

Upper South Creek Advanced Water Recycling Centre

Sydney
WATER

Submissions Report – project amendments

April 2022





Table of contents

1	Executive summary	3
2	Introduction	6
2.1	Project overview	6
2.2	Statutory context and project amendments	9
2.3	Public exhibition of the Amendment Report.....	9
2.4	Purpose of this document	10
3	Analysis of submissions.....	11
3.1	Overview of submissions	11
3.2	Submitters	11
3.3	Analysis of issues	12
3.3.1	Summary of issues raised	14
3.3.2	Location of submitters.....	14
3.3.3	Economic, environmental and social impacts.....	14
3.3.4	The project.....	15
3.3.5	Justification and evaluation.....	15
3.3.6	Issues beyond the scope of the project	15
3.3.7	Relevant project amendments	15
4	Action taken since exhibition	16
5	Response to State and Commonwealth agency submissions	17
5.1	Department of Planning and Environment – Environment and Heritage (formerly Biodiversity and Conservation)	17
5.1.1	Terrestrial biodiversity.....	17
5.2	Environment Protection Authority	21
5.2.1	Noise and vibration	21
5.2.2	Surface water	21
5.3	Heritage NSW – Aboriginal Cultural Heritage	22
5.3.1	Aboriginal heritage	22
5.4	Transport for NSW	22
5.4.1	Project description	22
5.4.2	Traffic and transport.....	22
6	Response to local council submissions.....	24
6.1	Canterbury-Bankstown City Council	24
6.1.1	Terrestrial biodiversity.....	24
6.2	Fairfield City Council	24
6.2.1	Support for project	24
6.2.2	Construction activities	25
6.2.3	Traffic and transport.....	26
6.2.4	Utilities	27

6.3 Penrith City Council	28
6.3.1 Project description	28
6.3.2 Issues not related to project amendments.....	28
6.4 Wollondilly Shire Council	31
6.4.1 Issues not related to project amendments.....	31
7 Conclusion and justification.....	34
8 References.....	35
Appendix A Submissions register	36

Figures

Figure 2-1 The project and its servicing area	8
Figure 5-1 Biodiversity impacts from the Kemps Creek realignment	20

Tables

Table 3-1 Summary of submissions received.....	11
Table 3-2 Issue categories and sub-categories	12
Table 3-3 Categories of issues raised by submitter	14
Table 5-1 Response to DPE EH comments on Kemps Creek realignment	18
Table 6-1 Response to Fairfield City Council issues on construction activities at Cabravale Leisure Centre	25
Table 6-2 Response to Fairfield City Council issues on traffic and transport around Bartley Street realignment of brine pipeline	26
Table 6-3 Response to issues raised by Fairfield City Council on impacts to existing utilities	27
Table 6-4 Response to Penrith City Council comments on EIS	29
Table 6-5 Response to Wollondilly Shire Council comments on EIS	31



1 Executive summary

The project

Sydney Water is proposing to build and operate a new wastewater treatment plant and associated pipelines to provide wastewater services for the Western Sydney Aerotropolis Growth Area (WSAGA or Aerotropolis) and South West Growth Area (SWGGA). The project includes:

- a new Advanced Water Recycling Centre (AWRC) to collect wastewater from businesses and homes and treat it, producing high-quality treated water, renewable energy and biosolids for beneficial reuse
- a new green space area around the AWRC, adjacent to South Creek and Kemps Creek, to support the ongoing development of a green spine through Western Sydney
- new infrastructure from the AWRC to South Creek, to release excess treated water during significant wet weather events, estimated to occur about 3 – 14 days each year
- a new treated water pipeline from the AWRC to Nepean River at Wallacia Weir, to release high-quality treated water to the river during normal weather conditions
- a new environmental flows pipeline from Wallacia to Warragamba River, to release high-quality treated water to the river just below the Warragamba Dam
- a new brine pipeline from the AWRC connecting into Sydney Water's existing wastewater system to transport brine to the Malabar Wastewater Treatment Plant
- a range of ancillary infrastructure.

The project is planned to be built in stages, with Stage 1 consisting of:

- building and operating the AWRC to treat a daily wastewater flow, known as the average dry weather flow (ADWF), of up to 50 megalitres per day (ML/day)
- building all pipelines to cater for up to 100 ML/day flow coming through the AWRC (but only operating them to transport and release volumes produced by Stage 1).

Environmental Impact Statement

Sydney Water prepared an Environmental Impact Statement (EIS) for the project, which was on public exhibition from 21 October to 17 November 2021. Since public exhibition of the EIS, the Minister for Planning has also declared the project as critical State significant infrastructure. Sydney Water lodged an EIS Submissions Report (Sydney Water, 2022a) with the Department of Planning and Environment (DPE) in April 2022, responding to issues raised during public exhibition of the EIS.



Project amendments and submissions

Sydney Water prepared a separate Amendment Report (Sydney Water, 2022b) seeking approval for changes to several aspects of the project described in the EIS. Sydney Water initiated these changes as a result of consultation with stakeholders during EIS preparation. The amendments include:

- realignment of treated water pipeline at intersection of The Northern Road and Elizabeth Drive
- realignment of treated water and brine pipelines at the crossing of the M12 Motorway, south of the AWRC
- realignment of brine pipeline at crossing of Kemps Creek
- realignment of treated water and brine pipelines along South Creek
- realignment of brine pipeline through the Western Sydney Parklands
- realignment of brine pipeline around Bartley Street at Cabramatta
- amendment to AWRC site boundary.

The Amendment Report was on public exhibition from 23 March to 5 April 2022. DPE received 11 submissions on the Amendment Report. This included one from a Commonwealth agency, six from State agencies and four from local councils. A total of 21 issues were raised in submissions. Of these issues, nine (43%) were not related to the project amendments, and reiterated comments made in submissions on the EIS. Of the remaining 12 issues, eight related to economic, environmental and social impacts, three to the project and one to project justification.

Of the seven project amendments described in the Amendment Report (Sydney Water, 2022b), submissions received explicitly mentioned two of these:

- Kemps Creek realignment (brine pipeline)
- Bartley Street realignment (brine pipeline).

The issues raised primarily relate to appropriate consultation and project management during design and construction, including in relation to:

- terrestrial biodiversity and rehabilitation
- noise and vibration impacts
- traffic and transport impacts
- impacts on other infrastructure.

Sydney Water considers these issues can be effectively managed through existing management measures, given the issues are relevant across the project as a whole and were considered in the project's EIS and EIS Submissions Report.



Conclusion

The project provides essential infrastructure and an opportunity to improve liveability, sustainability and the environment across the Western Parkland City. It also aligns with ecologically sustainable development principles. Through a rigorous options assessment process, the project has been identified as the best option to achieve project objectives. Sydney Water has also amended the project to respond to consultation with stakeholders during EIS preparation.

Sydney Water has responded to the 21 issues raised across 11 submissions relating to the proposed project amendments and considers they can be effectively managed through existing management measures.

The combined assessment in the project's EIS, Amendment Report, EIS Submissions Report and this Submissions Report has shown that the project's residual impacts are acceptable and can be effectively managed through implementing a range of management measures.



2 Introduction

This chapter provides an overview of the project and the purpose of this report.

