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File Number 10/05977

File Name Penrith Lakes Scheme

Printed By Ann-Maree Carruthers

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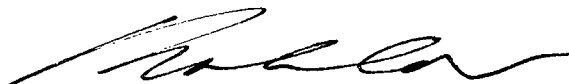
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ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

DETERMINATION OF A DEVELOPMENT APPLICATION
BY THE MINISTER PURSUANT TO CLAUSE 8 OF SYDNEY
REGIONAL ENVIRONMENTAL PLAN NO. 11 -
PENRITH LAKES SCHEME

In accordance with clause 8 of Sydney Regional Environmental Plan No. 11 - Penrith Lakes Scheme, I, the Minister for Planning and Environment, determine the development application referred to below by granting consent to that application subject to the conditions set out in the Schedule.



BOB CARR
Minister for Planning
and Environment

Sydney *24 Feb* 1987

APPLICATION

APPLICANT: Penrith Lakes Development Corporation

DEVELOPMENT APPLICATION:

Development for the purposes of implementing the Penrith Lakes Scheme -

- (a) as defined in Schedule 1 of Sydney Regional Environmental Plan No. 11 - Penrith Lakes Scheme.
- (b) on land described on the attached plan - B.1-40015 and described in the Schedule.
(Application lodged on the 1 December 1986 with the Department of Environment and Planning - File No: 86/2720).

SCHEDULE

STATUTORY RESPONSIBILITY

1. That the Applicant (and its successors in title) shall for the duration of this Development Consent meet the statutory requirements of all public authorities having statutory responsibilities in respect of the proposed development, and shall negotiate with all authorities having an interest in the proposed development with a view to meeting any reasonable requirements relative to the proposed development.

STATE POLLUTION CONTROL COMMISSION APPROVALS

2. That the Applicant shall, prior to the commencement of construction of the proposed development obtain from the State Pollution Control Commission all statutory approvals required under the Clean Air Act 1961, Clean Waters Act, 1970 and Noise Control Act, 1975, in regard to any necessary pollution control safeguards.

GUARANTEE

3. (a) That the Applicant shall guarantee to meet the cost of remedial works to be carried out by the Minister in the event of -

(i) any defects arising in the landforms, structures, plant, equipment or associated works; or

(ii) in relation to (i) above the costs of any remedial works should be reviewed in accordance with clause 4 and 5 and the guarantee adjusted accordingly.

(b) That for the purposes set out in (a) above the Applicant shall lodge with the Minister a Bank Guarantee, in a form approved by the Director and executed by a bank whereby the bank undertakes to pay to the Minister the agreed sum in the event of -

(i) the applicant failing to perform or committing a breach of the conditions; or

(ii) any defects arising in the landforms, structures, plant, equipment or associated works,

the Applicant's obligation under this condition shall remain in force until the Minister is satisfied that the conditions set out in this consent have been fully performed and upon the Minister being so satisfied, the said Bank Guarantee or any unused part thereof shall be released to the Applicant.

- (c) For the purposes of clause 3(b) "agreed sum" means the sum calculated in accordance with clauses 4, 5 and 6.
- (d) The original bank guarantee shall be lodged with the Minister within 3 months of the commencement of operations of the proposed development. Any renewal of the bank guarantee necessitated by the review of the cost of remedial works referred to in clauses 4, 5 and 6 shall be lodged with the Minister within 3 months of the date of each detailed consent.
- (e) That if the Applicant fails to comply with or breaches any of the conditions of consent, or in the event of any defects arising in the landforms, structures, plant, equipment or associated works, within the defects liability period set out in clause 7, then but not otherwise, the Minister may thereupon undertake works, including constructing a pump and pipeline, rounding off banks, fencing, demolishing, recontouring, revegetating and remove or take such other action as it may think fit to compel the Applicant's compliance with the said conditions and all losses and expenses consequent upon such construction, demolition, recontouring, revegetation or removal or any other action as aforesaid and all damages which may sustain thereby shall be recovered by the Minister from the Applicant as a debt in any Court of competent jurisdiction to the extent of the Bank Guarantee referred to in clause 3(b).
- (f) That in the event of default by the Applicant in respect of matters referred to in this consent, or in the event of any defects arising, in the land forms, structures, plant, equipment or associated works, the Minister:
 - (i) may serve on the Applicant a notice (which is hereinafter referred to as "the default notice") -
 - (a) indicating the matters, in which, in the opinion of the Minister, the Applicant is said to be in default;
 - (b) requiring the Applicant, in the manner and within the date and time specified in the default notice to:
 - (1) rectify the default referred to therein, and allowing reasonable time for rectification of any such default; and
 - (2) showing cause why the Minister should not exercise his right under condition 3(e) PROVIDED THAT the Minister may defer the coming into operation of

condition 3(e) above until the expiration of the time specified in the default notice; and

- (3) showing cause why the Minister should not institute proceedings under section 123 of the Environmental Planning and Assessment Act.

