

# Project Refusal

## Section 75J of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, determine the project referred to in Schedule 1, by refusing to approve the project pursuant to Section 75J(1) of the *Environmental Planning and Assessment Act 1979* for the reasons outlined in Schedule 2.



The Hon Tony Kelly MLC  
Minister for Planning

Sydney

26 NOV 2010

2010

File No:

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### SCHEDULE 1

**Application No:** 07\_0156

**Proponent:** Hunter Water Corporation

**Approval Authority:** Minister for Planning

**Land:** The Tillegra Dam site, at Tillegra, north of the town of Dungog, in the Upper Hunter Valley, within the Dungog local government area.

**Project:** Construction and operation of a 450 gigalitre water storage dam at Tillegra. Other project components include a spillway and associated water supply infrastructure, transfer pipeline and pump station, the realignment of Salisbury Road and Quart Pot Creek Road, the relocation of other public infrastructure (including a rural fire station and telecommunication and electrical transmission lines), heritage conservation works and ancillary works as required (recreational access areas, lookouts and related facilities).

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## **SCHEDULE 2**

1. There is inadequate justification for the proposal as the best option to meet the long term water supply needs of the Hunter Region.
2. There are significant uncertainties regarding the accuracy of the modelling used to predict the impacts of the project on the hydrology of the Williams River, predicted flows to the Hunter Estuary, and predicted changes to the hydrodynamics and water quality of the Hunter Estuary.
3. On the basis of the precautionary principle, there are threats of serious or irreversible environmental damage as a result of the project and there is significant uncertainty whether these threats could be avoided or minimised to acceptable levels.
4. There is an unacceptable level of risk that the impacts of the proposal on the ecological values of the internationally recognised Hunter Estuary Ramsar wetlands have not been fully and accurately assessed.
5. There is significant and unacceptable uncertainty as to whether the proposal's reduction in environmental flows from the Williams River to the Hunter Estuary could impact on other licensed water users throughout the Hunter System.
6. The project is not in the public interest.