2.1 Project overview

Western Sydney is growing and wastewater services are needed by 2025 to enable population growth and economic development of the Western Sydney Aerotropolis Growth Area (WSAGA or Aerotropolis), South West Growth Area (SWGA) and the new Western Sydney International Airport. Sydney Water's wastewater servicing area for this catchment is known as the Upper South Creek Servicing Area. It includes already established suburbs such as Oran Park and Leppington, and the new precincts of Bradfield and the Northern Gateway.

Sydney Water is proposing to build and operate a new facility and associated pipelines to provide wastewater services for the WSAGA and SWGA. The project includes:

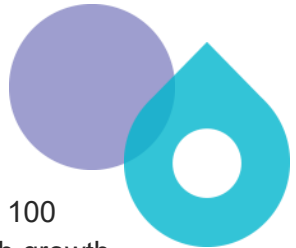

- a new Advanced Water Recycling Centre (AWRC) to collect wastewater from businesses and homes and treat it, producing high-quality treated water, renewable energy and biosolids for beneficial reuse
- a new green space area around the AWRC, adjacent to South Creek and Kemps Creek, to support the ongoing development of a green spine through Western Sydney
- new infrastructure from the AWRC to South Creek, to release excess treated water during significant wet weather events, estimated to occur about 3 – 14 days each year
- a new treated water pipeline from the AWRC to Nepean River at Wallacia Weir, to release high-quality treated water to the river during normal weather conditions
- a new environmental flows pipeline from Wallacia to Warragamba River, to release high-quality treated water to the river just below the Warragamba Dam
- a new brine pipeline from the AWRC connecting into Sydney Water's existing wastewater system to transport brine to the Malabar Wastewater Treatment Plant
- a range of ancillary infrastructure.

Figure 2-1 shows this project infrastructure and the Upper South Creek Servicing Area.

The project is planned to be built in stages, with Stage 1 consisting of:

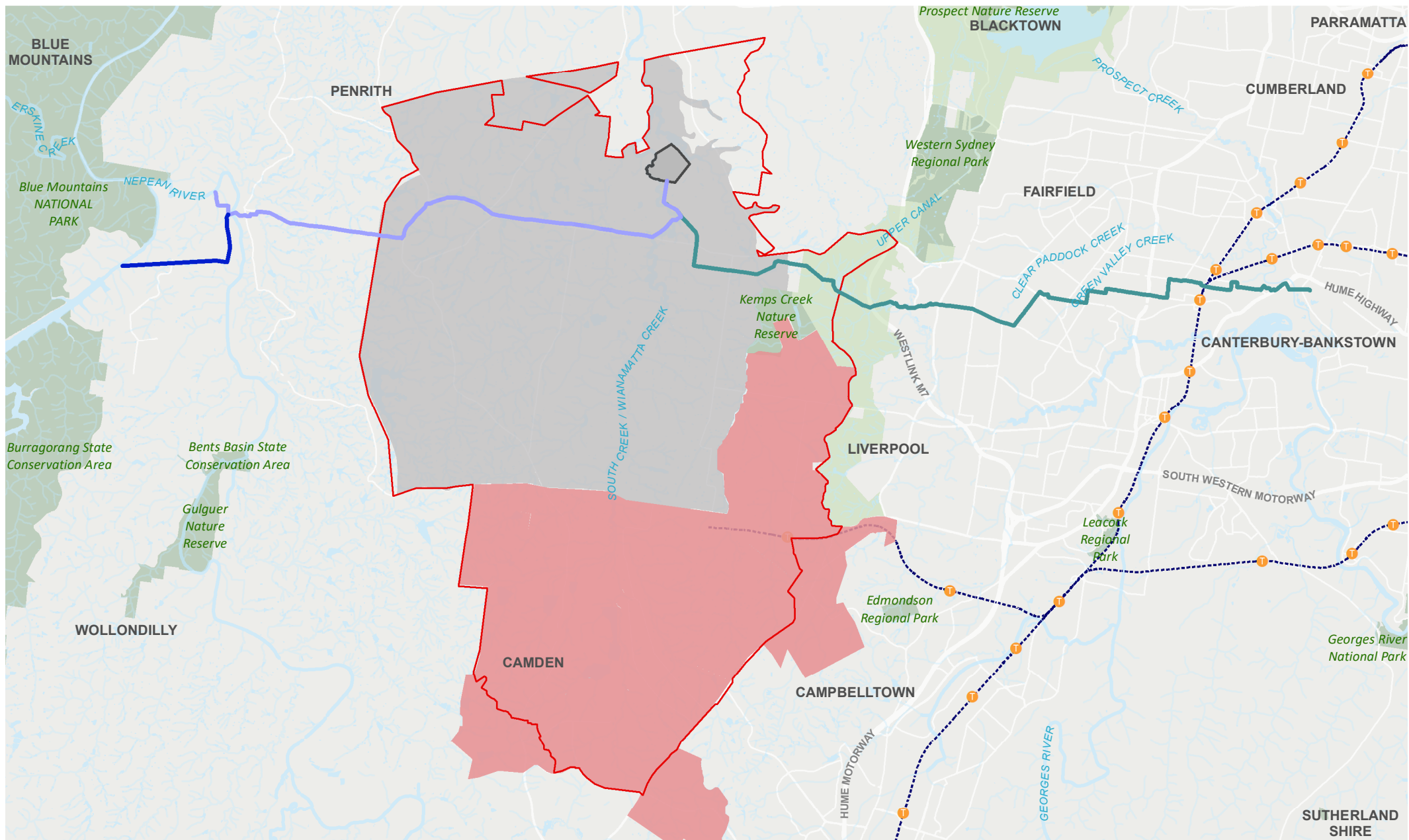
- building and operating the AWRC to treat a daily wastewater flow, known as the average dry weather flow (ADWF), of up to 50 megalitres per day (ML/day)
- building all pipelines to cater for up to 100 ML/day flow coming through the AWRC (but only operating them to transport and release volumes produced by Stage 1).

Sydney Water is seeking a staged approval for the overall concept of the AWRC operating at up to 100 ML/day. Future stages will involve expansion of the AWRC capacity but will not require new pipelines. This avoids disruption and impacts from laying more pipelines in the future.



Current growth projections suggest the ultimate capacity of the AWRC could be up to 100 ML/day. The timing and size of future stages will be established over time to align with growth in demand in the servicing area.

Sydney Water expects to start building Stage 1 in mid-2022 and to start operating it in mid-2025.



- | | | |
|---------------------------------|---|---------------------------|
| Advanced Water Recycling Centre | Servicing area | Waterbody |
| Treated water pipeline | South West Growth Area | National Parks & Reserves |
| Brine pipeline | Western Sydney Aerotropolis Growth Area | Western Sydney Parklands |
| Environmental flows pipeline | Watercourse | Railway |



1:145,000
0 1.5 3km

Figure 2-1 Project and servicing area



2.2 Statutory context and project amendments

The project is State significant infrastructure under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) and requires approval from the Minister for Planning. Since Environmental Impact Statement (EIS) exhibition, the project has also been declared critical State significant infrastructure.

In addition, the project is a controlled action under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), will be assessed under the bilateral agreement with NSW and require approval from the Commonwealth Minister for the Environment.

The then Department of Planning, Industry and Environment (DPIE), now Department of Planning and Environment (DPE) issued Sydney Water with Secretary's Environmental Assessment Requirements (SEARs) in August 2020 and re-issued them in January 2021 to include assessment requirements for Matters of National Environmental Significance (MNES) and approval requirements under the EPBC Act.