(ii) may consider any explanation and representation made by the Applicant in pursuance of subclause (i)(b)(2) of this condition.

CALCULATION OF BANK GUARANTEE

4. Bank Guarantee for Defects, arising in Structures, Plant, Equipment or Associated Works

The guarantee for each two year period shall be for an amount of 2.5% of the estimated value of works to be undertaken adjusted each two years, at the time of detailed consent.

5. Bank Guarantee for Defects Arising in Landforms

The guarantee for each two year period shall be for an amount of 2.5% of the estimated value of the total landform cost adjusted each two years, at the time of detailed consent.

6. Breach of any Conditions of Consent

The guarantee for each two year period shall be the amount calculated by reference to the estimated cost to complete banks, construct foreshores of incomplete lakes, fence and provide a pump station and pipeline in the event of the Applicant terminating all extraction of works pursuant to Clause 59.

7. Liability Period

The defects liability period shall be -

- (a) for plant, equipment and associated works 12 months after the issue of a Certificate of Practical Completion in respect of the previous 2 year period; and
- (b) for landforms and flood structures 12 months after issue of Certificate of Practical Completion in respect of the previous 2 year period, with the final two year period in any consent warranted for a period of two years, fair wear and tear excepted.

NOTIFICATION OF EXISTING CONSENTS

8. The conditions included in existing consent (DA1 - consent given 8th July 1982) on land to which this application relates shall be modified to include the conditions set out in this consent.

STAGING SEQUENCE

9. The Applicant shall carry out development in accordance with the Mining Sequence Plans except as provided for in condition 10.

B4 - 30039	B4 - 30043
B4 - 30040	B4 - 30044
B4 - 30041	B4 - 30045
B4 - 30042	B4 - 30046
	B4 - 30047

10. Condition 9 may be varied -

- (i) when the consent authority following consultation with the Applicant directs otherwise.
- (ii) when the consent authority deems appropriate following a request for change of sequence from the applicant.

DETAILED CONSENT

11. The Applicant will lodge with the consent authority at two yearly intervals, detailed plans of works to be carried out within the subsequent two years. The first of such intervals shall be two years from the date of this consent.

12. Prior to preparing such plans the Applicant will consult with Department of Agriculture - Division of Fisheries, National Parks and Wildlife Service and any other authorities that may be nominated from time to time by the consent authority.

13. Such plans shall be drawn at a scale of 1:1000 and show -

- (a) engineering design details and their relationship to the Mining Sequence Plan
- (b) shall include details of landscaping and final rehabilitation plantings to be undertaken including species name, density or spacing, location and number of trees and shrubs to be planted. The plan will also include details of proposed ground cover plantings or sowing of grasses
- (c) shall demonstrate the proposed respective locations of site for plant, buildings, roads, means of access to works, drainage, parking area and other works generally if applicable

14. Consent is deemed to have been refused where the consent authority has not determined the detailed plans within ninety days after lodgement of those detailed plans with the consent authority, except when notified otherwise by the consent authority.

DETAILED CONSENT - YEAR 1/2

15. The Applicant may, immediately after the granting of consent to this application, begin rehabilitation in Year 1/2 area. Year 1/2 area being that area described in plans:

B5 - 10043
B5 - 10044
B5 - 10045
B5 - 10046
B5 - 10047
B5 - 10048

16. This detailed consent is conditional on the following:

The Applicant following consultation with National Parks Wildlife Service to resubmit to the Director for his consent within six months of this consent plans and details of the subsequent 18 months proposed works drawn at a scale of 1:1000 which;

- (a) shall include details of final rehabilitation plantings to be undertaken including species names, density or spacing, location and number of trees and shrubs to be planted. The plan will also include details of proposed ground cover plantings or sowing of grasses.
- (b) shall demonstrate the proposed respective locations of site for plant, buildings, roads, means of access to works, drainage, parking area and other works generally if applicable.

LAND REHABILITATION

Erosion Control

17. All land rehabilitation is to be in accordance with the Land Rehabilitation Manual 1987 (prepared by the Applicant in conjunction with the Soil Conservation Service).

Bank Slopes

18. The completed landforms above normal water level shall have an overall slope no steeper than 6H:IV. Intermediate slopes steeper than this are permissible provided the overall slope is no greater than 6H:IV.

