer of tertiary treated effluent from Penrith STP to the AWTP at the St Marys STP site;
- a pipeline for the transfer of tertiary treated effluent from Quakers Hill STP to the AWTP at the St Marys STP site;

- a pipeline for the transfer of recycled water produced by the AWTP at St Marys STP to the Penrith STP;
- discharge of the replacement flows to the Hawkesbury-Nepean River, via the Penrith STP discharge to Boundary Creek, immediately downstream of Penrith Weir;
- a pipeline for the transfer of the concentrate from the AWTP to Quakers Hill STP;
- a storage pond at Quakers Hill STP for the temporary storage of the concentrate, when the NSOOS may not be available for discharge (during periods of extended wet weather);
- transfer of the concentrate to the NSOOS via an existing pipeline from Quakers Hill STP to Seven Hills and a new pipeline between Seven Hills and Vineyard Creek at Dundas;
- balance storages and pumping stations at Penrith, Quakers Hill and St Marys STPs; and
- temporary pilot facility at St Marys STP.

Modification:

Amendment to condition 2.11(b) to allow clearing of four trees which form part of the River-flat Eucalypt Forest on Coastal Floodplains Endangered Ecological Community as a result of realignment of the pipeline between the M7 Motorway and Bells Creek to avoid land required for the proposed Castlereagh Freeway. As a consequence, amendments have also been made to conditions 1.1 and 1.2.

SCHEDULE 2

The approval is modified as follows:

1. Replacing existing condition 1.1 with new condition 1.1 as follows:

- 1.1 The Proponent shall carry out the project generally in accordance with the:
- a) Major Projects Application 06_0190;
 - b) *Environmental Assessment: Western Sydney Recycled Water Initiative – Replacement Flows Project* (prepared by Sydney Water Corporation and Sinclair Knight Merz dated November 2006);
 - c) *Preferred Project Report: Western Sydney Recycled Water Initiative – Replacement Flows Project* (prepared by Sydney Water Corporation and Sinclair Knight Merz dated February 2007);
 - d) *Environmental Assessment Addendum. Replacement Flows Project – Cumberland Plain Woodland Area near Penrith STP* (prepared by Sydney Water Corporation and dated May 2008);
 - e) *Addendum Flora and Fauna Assessment for Proposed Modification to Pipeline Route: Western Sydney Recycled Water Initiative – Replacement Flows Project* (prepared by Sinclair Knight Merz and dated 3 April 2008);
 - f) Letter from Sydney Water Corporation dated 12 August 2008 and associated attachments (Sydney Water Corporation letter to NSW Health dated 7 July 2008 and NSW Health's response letter (undated)) to provide supporting information for modification of Condition 2.4;
 - g) Letter from Sydney Water Corporation (undated) and associated attachments (Environmental Assessment Addendum prepared by Sydney Water Corporation dated September 2008 titled *Replacement Flows Project – River-flat Eucalypt Forest area near the Quakers Hill concentrate storage pond* and *Flora and Fauna Addendum* prepared by Sinclair Knight Merz for the proposed modification of condition 2.11 dated 18 September 2008);
 - h) Letter from Sydney Water Corporation dated 26 November 2008 and associated attachments (Environmental Assessment Addendum prepared by Sydney Water Corporation dated November 2008 titled *Replacement Flows Project – Cumberland Plain Woodland community near Quakers Hill concentrate storage pond* and *Flora and Fauna Addendum* for Proposed Modifications to the Concentrate Pond at Quakers Hill STP prepared by Sinclair Knight Merz and dated 4 November 2008);
 - i) Letter from Sydney Water Corporation (undated) and associated attachments (Environmental Assessment Addendum prepared by Sydney Water Corporation dated February 2009 titled *Replacement Flows Project – River-flat Eucalypt Forest near the M7* and *Flora and Fauna Addendum* prepared by Sinclair Knight Merz titled *Addendum: Flora and Fauna Assessment for Proposed Modification to Pipeline Route – Bells Creek* and dated 3 February 2009); and
 - j) the conditions of this approval.

2. Replacing existing condition 1.2 with new condition 1.2 as follows:

- 1.2 In the event of an inconsistency between:
- a) the conditions of this approval and any document listed from condition 1.1a) to 1.1i) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
 - b) any of the documents listed from condition 1.1a) to 1.1i) inclusive, the most recent document shall prevail to the extent of the inconsistency.

3. Replacing existing condition 2.11(b) with new condition 2.11(b) as follows:

2.11 The Proponent shall ensure that the project avoids direct impact to *Grevillea juniperina subsp juniperina* individuals, the habitat of *Meridolum corneovirens*, *Litoria aurea* and *Miniopterus schreibersii*, or the following Endangered Ecological Communities:

- a) Cumberland Plain Woodland (with the exception of the minor impacts described in the document referred to under conditions 1.1(d) and 1.1(h);
- b) River-flat Eucalypt Forest on Coastal Floodplains (with the exception of the impacts described in the documents referred to under conditions 1.1(g) and 1.1(i)).

In relation to the document referred to in condition 1.1(g), the Proponent is required to prepare a Vegetation Offset Strategy, in consultation with the Department of Environment and Climate Change, that establishes, conserves and maintains at least 1.2 hectares of the endangered ecological community River-flat Eucalypt Forest in an area that creates or enhances connections between existing remnants either within the site or in close proximity (such as along Breakfast Creek). The Vegetation Offset Strategy shall be submitted to, and approved by, the Director-General prior to construction works commencing on the concentrate storage pond within the Quakers Hill STP site. The Vegetation Offset Strategy is required to be implemented within 12 months of the commencement of construction of the concentrate storage pond; and

- c) Freshwater Wetlands on Coastal Floodplains.
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