Sydney Water prepared an EIS to assess the potential impacts of the project and recommend management measures to appropriately manage those impacts. The EIS was prepared in accordance with the SEARs and the relevant provisions of the now repealed Schedule 2 of the Environmental Planning and Assessment Regulation 2000, which has been replaced by Part 8, Division 5 of the Environmental Planning and Assessment Regulation 2021. The EIS was on public exhibition from 21 October to 17 November 2021.

Sydney Water also prepared an Amendment Report to assess impacts of seven minor amendments to the project as described in the EIS (Sydney Water, 2022b). These included:

- realignment of treated water pipeline at intersection of The Northern Road and Elizabeth Drive
- realignment of treated water and brine pipelines at the crossing of the M12 Motorway, south of the AWRC
- realignment of brine pipeline at crossing of Kemps Creek
- realignment of treated water and brine pipelines along South Creek
- realignment of brine pipeline through the Western Sydney Parklands
- realignment of brine pipeline around Bartley Street at Cabramatta
- amendment to AWRC site boundary.

2.3 Public exhibition of the Amendment Report

The Amendment Report was on public exhibition for 14 days from 23 March to 5 April 2022. During this period any individual or organisation was able to make a submission about the project via DPE's website. In March 2022, DPE provided notification of the exhibition period in *The Australian*.



2.4 Purpose of this document

DPE received 11 submissions and letters of agency advice during exhibition of the Amendment Report and provided copies of these to Sydney Water. DPE has asked Sydney Water to provide responses to the issues raised in the submissions.

Sydney Water has prepared this report in accordance with the DPE guideline 'State significant infrastructure guidelines – preparing a submissions report' (DPIE, 2021). This Submissions Report should be considered an addendum to Sydney Water's EIS Submissions Report (Sydney Water, 2022a) that responded to issues raised during public exhibition of the EIS. The project context and justification have not changed from the EIS Submissions Report and are therefore not repeated here. The following sections of this report are structured as follows:

- Chapter 3 analyses submissions, including a breakdown of the groups and individuals who made submissions and a summary of the issues raised.
- Chapter 4 summarises actions taken since exhibition.
- Chapter 5 responds to agency submissions.
- Chapter 6 responds to local council submissions.
- Chapter 7 provides a conclusion to the report.
- Appendix A includes a register of all submissions received, grouped by agencies and local councils.

3 Analysis of submissions

This chapter analyses the 11 submissions received during public exhibition of the Amendment Report and how the 21 issues raised in these submissions have been categorised.

3.1 Overview of submissions

The Department of Planning and Environment (DPE) received 11 submissions during exhibition of the Amendment Report. None of these were petitions or form letters.

Each submission received by DPE is available on its Major Projects website¹. Table 3-1 summarises the source of submissions received and whether they supported, objected or provided comments on the project.

Table 3-1 Summary of submissions received

Source	Object	Support	Comment	Total
Commonwealth agencies	-	-	1	1
State agencies	-	-	6	6
Local councils	-	-	4	4
Organisations	-	-	-	-
Individuals	-	-	-	-
Total	-	-	11	11

3.2 Submitters

Most submissions were made by NSW State agencies and Commonwealth agencies (64%) and the remainder by local councils (36%). No submissions were received from individuals or organisations. The agencies that provided submissions were:

- Commonwealth Department of Agriculture, Water and Environment
- Department of Planning and Environment – Environment and Heritage
- Department of Planning and Environment - Water

¹ <https://mpweb.planningportal.nsw.gov.au/major-projects/project/38261/submissions/13111/3251>

- Environment Protection Authority
- Heritage NSW – Aboriginal Cultural Heritage
- Transport for NSW (TfNSW)
- WaterNSW.

Three of these submissions had no comments on the project amendments:

- Commonwealth Department of Agriculture, Water and Environment
- Department of Planning and Environment – Water
- WaterNSW.

The local councils that provided submissions were:

- Canterbury-Bankstown City Council
- Fairfield City Council
- Penrith City Council
- Wollondilly Shire Council.

3.3 Analysis of issues

Appendix A provides a register of the submissions received and where in this report each submission has been addressed.

Sydney Water has grouped the issues into the same categories outlined in section 3.3 of the EIS Submissions Report (Sydney Water, 2022a), as shown in Table 3-2. This is in accordance with the guideline Appendix C to the state significant infrastructure guidelines – preparing a submissions report (DPIE, 2021).

Table 3-2 Issue categories and sub-categories

Project	Procedural matters	Economic, environmental, and social impacts of the project	Justification and evaluation of the project as a whole
Construction activities	Compliance with legislation, regulations and guidelines	Aboriginal heritage	Project outcomes
Design requirements	Land acquisition and easements	Airport operations	Release strategy
Operation activities	Stakeholder and community engagement	Air quality	Supports project




Project	Procedural matters	Economic, environmental, and social impacts of the project	Justification and evaluation of the project as a whole
Project Description	Utility provider procedures/requirements	Aquatic ecology	
Project options		Ecohydrology and geomorphology	
Project timing		Flooding	
Strategic context		Groundwater	
Statutory context		Human health and hazards	
		Hydrodynamic and water quality	
		Landscape character and visual amenity	
		Management measures	
		Noise and vibration	
		Non-Aboriginal heritage	
		Socio-economics	
		Soils and contamination	
		Surface water	
		Sustainability	
		Terrestrial biodiversity	
		Traffic and transport	
		Utilities	
		Waste management	
		Waterways	
		World and National heritage	

3.3.1 Summary of issues raised

A total of 21 issues were raised in submissions. Of these issues, nine (43%) were not related to the project amendments, and reiterated comments made in submissions on the EIS. Of the remaining 12 issues, eight related to economic, environmental and social impacts, three to the project and one to project justification.

Table 3-3 illustrates the number of issues raised in each issue category by different groups.

Table 3-3 Categories of issues raised by submitter

	Agencies	Councils	Totals
Project	1	2	3
Procedural matters	-	-	-
Economic, environmental and social impacts	5	3	8
Justification and evaluation of the project as a whole	-	1	1
Issues beyond the scope of this project or not related to project amendments	-	9	9
Total issues raised	6	15	21

3.3.2 Location of submitters

Sydney Water categorised each submission based on the location of the submitter in relation to the project. Three categories were used:



- Local (within 5km of project).
- Regional (within 5-100km of project).
- Broader (further than 100km from project).

Six submissions were categorised as regional since they were from NSW State agencies and the four from local councils were categorised as local. The remaining submission was categorised as broader, given it was from a Commonwealth agency.

3.3.3 Economic, environmental and social impacts

38% of issues raised related to economic, environmental and social issues. These included:

- terrestrial biodiversity (two submissions)
- noise and vibration (one submission)
- surface water (one submission)

- 
- 
- Aboriginal heritage (one submission)
 - traffic and transport (two submissions)
 - utilities (one submission).

3.3.4 The project

Three issues were raised relating to the project, with two noting no objection to the proposed amendments and one raising an issue about construction activities.

3.3.5 Justification and evaluation

The one issue raised in this category supported the proposed realignment of the brine pipeline around Bartley Street in Cabramatta.

3.3.6 Issues beyond the scope of the project

Nine issues were raised that related more broadly to the project but were not relevant to the project amendments. These issues were also raised in submissions on the EIS.