Drainage and Erosion Control

19. Capacities of drainage and erosion control works are to be determined in accordance with the Australian Rainfall and Run-off Manual.

20. Minimum design storm return periods are to be

- lateral drains 5 years
- waterways 20 years

21. A minimum of 100mm of topsoil is to be spread on all the reconstructed landforms which are to be revegetated.

Revegetation

22. Revegetation of landforms must commence within 30 days from the placement of topsoil. Extension of this time may be granted where site conditions prevent revegetation works being carried out.

Repairs and Maintenance

23. Land shall be maintained, repaired and managed to the satisfaction of the Soil Conservation Service. Repairs and maintenance works are to be carried out as necessary and in consultation with the Soil Conservation Service.

Landscaping Species Selection

24. Indigenous native trees and shrubs of the floodplain shall be used. Exception may be within the curtilage of heritage items where species selection may be in accordance with the relevant conservation plan or in specific theme areas.

Plant Density

25. Planting of trees and shrubs will be at a density of 163 units per hectare of future land area.

26. Condition 25 may be varied where the land area concerned may be future urban or where the land may be otherwise unable to support 163 units per hectare. Such variation should be specifically referred to in the appropriate landscaping plan.

Water Plants

27. Both submergent and emergent varieties of water plants to be planted concurrently to the first filling of any lake. Landscape plans should make reference to where such planting will occur, density and species.

Geo-Technical

28. All geo-technical works to be carried out in accordance with drawings

- B5 - 10054 - General arrangement of geo-technical works
- B5 - 10055 - Cross sections

WATER

Water Management Plan

29. The Applicant shall submit to the consent authority a detailed overall water management plan giving further details of studies proposed, water management modelling and monitoring program including particularly details of DA2 by 31 December 1987 for approval of the Department of Water Resources.

Reticulation Pipes

30. Alternative methods for water transfer are to be made available should water levels be reduced to a level that causes the reticulation pipes to be unserviceable.

Observation Bores

31. The Applicant is to install and monitor 5 observation bores, by the 31st December, 1987 in locations to be nominated by the Department of Water Resources.

NOISE

32. The Applicant shall not exceed the following maximum noise levels in those areas designated.

(a) Cranebrook Village and Other Dwellings outside the Scheme area (but not on the Escarpment) - see figure 2

(i) Maximum Noise Levels

Noise levels as measured at any one dwelling in Cranebrook or any other dwelling outside the Scheme area (but not including residences along Castlereagh Escarpment) are not to exceed the following criteria.

Maximum Noise Limits (L10)

Absolute maximum	-	70dB(a)*
Greater than	-	65dB(A) for 1 month
Greater than	-	60dB(A) for 3 months
Greater than	-	55dB(A) for 24 months
Less than	-	55dB(A) for remainder of time

(ii) The above absolute maximum may be exceeded as a result of the construction of noise control works e.g. noise bunds.

(iii) In the area south of Cranebrook village all rehabilitation works shall be setback 20 metres from the residential area.

(iv) In the area north of Cranebrook village all rehabilitation works shall be set back 50 metres from the residential area.

(b) Noise Reduction Measures

The Applicant shall:

(i) complete within a 3 month period the rehabilitation works for the area south of Cranebrook Village

- (ii) construct noise bunds around Cranebrook Village in accordance with drawing B10-10008 prior to the commencement of extraction or rehabilitation operations on land described in Schedule 4.

(c) Dwellings on the Castlereagh Escarpment - see figure 2

(i) Maximum Noise Levels

Noise levels as measured at any one dwelling on the escarpment are not to exceed the following criteria.

Maximum Noise Limit (L10)

Absolute maximum	-	70dB(A)
Greater than	-	65dB(A) for 3 months
Greater than	-	55dB(A) for 24 months
Less than	-	55dB(A) for remainder of time

- (ii) All extraction and rehabilitation to take place a minimum of 200 m from dwellings on the escarpment.

HOURS OF OPERATION

33. Non-Noise Sensitive Areas

- (i) The standard hours of operation for non-noise sensitive areas are:

- * sand and gravel extraction - 6.00am to
including haulage to 7.00pm Monday
processing plants to Saturday
- * overburden stripping - 7.00am to
and rehabilitation 7.00pm Monday
to Saturday
- * none of the above works are to be undertaken on Sundays or Public Holidays

- (ii) All works carried out between 6 a.m. and 7 a.m. to conform to 5dBA above the existing background noise level.

