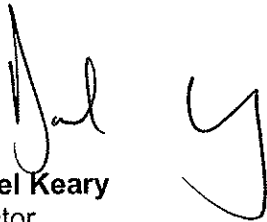


# Modification of Minister's Approval

## Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 25 January 2010, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



**Daniel Keary**  
Director  
Infrastructure Projects

Sydney      1      APRIL      2011      File No: 10/05841-2

### 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 (MOD 7):**

Amendments to conditions 2.17 and 2.18 to enable measurement of operational noise at the most affected sensitive receiver location.

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## 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);
- j) Letter from Sydney Water Corporation dated 26 October 2010 and associated attachments (Environmental Assessment Addendum prepared by Sydney Water Corporation dated October 2010, titled *Replacement Flows Project: Operational Noise Criteria – CoA 2.17 & 2.18*);
- k) Email from Sydney Water Corporation to the Department of Planning dated 13 December 2010, titled *RE: Replacement Flows Modification Request (MP 06\_0190 MOD 7)*;
- l) Email from Sydney Water Corporation to the Department of Planning dated 8 February 2011, titled *RFP Modification request (MP 06\_0190 MOD 7)* and associated attachments (Sydney Water response to DECCW and DoP queries on draft CoAs – *Operational Noise – Replacement Flows Project*; and email from WilkinsonMurray to Sydney Water Corporation dated 25 January 2011); and
- m) 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 1.1l) 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 1.1l) inclusive, the most recent document shall prevail to the extent of the inconsistency.

**3. Inserting the additional words immediately after the last word of existing definition for DECC as follows:**

, now incorporated within the Department of Environment, Climate Change and Water.

**4. Replacing existing condition 2.17 with new condition 2.17 as follows:**

- 2.17 The Proponent shall design, operate and maintain the project such that noise emitted from each of the premises (St Marys STP, Quakers Hill STP and Penrith STP), does not exceed the noise limit of 35 dB(A) at sensitive receiver locations, when assessed at the most affected sensitive receiver location, for each of the premises. An alternative noise limit may be agreed to by the Director-General, following the provision of additional background noise monitoring data for each of the premises.

**5. Replacing existing condition 2.18 with new condition 2.18 as follows:**

- 2.18 For the purpose of assessment of noise specified under condition 2.17 of this approval, noise from the project shall be:
- (a) measured at the most affected point on or within the property boundary of the most affected noise-sensitive receiver to determine compliance with condition 2.17; and
  - (b) subject to the modification factors provided in Section 4 of the New South Wales Industrial Noise Policy (EPA, 2000), where applicable.

Notwithstanding, should direct measurement of noise from the project be impractical the Proponent may employ an alternative noise assessment method deemed acceptable by the DECC (refer to section 11 of the *New South Wales Industrial Noise Policy* (EPA, 2000)). Details of such an alternative noise assessment method deemed acceptable by the DECC shall be submitted to the Director-General prior to the implementation of the assessment method.

**6. Replacing existing condition 3.2 with new condition 3.2 as follows:**

**Noise Performance Audit**

- 3.2 Within 60 days from the date of the modified approval for this project (MP06\_0190 MOD 7), or as may be agreed by the Director-General, and during a period in which the project is operating under design loads and normal operating conditions, the Proponent shall undertake a program to confirm the noise emission performance of the AWTP plant. The program shall include, but not necessarily be limited to:
- a) noise monitoring, consistent with the guidelines provided in the New South Wales Industrial Noise Policy (EPA, 2000), to assess compliance with condition 2.17 of this approval.
  - b) methodologies, locations and frequencies for noise monitoring;
  - c) identification of monitoring sites at which pre- and post-project noise levels can be ascertained;
  - d) details of any complaints and enquiries received in relation to noise generated by the operation of the AWTP and associated infrastructure since the commencement of operation;
  - e) a statement of whether the Site of the AWTP is in compliance with noise limits in condition 2.17;
  - f) any additional noise mitigation measures and timetables for implementation.

A report providing the results of the program shall be submitted to the Director-General within 28 days of completion of the testing required under a).

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