3.3.7 Relevant project amendments

Of the seven project amendments described in the Amendment Report (Sydney Water, 2022b), submissions received explicitly mentioned two of these:

- Kemps Creek realignment (brine pipeline)
- Bartley Street realignment (brine pipeline).

Although some issues raised could be considered to apply across all amendments, no specific issues were raised in relation to:

- AWRC site boundary change
- The Northern Road realignment (treated water pipeline)
- M12 Motorway crossing (treated water and brine pipeline)
- South Creek realignment (treated water and brine pipeline)
- Western Sydney Parklands realignment (brine pipeline).



4 Action taken since exhibition

This chapter describes key actions Sydney Water has taken since public exhibition of the Amendment Report.

Given the minor nature of the amendments and small number of issues raised in submissions, Sydney Water has not taken any further key actions since public exhibition of the Amendment Report. Sydney Water considers that no further assessment or project changes are warranted as a result of submissions received.

Chapter 4 of the EIS Submissions Report (Sydney Water, 2022a) and Chapter 6 of the Amendment Report (Sydney Water, 2022b) outline the stakeholder engagement undertaken for the project amendments, and Sydney Water's ongoing regular engagement activities for the project.



5 Response to State and Commonwealth agency submissions

This chapter provides Sydney Water's response to issues raised in submissions from Commonwealth and State government agencies.

One submission was received from a Commonwealth government agency and five submissions were received from State government agencies. Three of these submissions (Commonwealth Department of Agriculture, Water and Environment, Department of Planning and Environment – Water and WaterNSW) had no comments on the project amendments and are therefore not addressed further in this chapter. This chapter therefore addresses issues raised by three agencies:

- Department of Planning and Environment – Environment and Heritage (formerly Biodiversity and Conservation)
- NSW Environment Protection Authority
- Heritage NSW – Aboriginal Cultural Heritage.

Each submission has been addressed separately and broken down into discrete issues. Appendix A summarises the submissions received, categories of issues raised and the section in the submissions report where they are addressed. Sydney Water considers no new management measures are needed to address issues raised in these submissions and the consolidated list of management measures in Appendix B of the EIS Submissions Report (Sydney Water, 2022a) remains valid and appropriate to effectively manage project impacts.

5.1 Department of Planning and Environment – Environment and Heritage (formerly Biodiversity and Conservation)

5.1.1 Terrestrial biodiversity

Issue description


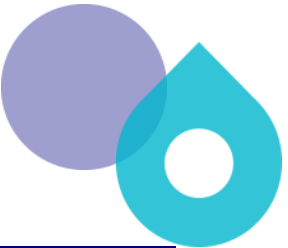
The Department of Planning and Environment – Environment and Heritage (DPE EH) notes that the biodiversity assessment included in the report is adequate. It also raises several issues about the realignment of the brine pipeline near Kemps Creek, in relation to the Sydney Region Growth Centres Biodiversity Certification. Table 5-1 responds to each of these issues.

The submission also notes that the Submissions Report should address DPE EH comments on biodiversity impacts raised during public exhibition of the Environmental Impact Statement, including opportunities to further avoid impacts on biodiversity values.

Response

Table 5-1 Response to DPE EH comments on Kemps Creek realignment

Issue raised	Response
Seeks confirmation that no further impacts to existing native vegetation (ENV) will occur from proposed pipeline realignment, construction and operation.	<p>Sydney Water confirms that the Kemps Creek realignment of the brine pipeline is located in areas previously cleared of ENV and would therefore not result in further direct impacts to existing areas of ENV during construction. Appendix B of the project's Submissions Report (Sydney Water, 2022a) outlines terrestrial biodiversity management measures to minimise the risk of impact to adjacent areas of ENV during construction.</p> <p>Sydney Water does not expect to routinely access this section of the brine pipeline during operation. The only reason access may be required is if the pipeline is damaged and requires repair. Within the red hatched lands, this access would be in the areas impacted by construction and via any easements Sydney Water obtains over the pipeline.</p>
Submissions Report should include ENV on maps as well as Relevant Biodiversity Measure (RBM) 12.	<p>Sydney Water has included Figure 5-1 below as an update to Figure 7-5 in the project's Amendment Report (Sydney Water, 2022b), to show ENV as well as RBM 12.</p>
<p>Concern that rehabilitation is proposed to pre-existing condition given current pre-existing condition of the corridor is a fully cleared site as a result of another Sydney Water project.</p> <p>DPE 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 another Sydney Water project. The plan should include the requirements detailed in G05 and will need to be approved by DPE EH.</p>	<p>Sydney Water confirms that it intends to rehabilitate the area cleared as a result of another Sydney Water project on the basis that the pre-existing condition is native vegetation. This means that the native vegetation measures in management measure G05 in Appendix B of the Submissions Report will apply. The rehabilitation will be completed after construction of the brine pipeline.</p> <p>Sydney Water will include a specific section for rehabilitating the red-hatched lands as part of the Rehabilitation Management Plan in management measure G05. Sydney Water considers that approval requirements for any management plans are best captured by DPE through the project's conditions of approval. Sydney Water also notes that the land in question is not currently owned by</p>

Issue raised	Response
	DPE and that rehabilitation will also need to be in consultation with the landowner.

Sydney Water has addressed DPE EH comments on the EIS in section 5.4 of the EIS Submissions Report (Sydney Water, 2022). Sections 5.4.38 and 5.4.39 of that report are the sections most relevant to further reducing biodiversity impacts and the Sydney Region Growth Centres Biodiversity Certification.