34. Noise Sensitive Areas (defined in schedule 3)

The hours of operation for extraction and rehabilitation south of Cranebrook Village are:

- * sand and gravel extraction - 7.00am to
including haulage to 6.00pm Monday
processing plants to Friday
- 7.00am to
1.00pm Saturday

- * overburden stripping and rehabilitation
 - 7.00am to 5.00pm Monday to Friday
 - 7.00am to 1.00pm Saturday

* None of the above works are to be undertaken on Sundays or Public Holidays

35. Variation to hours of operation

An application to vary hours of operation may be made by the Applicant for the Directors consent to suit special circumstances such as, an extension in hours to increase production rates in non-noise sensitive areas.

In seeking such a consent the Applicant shall submit an assessment of noise impacts related to the proposed variation and identify any necessary works to mitigate any adverse impacts.

36. Maintenance and Purchase of Machinery and Vehicles

- (i) All machinery used in quarry and reconstitution operations shall be properly maintained so as to prevent undue noise.
- (ii) Any new machinery or equipment purchased for use on site, either in addition to or as replacement of existing machinery or equipment, shall be fitted with the manufacturers standard noise control equipment available at the time of purchase.

AIR QUALITY

37. Dust emanating from extraction and rehabilitation is not to exceed 4g per square metre per month and 260ug/cubic metre for maximum concentration for a 24 hour period.

Use of Watering

38. That the Applicant shall keep all unsealed roads used for extractive or other material or over-burden haulage sufficiently damp, at all times to prevent wind-blown or traffic generated dust. Plant shall be provided and operated to enable watering at least at a rate of 1.0 litres per square metre per hour.

Grasses

39. Rehabilitated areas shall be grassed as soon as possible.

Operations Near Residences

40. When it is intended to carry out works in areas which are closer than 200 metres to adjoining residences then the Applicant shall advise State Pollution Control Commission and Council.

41. When wind speeds average 5 m/s and nearby residences are likely to be significantly affected by dust authorised Council or SPCC officers may direct the Applicant to cease operations.

HERITAGE ITEMS

42. Prior to extraction taking place, in the vicinity of the following items of environmental heritage the applicant shall provide a conservation plan for consent to the Director for each of the sites listed:

- (a) McCarthy's Cemetery;
- (b) Upper Castlereagh Methodist Church and Hall;
- (c) Upper Castlereagh School and Residence; and
- (d) Methodist Cemetery.

Conservation Plan

43. These plans should be prepared by a recognised conservation architect. The plans should be prepared with the following aims:

- (a) determine appropriate curtilages for each of the items of environmental heritage within the context and requirements of the scheme, and
- (b) prepare policies to ensure the heritage significance of these items is not diminished by the proposed development.

Other Heritage Sites (see schedule 4)

44. Prior to any works being carried out in the vicinity of any of these items an investigation report shall be prepared for the approval of the Director. The report will identify whether the item should be removed and relocated and the cost of such a relocation.

TRANSPORT

45. That the transport route for the carriage of all materials shall be via internal trunk haul roads established from time to time in locations as approved by the Director. These locations in the case of carriage of overburden be generally indicated.

46. That no road, public reserve, public place, or other place not included in the routes referred to in condition 43 shall be used for the passage of vehicles in the transport of plant or extractive material between the lands and any State Highway, Trunk, Main or Secondary road as respectively classified under the Main Roads Act, 1924, as amended.

Relocation of Castlereagh Road

47. The survey and preliminary design for the relocated road as indicated generally in REP 11 shall be carried out

and submitted to the Director by 31 December 1987 for his consent.

Excavation Vicinity of Castlereagh Road

48. Where excavation takes place within 100 metres of Castlereagh Road a 1.2 metre high earth embankment should be built as a safety measure. The embankment may be built no closer than 20 metres to Castlereagh Road. Details of the embankment to be submitted as part of the appropriate two year detailed consent application.

Access

49. Appropriate approval is required from the Department of Main Roads for the location and design of access to be provided at any point in Castlereagh Road.

OTHER LANDOWNERS

Drainage

50. The Applicant is to permit natural drainage of adjacent existing development areas into the scheme.

51. The Applicant is not to carry out any works that would cause inundation of surrounding developed areas by discharges produced by a 100 year recurrence interval rainfall event.

52. Where the Applicant alters discharge patterns from existing development the proposed measures to facilitate drainage including details of scour protection works should be submitted to Council for Councils consent with a supporting report by a qualified civil engineer.

Damage to Other Property

53. That the Applicant carry out all works on the land the subject of the application in such a manner as not to cause any injury, loss or damage to persons and stock on any other property.

