



Our reference: P-522767-M0D7  
Contact: Gavin Cherry  
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28 July 2023

Attn: Shaun Williams  
Email: [shaun.williams@planning.nsw.gov.au](mailto:shaun.williams@planning.nsw.gov.au)

Dear Mr Williams,

**Council Advice on Modification Report- Upper South Creek Advanced Water Recycling Centre – Modification 2 – Pipeline Alignments**

Thank you for referring the above Modification Application to Penrith City Council for review and comment. Council has reviewed the documents and provides the following submission:

**1. Planning Matters**

It is understood that the amendments to the proposal include the following:

- Realignments of the treated water pipeline and the brine pipeline at Jerrys Creek, Badgerys Creek, Eagle Street, Park Road, Golfview Drive, Bartley Street, Sackville Street, St Johns Road and at Lansdown Reserve, and the
- Relocation of the flow splitter structure/ valve station.

The modification Report includes that the above amendments are minor and do not change the significance of the impacts assessed in the Environmental Impact Statement (**EIS**). This however is questionable as the proposed realignment seeks to co-locate the works within Council's public road reservation which also accommodates services and existing street trees.

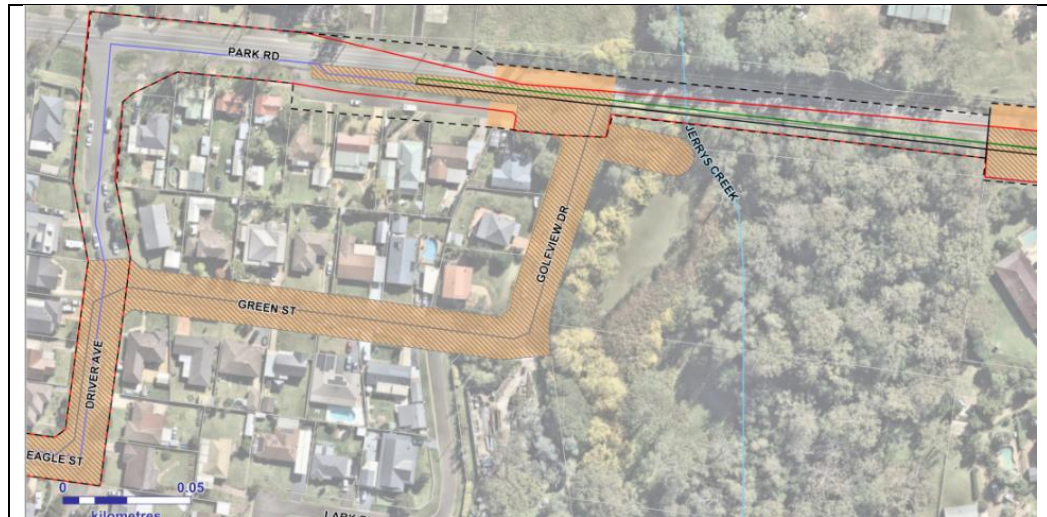
Concerns are raised with the resulting impact on the local streets of Wallacia, and at the intersection of Park Road and Driver Avenue. The proposed amendment will likely impact street trees including significant and contributory mature remnant trees at the gateway entry to Wallacia and on the residential streets. There is inadequate analysis supporting the application to explain what trees and how many trees will be impacted along the proposed realignment route. This is critical information required to ascertain the resulting impacts upon local context, local character, and streetscape.

The modified treated water pipeline will also be located in front of locally listed heritage items and heritage conservation areas near Park Road and as such any works in this area are to address impacts and return the site to a suitable and high amenity state, which may include replacement street tree planting, paving and the like.

The community and local Landcare groups should be consulted regarding the proposed changes, and it must be made clear how many trees and which ones, will be removed as a result of the proposed modification application.

Details should also be made available of the longevity of works and the extent of works (detail of open channel excavation and the like).

The notification letters also do not appear include sufficient detail to allow the community to understand the impacts on trees in the local residential streets of Wallacia and in the area of Jerrys Creek and Crossman Reserve, where significant investment from Council and the community has been directed to re-vegetate, weed, and maintain the area.



**Figure 1:** Excerpt from Modification Report

## 2. Engineering and Water Management Matters

The proposed amendments will require the applicant to consult with Penrith City Council's Assets Unit prior to the commencement of any pipeline works within Council's local road network. This is necessary to determine applicable fees and maintenance bonds for the proposed works. The Department is requested to ensure that the following condition of consent is included in any resulting determination:-

*Prior to the commencement of any pipeline works within Council's local road network, the applicant shall consult with Penrith City Council's City Assets Department, being the Roads Authority, to determine applicable fees and maintenance bonds for the works.*

It is also important that adequate erosion and sedimentation controls are in place and maintained until all works areas are stabilised and restored. It is requested that a condition be imposed that ensures that all disturbed and associated impacted areas caused as a result of the project are restored (for example, banks are revegetated and disturbed verges are made good with replacement turf).

## 3. Environmental Management Matters

A Noise and Vibration Report prepared by Aurecon Arup (dated 21 June 2023, ref 269002-AC09v1) has been provided along with the development proposal for comment. The Report identifies that the modified locations for the underborne return lines at Badgerys Creek, Jerrys Creek and the Nepean River remain to be categorised as minor impacts in terms of both noise and vibration during the

construction phase, which can be suitably managed through the measures recommended in the previous Noise and Vibration Impact Assessment prepared by Aurecon Arup (dated 2021). It has also been identified that as a result of the proposed Golfview Drive realignment in Wallacia, that three nearby sensitive receivers (3-5 Driver Avenue, 13 Green Street and 16-36 Park Road, Wallacia) now directly front the realigned construction areas, and are now assessed as highly noise affected receivers, and there are increased potential vibration risks to 22, 24, 25, and 26 Park Road, Wallacia which are heritage receivers. The Report has determined that the recommended mitigation measures proposed within the previous Noise and Vibration Impact Assessment remain effective, however the Report suggests that property dilapidation surveys is a mitigation measure which should be considered in relation to potential vibration impacts. This should be captured in any conditions of consent imposed.

Should you require any further information regarding the comments, please contact me on (02) 4732 8125.

Regards,



**Gavin Cherry**  
**Development Assessment Coordinator**