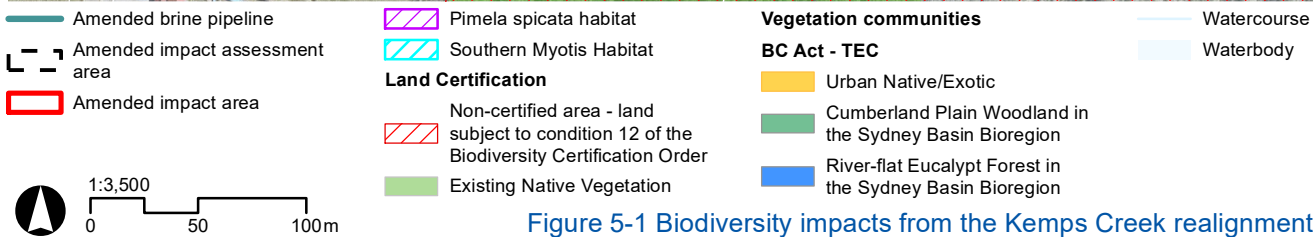
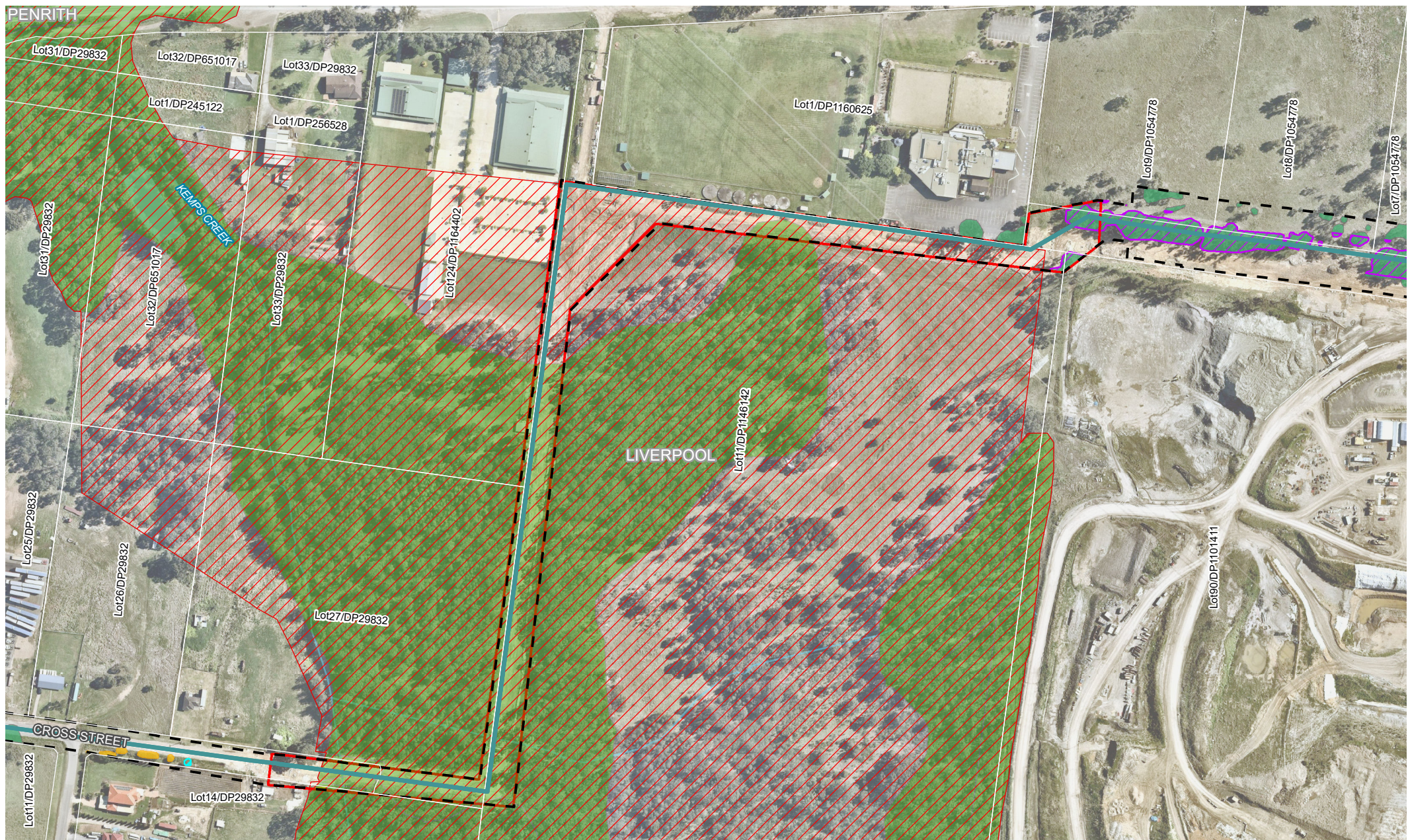


Figure 5-1 Biodiversity impacts from the Kemps Creek realignment



5.2 Environment Protection Authority

5.2.1 Noise and vibration

Issue description

The Environment Protection Authority (EPA) notes that the key to effectively managing changes in noise impacts will be strong and proactive engagement and consultation with these communities about the predicted impacts, and the mitigation and management measures implemented to address them. The submission notes that Sydney Water has provided communication materials to multiple stakeholders likely to be affected by the Bartley Street realignment, and that no responses have yet been received.

The submission notes that Sydney Water must also ensure that all feasible and reasonable mitigation and management measures, including those outlined in section 7.6 of the original Noise and Vibration Impact Assessment (NVIA), are implemented prior to the commencement of construction activities. These measures should extend beyond community notification of upcoming works and consider community views in works programming and management.

Response

As outlined in Chapter 6 of the Amendment Report (Sydney Water, 2022b), Sydney Water has consulted with all impacted communities where an increase in construction noise is likely, compared with that assessed in the EIS.

Appendix B of the EIS Submissions Report (Sydney Water, 2022a) (Sydney Water, 2022a) outlines all management measures relating to managing noise and vibration impacts from the project. These extend beyond community notification and include management measures outlined in section 7.6 of the original NVIA. Sydney Water will consult and work with all impacted communities as design and construction planning progresses, through the development and implementation of a Community and Stakeholder Engagement Plan (CSEP) as outlined in management measure G08 in Appendix B of the EIS Submissions Report. This includes the coordination of works programming with other major projects in the area to reduce cumulative impacts on the community.

5.2.2 Surface water

Issue description

The EPA's previous comments on the EIS noted the need for justification for trenching of Kemps Creek and South Creek during construction of the treated water and brine pipelines. The submission notes that the amended project will no longer require trenching of these waterbodies, and these comments subsequently no longer apply.



Response

As outlined in section 4.4.3 of the Amendment Report (Sydney Water, 2022b), the construction methodology for the brine pipeline crossing of Kemps Creek has changed from open trenching to installing the pipeline through an existing concrete encasement. However, Sydney Water is not proposing to change the construction methodology for the treated water pipeline across South Creek and proposes to construct this by open trenching. Section 5.10.30 of the EIS Submissions Report discusses and justifies this in more detail.

5.3 Heritage NSW – Aboriginal Cultural Heritage

5.3.1 Aboriginal heritage

Issue description

Heritage NSW supports the conclusion and recommendations provided in the Amendment Report in relation to Aboriginal cultural heritage and has no additional comments or concerns in relation to the modification proceeding.

Response

Sydney Water notes Heritage NSW's support for the conclusion and recommendations about Aboriginal heritage impacts and considers that no further response is required.

5.4 Transport for NSW

5.4.1 Project description

Issue description

Transport for NSW (TfNSW) notes that it raises no objection to amendment of the project as outlined in the Amendment Report.

Response



Sydney Water notes that TfNSW does not object to the amendments and considers that no further response is required.

5.4.2 Traffic and transport

Issue description

TfNSW notes the following in relation to the project:

- concurrence of TfNSW must be obtained for any construction works within classified road corridors under section 138 of Roads Act, 1993. As such, prior to the issue of Construction Certificate to any specific construction works within classified road corridors, civil design



plans should be submitted to TfNSW for consideration and concurrence under section 138 of Roads Act, 1993. Documents should be submitted to Development.Sydney@transport.nsw.gov.au.

- The developer is required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. TfNSW fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.

Response

Table 5-12 of the EIS outlines the legislative approvals required for the project. This includes concurrence under section 138 of *Roads Act 1993* which would be issued consistent with the Minister for Planning's approval of the project. Sydney Water acknowledges the need to submit appropriate design information to inform this concurrence.

Where required, Sydney Water will enter into a WAD for works that are located within classified road corridors. Management measure TT01 in Table 15-3 of the EIS commits to preparing Site Specific Construction Traffic Management Plans (SSCTMP) in consultation with TfNSW. These plans would outline any required WADs for the project.

6 Response to local council submissions

Four submissions were received from local councils. Each submission has been addressed separately and broken down into discrete issues. Appendix A summarises the submissions received, categories of issues raised and the section in the submissions report where they are addressed. Sydney Water considers no new management measures are needed to address issues raised in these submissions and the consolidated list of management measures in Appendix B of the EIS Submissions Report (Sydney Water, 2022a) remains valid and appropriate to effectively manage project impacts.

