

Mr Scott Jeffries
Director, Major Infrastructure Assessments
Department of Planning
GPO Box 39
Sydney NSW 2001

Attention: Ingrid Ilias

Dear Mr Jeffries *Scott,*

Re: Modification to Minister's approval for the Western Sydney Recycled Water Initiative - Replacement Flows Project (MP 06_0190) – Condition 2.11

I refer to the Minister for Planning's approval for the above Major Project under Part 3A of the *Environmental Planning and Assessment Act 1979* granted on 20 June 2007.

The purpose of this letter is to request a modification to Condition 2.11 to enable the Department to authorise impact on a case by case basis where the impact has been assessed as minor. The current wording of Condition 2.11 and Sydney Water's suggested modification is at Attachment 1.

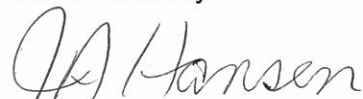
As you are aware, Sydney Water has requested modification of Condition 2.11 on four separate occasions to date. While Sydney Water makes every effort to avoid direct impact on endangered ecological communities and threatened species, further impacts of a minor nature will be necessary as construction progresses. For instance, impact involving the transplanting and/or pruning of a threatened species along the route of a pipeline.

The suggested modification would maintain the Department's approval role for direct impact while minimising the need for formal modification of Condition 2.11 on each occasion. Sydney Water considers the proposed modification to be consistent with the Project's Environmental Assessment and Statement of Commitments.

Sydney Water appreciates the Department's consideration of this request. We understand that the fee associated with this modification request is \$750. A cheque for this amount is enclosed.

If you require additional information or would like to discuss the proposed modification further, please contact Dr Sue Bowen on 8849 4507.

Yours sincerely

A handwritten signature in black ink, appearing to read "Judi Hansen".

Judi Hansen
General Manager Sustainability

Attachments

Suggested wording for Condition 2.11
Modification Application Form – Modification 6

Attachment 1 - Suggested wording for Condition 2.11

The current wording of Condition 2.11 is as follows:

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 condition 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 condition 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.*

Sydney Water suggests the following modification (**in bold**) to Condition 2.11:

Unless otherwise agreed in writing by the Director-General 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 condition 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 condition 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.*

The Director-General may permit impacts upon application by the Proponent where the impact has been assessed as not significant and would not significantly contribute to the cumulative impact of the Project on the above species, habitats and Endangered Ecological Communities.