

Our ref: DOC22/239945

Your ref: SSI 8609189

Nathan Heath  
Department of Planning and Environment  
4 Parramatta Square, 12 Darcy Street  
Parramatta NSW 2150

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**Subject:** Upper South Creek Advanced Water Recycling Centre (SSI-8609189) Amendment Report

Dear Mr Heath

I refer to your email received on 22 March 2022 via the planning portal requesting comments from the Environment and Heritage Group (EH) in regard to the *Upper South Creek Advanced Water Recycling Centre Amendment Report* dated March 2022 (Amendment Report).

EH understands that the Amendment Report has “been developed to assess seven minor amendments to the project as exhibited in the EIS” and that “Where additional impacts occur, they are minor and do not change the significance of impacts assessed in the EIS”. The proposed amendments include:

- Realignments to the treated water pipeline at the intersection of The Northern Road and Elizabeth Drive.
- Realignments to the brine pipeline through the Western Sydney Parklands, at Bartley Street – Cabramatta, and at the crossing of Kemps Creek.
- Realignments to both the treated water pipeline and brine pipeline at the crossing of the M12 Motorway, and along South Creek.
- A change to the Upper South Creek Advanced Water Recycling Centre site boundary.

The Amendment Report states that “this report is not a formal response to submissions and does not include responses to submissions generally. A Submissions Report is being prepared by Sydney Water and will be submitted separately to the Department of Planning and Environment (DPE)”. The Amendment Report therefore does not address the EH’s previous submissions dated 1 December and 18 December 2021 made during the exhibition of the Environmental Impact Statement (EIS).

The Amendment Report, including Table 9-1, indicates that with the exception of biodiversity, the proposed amendments will result in no change in impacts and that no additional measures are proposed in relation to matters relevant to EH. In regard to biodiversity, EH has reviewed Appendix B *Upper South Creek Advanced Water Recycling Centre Project Amendments: Biodiversity Assessment Final Report* and provides comments in Attachment 1. It is important to note that as no other technical specialist reports relevant to EH were prepared to support the proposed amendments, EH comments are limited to biodiversity only.

It is also important to note that the EH’s previous submissions on the EIS remain relevant and it is expected that the previous comments will be addressed in the Response to Submissions Report.

## Department of Planning and Environment

The Department is advised that a separate submission may be made by the Heritage Branch.

If you have any queries please contact Marnie Stewart via [marnie.stewart@environment.nsw.gov.au](mailto:marnie.stewart@environment.nsw.gov.au) or 02 9995 6868.

Yours sincerely,

A handwritten signature in black ink that reads "S. Harrison".

06/04/22

Susan Harrison

Senior Team Leader Planning  
Greater Sydney, Biodiversity and Conservation

### Attachment 1 – EES biodiversity comments on the Upper South Creek Advanced Water Recycling Centre (SSI 8609189) Amendment Report.

#### Biodiversity

EES has reviewed Appendix B *Upper South Creek Advanced Water Recycling Centre Project Amendments: Biodiversity Assessment Final Report* (Biodiversity Assessment) which includes the proposed amendments and considers that it is adequate. However, EH is expecting the Response to Submission (RtS) report to address its biodiversity comments on the EIS, including that the proposal will lead to major biodiversity impacts and that further avoidance of biodiversity values should be considered.

#### *Sydney Region Growth Centres Biodiversity Certification - Kemps Creek re-alignment*

The Amendment Report states “This amendment responds to landowner concerns about development potential and avoids this property (Lot 11 DP1146142). It also responds to Liverpool Council’s request to consider the use of the existing pipeline corridor to minimise impacts to vegetation in an area that has been identified as a future reserve”.

As previously advised, this area in Kemps Creek, including Lot 11 DP 1146142, contains relevant biodiversity measure (RBM) 12 red hatched land and existing native vegetation (ENV) under the *Order to confer biodiversity certification on the State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Biodiversity Certification Order). Most of this red-hatched land is zoned Public Recreation – Regional under the SEPP (Precincts - Western Parkland City) 2021 and its acquisition is a commitment under the Biodiversity Certification Order and the Commonwealth Growth Centres Strategic Assessment Approval.

Since EH made its submission on the EIS, Sydney Water has advised that it approved a Review of Environmental Factors (REF) for the Prospect South to Macarthur Distribution System Link (ProMac) pipeline in February 2021 and subsequently constructed the pipeline in June 2021 which impacted ENV in the red-hatched land. EH did not agree to the clearance of ENV in the red hatched area as is required by RBM 12.

The Amendment Report proposes to realign and construct the AWRC pipeline to within this currently cleared corridor. EH seeks confirmation that no further impacts to ENV will occur from the proposed amended realignment and the pipeline construction and operation. The RtS report should include ENV on the maps in addition to the RMB 12 red hatched area.

Regarding the rehabilitation of the existing cleared corridor, the Amendment Report states that ‘No additional management measures are required to those provided in the EIS for the Kemps Creek realignment. In particular, management measure G05 in Table 15-3 of the EIS is relevant, which requires developing and implementing a Rehabilitation Management Plan with specific provisions for restoring areas of native vegetation’. An excerpt of G05 in table 15-3 is provided below.

05	Environmental restoration of construction impacts	<p>Develop and implement a Rehabilitation Management Plan to restore pipeline work sites as soon as possible to pre-existing condition or as otherwise agreed with relevant landowner or council. This plan will also include the following:</p> <ul style="list-style-type: none"> <li>• Removing all equipment, materials and environmental controls from site.</li> <li>• Where like for like re-vegetation is not possible (for example to minimise risk to pipelines from tree roots), consider vegetation suited to the infrastructure requirements and environmental conditions.</li> <li>• Where street trees cannot be replaced like for like, consider other opportunities to reduce impacts to streetscape character and visual amenity.</li> <li>• Return disturbed areas to preconstruction ground level where practical.</li> <li>• Rehabilitate areas of native vegetation removal to the highest ecological condition possible.</li> <li>• In areas of native vegetation removal, reuse felled vegetation (logs and tree-hollows) and other habitat features such as rocks/boulders to increase the habitat values.</li> <li>• In areas of native vegetation removal, use locally sourced (local provenance) seed stock only. All species installed are to be locally indigenous and suitable and characteristic of the surrounding Plant Community Types (PCTs).</li> <li>• Where possible reuse stockpiled vegetation as part of rehabilitation works.</li> <li>• Where open trenching of waterways is required, enhance aquatic habitat and restore creeks to an improved state.</li> </ul>	Post-construction and commissioning
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EH raises concern with the wording of G05 as the proposed Rehabilitation Management Plan will restore the pipeline work site to ‘pre-existing condition’. The current pre-existing condition of the corridor is a fully cleared site as a result of the ProMac REF works. EH requires a separate Rehabilitation Management Plan be prepared specifically for the red-hatched lands to revegetate and restore the corridor to its condition prior to the clearing undertaken for the ProMac pipeline. The plan should include the requirements detailed in Go5 and will need to be approved by EH.