6.1 Canterbury-Bankstown City Council

6.1.1 Terrestrial biodiversity

Issue description

Canterbury-Bankstown City Council requests that for any works which may impact Lansdowne Reserve, specific documentation regarding the remediation/offset planting of the Cumberland Plain Woodland and threatened flora be prepared for Council's consideration and comments.

Response

Sydney Water notes that the project's Amendment Report (Sydney Water, 2022b) does not include any changes to the project in Lansdowne Reserve. Canterbury-Bankstown City Council also raised consultation about remediation in its submission on the project's Environmental Impact Statement (EIS). Section 6.1.1 of the EIS Submissions Report (Sydney Water, 2022a) responds to this matter and notes that Sydney Water will consult with Council as design and construction progresses, including in relation to remediation.

6.2 Fairfield City Council

6.2.1 Support for project

Issue description

Fairfield City Council notes that changes to the project in its local government area relate primarily to the realignment of the brine pipeline along Bartley Street, Cabramatta. The submission notes that Council officers welcome and support the realignment that will avoid major construction and operational impacts on Cabravale Park, removing a significant threat to the sensitive cultural, heritage and landscape values of the Park precinct.



Response

Sydney Water notes Fairfield City Council's support for the realignment of the brine pipeline to avoid Cabravale Memorial Park and considers that no further response is required.

6.2.2 Construction activities

Issue description

Fairfield City Council is currently seeking to undertake project works to upgrade and revamp the Cabravale Leisure Centre and raises issues about access and loss of parking during construction. Table 6-1 includes Sydney Water's responses to each of these issues.

Response

Table 6-1 Response to Fairfield City Council issues on construction activities at Cabravale Leisure Centre

Issue raised	Response
Fairfield City Council notes that the works in Cabravale Leisure Centre carpark do not fall within Council's proposed work area however will result in limited access and loss of parking during construction.	Sydney Water has not yet developed detailed construction timelines as procurement of contractors is currently underway.
Fairfield City Council requests details of the construction works timeline (detailing each month/year) to ensure the proposal will not impact on Council major projects and infrastructure to and adjacent the impacted area.	Management measure TT01 in Appendix B of the EIS Submissions Report (Sydney Water, 2022a) commits to developing and implementing Site Specific Construction Traffic Management Plans (SSCTMPs) which will address impacts to access and parking during construction. The SSCTMPs will outline the staging and construction for each impacted area of the project. The relevant SSCTMP will include specific consideration of planning parking changes to reduce impacts in Cabramatta.
Sydney Water must also provide on-going consultation with Council.	These plans will be developed in consultation with Fairfield City Council, impacted residents, businesses and Transport for NSW (TfNSW). This provides the opportunity to coordinate with Fairfield City Council in relation to its major works program.
A conditional fee for the compound at the Cabravale Leisure Centre will be required as per Council's Fees and Charges Policy.	As project construction planning progresses, Sydney Water will consult with Fairfield City Council to negotiate arrangements for any temporary construction compounds on council land.

6.2.3 Traffic and transport

Issue description

Fairfield City Council raises several matters related to traffic and transport around the Bartley Street realignment of the brine pipeline in Cabramatta. Table 6-2 includes Sydney Water's responses to each of these issues.

Response

Table 6-2 Response to Fairfield City Council issues on traffic and transport around Bartley Street realignment of brine pipeline

Issue raised	Response
The affected owners and stakeholders shall be consulted in regard to Bartley Street closure and Cumberland Street closure and any concerns raised have to be satisfactorily addressed.	<p>Fairfield City Council raised the issue of stakeholder and community consultation in its submission on the EIS. Section 6.2.7 of the EIS Submissions Report (Sydney Water, 2022a) responds to this issue. Appendix B of that report also includes consultation measures as part of developing SSCTMPs (measure TT01). The SSCTMP for pipeline construction in Cabramatta will include measures to manage impacts associated with road closures and diversions in consultation with Fairfield City Council, impacted residents, businesses, bus companies, Bicycle NSW, Western Sydney Cycling Network and TfNSW.</p> <p>Section 6.2.8 in the Amendment Report (Sydney Water, 2022b) describes consultation with directly affected and indirectly affected stakeholders impacted by the Bartley Street amendment. Consulted stakeholders include Cabravale Diggers Club on Bartley Street and Cabravale Leisure Centre, residents, churches and temples on Cumberland Street. In response to concerns raised during consultation, Sydney Water included a new management measure (TT06) in Appendix B of the EIS Submissions Report which will ensure emergency access for Cabravale Diggers Club off Bartley Street is maintained during construction.</p>
The mitigation measures described in the EIS should be considered to further reduce the associated impact on the surrounding transport network.	Management measures TT01 – TT06 in Appendix B of the EIS Submissions Report (Sydney Water, 2022a) commit to a range of measures that will effectively manage impacts to the surrounding transport network.
Fairfield City Council raises the following specific	

Issue raised	Response
<p>issues:</p> <ul style="list-style-type: none"> The loss of parking spaces shall be minimised on Bartley Street (approximately 15 spaces) and within the Cabravale Leisure Centre car park (83 parking spaces). The loss of parking spaces shall be satisfactorily addressed. Further discussions are required with Council Traffic and Assets Branch regarding this issue. Access to residential properties and businesses shall be maintained at all times. It is proposed to relocate the bus zone on the northern kerbside of Bartley Street between Phelps Street and Railway Parade during Bartley Street closure. The bus company and affected stakeholders shall be consulted in regard to relocation of the bus zone. The relocation of the bus zone will also require approval from Fairfield Traffic Committee. 	<p>Amended management measure TT01 in Appendix B of the EIS Submissions Report commits to developing and implementing a SSCTMP to manage impacts in the highly urbanised area of Cabramatta. Specific measures include:</p> <ul style="list-style-type: none"> planning parking changes to manage the temporary loss of parking during construction planning for any changes in traffic conditions including road closures and diversions to ensure access to properties and businesses will be maintained during construction measures to minimise impacts on the public transport network including bus stops. <p>This management measure also commits to developing and implementing the SSCTMP in consultation with Fairfield City Council (including relevant branches and committees), impacted residents, businesses, bus companies, Bicycle NSW, Western Sydney Cycling Network and TfNSW.</p>

6.2.4 Utilities


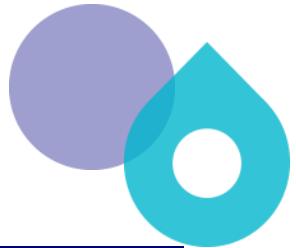
Issue description

Fairfield City Council notes a range of issues relating to impacts of the brine pipeline on utilities. Table 6-3 includes Sydney Water's responses to each of these issues.

Response

Table 6-3 Response to issues raised by Fairfield City Council on impacts to existing utilities

Issue raised	Response
During the development of concept design, the proposed realignment of the brine pipeline at Bartley Street, Cabramatta through Cumberland Street shall not impact Council's existing drainage system in terms of maintenance and renewal works.	<p>Section 6.2.14 in the EIS Submissions Report (Sydney Water, 2022a) describes Sydney Water's approach to pipeline design to avoid impacting adjacent utilities and services, including any council stormwater assets.</p> <p>Management measures U02, U03 and U04 in Appendix B of the EIS Submissions Report commit to identifying existing utilities at risk of damage from</p>

Issue raised	Response
	construction, completing dilapidation surveys and repairing any utilities that have been impacted by construction.
<p>Prior to proceeding detail design, approval shall be obtained from Council in regard to the requirement (clearance) or there is no special restrictions to work around Council's drainage system after installed the proposed pipe line.</p>	<p>As part of detailed design Sydney Water will ensure the pipelines comply with Water Supply Code of Australia (WSA) 03-2011 version 3.1, which identifies minimum clearance distances between the project pipelines and existing utilities, including stormwater assets. Where these clearance distances cannot be achieved, Sydney Water will design the pipelines to minimise potential impact to surrounding assets (for example, providing concrete encasement of pipelines).</p> <p>Approval of the detailed design by Fairfield Council is not required. However, as outlined in management measure G08 in Appendix B of the EIS Submissions Report, Sydney Water will consult with local councils throughout detailed design and construction.</p>

6.3 Penrith City Council

6.3.1 Project description

Issue description

Penrith City Council notes that it raises no objection to amendment of the project as outlined in the Amendment Report.

Response

Sydney Water notes that Penrith City Council does not object to the amendments and considers that no further response is required.

6.3.2 Issues not related to project amendments


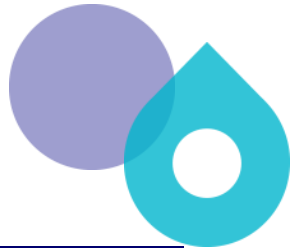
Issue description

Penrith City Council raises a range of matters that are not relevant to the project amendments but reiterate some issues raised in its submission on the EIS. Table 6-4 addresses each of these, including the relevant section in the EIS Submissions Report (Sydney Water, 2022a) where Sydney Water has responded.

Response

Table 6-4 Response to Penrith City Council comments on EIS

Issue raised	Response
Renewable energy generation infrastructure It is not clear if renewable energy generation infrastructure has been removed from the scope of works, as the inclusion of the production of renewable energy generation infrastructure including the generation of renewable energy and operation of solar panels, is no longer included in the project description provided in the Amendment Report. It is recommended that the Department seek clarity on the scope of works for each Stage and that stakeholders and submitters be made aware of this finalised scope, and are provided with opportunity to comment, prior to determination of the application.	 Chapter 4 of the project's Amendment Report (Sydney Water, 2022b) only includes a description of the proposed amendments to the project. Given no amendments are proposed to renewable energy generation, this is not addressed in the project description in that chapter. Appendix A of the Amendment Report includes a revised project description for the whole project as described in the EIS. This still includes renewable energy generation as outlined in Table 4-3 and section 4.5.3.
Treated water reuse and key opportunities The EIS does not clarify whether the treated water re-use option is included in the scope of Stage 1 works and activities. There are several instances within the EIS which state that these activities are included and others where this activity is a future option or is a potential (example EIS, Volume 2 (V2), p.51 and EIS, V2, p.87 3.5.1). This 'key opportunity' included that the recycled water produced can be used by industry and agriculture and may be used to complement stormwater in irrigating open spaces (this is also identified elsewhere within the EIS as being within the scope of Stage 1). There is no mention of this aspect of the proposal or any of the 'key opportunities' in the amended project description (p.13) of the newly submitted Amendment Report. It is recommended that the Department seek clarity from Sydney Water as to the full scope of works and activities proposed as part of Stage 1.	 Penrith City Council raised this issue in its submission on the EIS, and Sydney Water has responded in section 6.4.2 of the EIS Submissions Report (Sydney Water, 2022a). This response notes that Stage 1 of the project will produce a high-quality treated water that is suitable for re-use. This enables identified opportunities for recycled water to be realised. However, any schemes to deliver this recycled water to customers are out of scope for the project and will be subject to separate planning approvals. The project's key opportunities have not changed as a result of project amendments, which is why they are not addressed in the Amendment Report. Sydney Water has further clarified the project's key opportunities in section 6.4.4 of the EIS Submissions Report, in response to Penrith City Council's submission on the EIS.
Green space area Limited detail has been provided on the	 Penrith City Council raised the issue about public accessibility of the green space area in its

Issue raised	Response
<p>landscaping and design of the green space area and it is unclear if the delivery of this green space will achieve the outcomes and desired high quality expressed within the EIS.</p> <p>No detail is provided as to the water sensitive urban design elements which were identified within the EIS to be employed. It is unclear as to whether this green space will be publicly accessible on delivery, as part of Stage 1.</p> <p>It is recommended that the Department seek clarity from the applicant as to the scope of all Stages. It is also recommended that more detailed plans should be provided to the Department to inform the assessment.</p>	<p>submission on the EIS, and Sydney Water has responded in section 6.4.3 of the EIS Submissions Report (Sydney Water, 2022a).</p> <p>In relation to more detail on landscaping and design of the green space area, and water sensitive urban design elements, Sydney Water will progress this as part of detailed design, after project approval. Sydney Water has committed to progressing these matters through a range of management measures in Appendix B of the EIS Submissions Report, including:</p> <ul style="list-style-type: none"> • UD01 – Urban Design and Landscaping Plan • SW02 – relating to stormwater management and water sensitive urban design measures.

Bioenergy Hub

The inclusion of a Bioenergy Hub being another 'key opportunity' was identified in the EIS (V1, p.9). This was explained to be related to waste collection, reuse, resource recovery and renewable energy generation.

Details of possible waste streams and related environmental and operational impacts are not provided, and Council has previously raised that this aspect of the project is not supported.

As the 'key opportunities' are not included in the description of the project provided in the Amendment Report, it is assumed these no longer form part of the scope although it is recommended that the Department seek clarity.

Sydney Water has responded to this issue in section 6.4.6 of the EIS Submissions Report (Sydney Water, 2022a). This confirmed that a Bioenergy Hub is not part of project scope. Sydney Water has referenced a Bioenergy Hub at the AWRC site as a potential future opportunity enabled by the project. If this opportunity progresses, details of waste streams and impacts would be addressed as part of future environmental impact assessment and planning approvals.

As noted above, key opportunities have not changed as a result of project amendments and are therefore not addressed in the Amendment Report.

6.4 Wollondilly Shire Council

6.4.1 Issues not related to project amendments

Issue description

Wollondilly Shire Council raises a range of matters that are not relevant to the project amendments but reiterate some issues raised in its submission on the EIS. Table 6-5 addresses each of these, including the relevant section in the EIS Submissions Report where Sydney Water has responded.

Response

Sydney Water notes that none of the project amendments are in the Wollondilly local government area.

Table 6-5 Response to Wollondilly Shire Council comments on EIS

Issue raised	Response
<p>Consistency with Council's Integrated Water Policy and Water Strategy in terms of water recycling and impacts to waterways</p> <p>Water Recycling Use is beyond the scope of this project, as are plans for any recycled water offtake points. At this stage, it is proposed that all of the treated wastewater will be disposed of into local waterways. Given the proposal is looking at a possibility of introducing a green space/parkland in addition to the Advanced Recycled Wastewater facility, it appears an opportunity lost not to make the most of the use of recycled water on parkland and other uses relating to surrounding development.</p> <p>It is also noted in the amended project description that the environmental flows pipeline might not go ahead (further detailed in Section 3.5.1 of the EIS). This is a concern for water quality within the Warragamba River between the base of the Dam and Wallacia Weir, which will be severely impacted should environmental flows cease in this area.</p>	<p>In relation to water recycling, Sydney Water has responded to this issue in section 6.5.2 of the EIS Submissions Report (Sydney Water, 2022a). The response notes that the project aims for all treated water produced during normal conditions to be reused for beneficial use, including local recycling and releases to waterways. Given the uncertainty around timing, volume and location of recycled water demand, the supply of recycled water to residents and businesses is not part of the project scope. However, Sydney Water is exploring a range of opportunities for beneficially using treated water from the AWRC, including third pipe recycled water to homes, businesses (such as data centres), agriculture (including intensive agriculture) and open space. These would be subject to separate planning approvals.</p> <p>Section 5.15.2 of the EIS Submissions Report provides further detail about environmental flows in response to issues raised by WaterNSW. This notes that Sydney Water's treated water releases could supplement but not entirely replace WaterNSW releases from Warragamba Dam. Accordingly, even if the environmental flows pipeline is not built, this will not result in environmental flows ceasing in this area.</p>
Noise and vibration	Section 6.5.9 of the EIS Submissions Report

Issue raised	Response
<p>Council's previous concerns are:</p> <ul style="list-style-type: none"> It is noted in the Noise and Vibration Impact Assessment that drilling is intended to take place along C1 Warragamba River and C2 Bents Basin Road, residential receivers, for the environmental flows pipeline. Noise is expected to be in exceedance of the NMLs for 24/7 drilling construction works at both of these areas, for a period of 6 months. Recommendations include a Construction Noise and Vibration Management Plan, hoarding enclosures and possible alternative accommodation for out-of-hours construction works. Council raise concerns relating to the potential noise impacts at these receivers and, where possible, works should be carried out within daylight hours only. 	<p>responds to these issues raised in Wollondilly Shire Council's submission on the EIS. This includes reiterating Sydney Water's commitment to a Construction Noise and Vibration Management Plan with appropriate measures and ongoing consultation with affected receivers.</p>
<p>Terrestrial and aquatic biodiversity</p> <p>Issues raised on terrestrial and aquatic biodiversity in Council's original submission were addressed in detail by the EIS, apart from issues with the applicable Koala State Environmental Planning Policy (SEPP) which it did not mention. That being that neither the Koala SEPP 2020 nor the Koala SEPP 2021 applies to developments assessed under Part 5 of the NSW Environmental Planning and Assessment Act 1979, therefore, further consideration of impacts to koala is not required. However, based on the date of publication of the SEARs (January 2021), the Koala SEPP 44 would be applicable based on legal advice received by Council and may require additional consideration of koala habitat.</p>	<p>Section 6.5.6 of the EIS Submissions Report responds to these issues raised in Wollondilly Shire Council's submission on the EIS. This reiterates that none of the Koala SEPPs are applicable to the project, but that the EIS (section 9.1 and Appendix J) included a thorough assessment of the project on all relevant biodiversity including the Koala. This included undertaking field surveys and impact assessment in accordance with NSW and Commonwealth requirements. This assessment found that the project would not have a significant impact on Koalas.</p>
<p>General comment</p> <p>Request a response from DPE about:</p> <ul style="list-style-type: none"> The Upper South Creek Project is being planned, delivered and accelerated at a significantly higher level than other development already occurring at the Wilton Priority Growth Area without any commitment for a similar type of scheme detailed in the 	<p>Sydney Water notes this is a request for a response from DPE and is out of scope for this project. However, section 6.5.11 of the EIS Submissions Report includes Sydney Water's response to this issue.</p>

Issue raised	Response
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EIS commitment.

- There is considered inconsistencies with nutrient loads and impacts on waterways with the Project in comparison to loads and restrictions applied to Picton treatment plant (which is currently at capacity). A level of concurrency and transparency in the framework applying to the South Creek Catchment and other areas covered by the Western City District Plan is viewed as needed.



7 Conclusion and justification

This chapter considers whether the submissions raised affect the project justification.

The project provides essential infrastructure and an opportunity to improve liveability, sustainability and the environment across the Western Parkland City. It also aligns with ecologically sustainable development principles. Through a rigorous options assessment process, the project has been identified as the best option to achieve project objectives. Sydney Water has also amended the project to respond to consultation with stakeholders during EIS preparation.

Sydney Water has responded to the 21 issues raised across 11 submissions relating to the proposed project amendments. Sydney Water considers that none of the submissions affect the updated project justification outlined in Chapter 9 of the EIS Submissions Report (Sydney Water, 2022a) because they either:

- relate to issues already addressed in the EIS Submissions Report
- do not require further changes to the project and can be appropriately managed through existing management measures.

The combined assessment in the project's EIS, Amendment Report, EIS Submissions Report and this Submissions Report has shown that the project's residual impacts are acceptable and can be effectively managed through implementing a range of management measures.



8 References


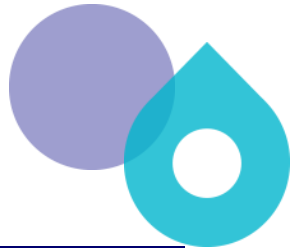
Department of Planning, Industry and Environment (DPIE) 2021, State significant infrastructure guidelines – preparing a submissions report, NSW Government, Sydney

Sydney Water 2022a, Upper South Creek Advanced Water Recycling Centre Submissions Report

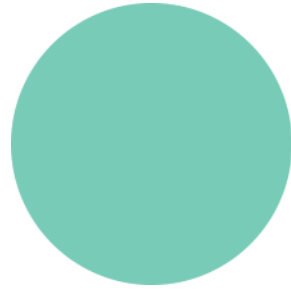
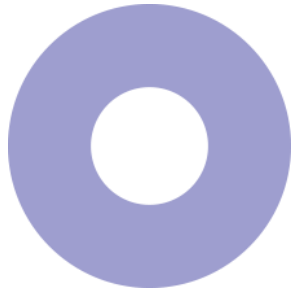
Sydney Water 2022b, Upper South Creek Advanced Water Recycling Centre Amendment Report

Appendix A Submissions register

Group	Name	Issue category	Issue sub-category	Section where issues addressed
Commonwealth agencies	Department of Agriculture, Water and the Environment	No comments on project amendments	N/A	N/A
State agencies	Department of Planning and Environment – Environment and Heritage (formerly Biodiversity and Conservation)	Economic, environmental and social impacts	Terrestrial biodiversity	5.1
State agencies	Department of Planning and Environment – Water	No comments on project amendments	N/A	N/A
State agencies	Heritage NSW – Aboriginal Cultural Heritage	Economic, environmental and social impacts	Aboriginal heritage	5.3
State agencies	NSW Environment Protection Authority	Economic, environmental and social impacts	Noise and vibration Surface water	5.2
State agencies	Transport for NSW	Project	Project description	5.4
		Economic, environmental and social impacts	Traffic and transport	5.4
State agencies	WaterNSW	No comments on project amendments	N/A	N/A

Group	Name	Issue category	Issue sub-category	Section where issues addressed
Local councils	Canterbury Bankstown City Council	Economic, environmental and social impacts	Terrestrial biodiversity	6.1
Local councils	Fairfield City Council	Justification and evaluation	Supports project	6.2
		Project	Construction activities	6.2
		Economic, environmental and social impacts	Traffic and transport Utilities	6.2
Local councils	Penrith City Council	Project	Project description	6.3
		Issues not related to project amendments	N/A	6.3
Local councils	Wollondilly Shire Council	Issues not related to project amendments	N/A	6.4



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