54. That the Applicant carry out any alterations as necessitated by the development to services or municipal facilities on the subject land or those adjoining the development. The alterations shall be carried out at the Applicant's expense to the satisfaction of the Council.

Adverse Water Supply

55. That the Applicant shall, if directed in writing by the Council on the advice of the Department of Water Resources and at the Applicant's cost, make available or make arrangements for a supply of water to any person in the immediate locality of the operations who at the date of consent was licensed under the Water Act, 1912, to extract water from an aquifer and who can demonstrate to the satisfaction of the Department of Water Resources that the

supply of such water has been adversely affected in quality or quantity by the operations. Provided that Council in making such a direction shall not require an alternative supply of water exceeding the provision of the licence and shall specify a period for maintenance of the supply which in its opinion is reasonable having regard to the circumstances, after which the direction shall cease to have effect.

Limits of Working

56. That the Applicant shall not excavate or stockpile -

- (a) within 30 metres of any Main or County Road;
- (b) within 15 metres of any other dedicated road, any public place or public reserve; and
- (c) within 15 metres of any adjoining privately owned property except with the written permission of the owner of that property and the consent of the Council

except as provided for in condition 48.

TERMINATION OR TEMPORARY CESSATION OF EXTRACTION

Details

57. The Applicant shall within one month of the date of this consent prepare and submit to the Director for his consent details of proposals for completion and construction of landforms, banks, fencing and works including the construction of a pump and pipeline in the event of termination of the extraction works or temporary cessation of such works.

Temporary Cessation of Works

58. Where the Minister after consultation with the Applicant notifies the Applicant that he has formed the view that effective sand and gravel extraction has temporarily ceased and considerable time will elapse before effective extraction will resume then the Applicant shall undertake and substantially complete the works consented to in those circumstances pursuant to clause 57 within one year of the date of the notification and shall totally complete such works within 2 years of that date.

Total Cessation of Works

59. Where the Applicant issues a termination notice to the Minister setting out the reasons for ceasing all sand and gravel extraction and the Minister agrees to such termination then the Applicant shall substantially complete the works consented to in those circumstances pursuant to clause 57 within one year of the date of the termination notice and shall totally complete such works within 2 years of that date.

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MONITORING

Monitoring Programme

60. The Applicant shall carry out the tests, recording and reporting referred to in Clauses 61 and 62 to enable the impact of on-site activities to be assessed.

Land Rehabilitation

61. Compaction Tests

- (a) The Applicant will at its cost, be responsible for compaction tests at the following frequencies:
 - * Engineered Zones - 1 test every 2500 cubic m
 - * Future Urban Area
 - Top Section - 1 test every 1000 cubic m
 - Bottom Section - 1 test every 2000 cubic m
- (b) Tests are not required in other construction zones.
- (c) The above frequencies have been determined on the basis that the Applicant has a suitably qualified Engineer on site to supervise earthworks. Frequency of testing is to increase to 1 test every 500 cubic metres in Engineered Zones and Future Urban Areas if such professional supervision is not provided.
- (d) Compaction tests shall be done in accordance with AS1289E4.1-1982 unless specific approval is given by the consent authority to change the test method.
- (e) Testing to be undertaken by a National Australian Testing Authority registered laboratory.
- (f) Should the applicant wish to undertake its own tests then:-
 - (i) it is to be National Australian Testing Authority registered; and
 - (ii) a minimum of 10% of all tests are to be undertaken by an independent consultant.
- (g) Any failures are to be rectified by the Applicant.

62. Settlement

- (a) The Applicant shall install settlement plates at a rate of 1 plate per hectare in the Future Urban Area.
- (b) The Applicant shall install up to 10 settlement plates in Open Space areas, the location of which are to be nominated by the consent authority.
- (c) The Applicant shall arrange to have these plates surveyed at appropriate intervals (more frequently at

commencement) until such time that settlement is substantially completed.

63. Records and Reporting

- (a) The Applicant will establish and maintain records of:-
- * works as executed diagrams;
 - * compaction test results;
 - * settlement plate results; and
 - * any other relevant information relating to construction.
- (b) Records are to be available for inspection by an appointee of the consent authority at any time during normal working hours.

Noise

- (a) The Applicant shall, on an annual basis, measure noise emanating from the overall quarry and reconstitution operations at four residential sites within proximity to the operations. One such site shall be the closest residential site to the operations. These measurements will be carried out using 20 minute spot checks.
- (b) The Applicant shall during periods when it is expected that noise levels may exceed 55dB(A) in noise sensitive areas measure noise levels emanating from the overall quarry and reconstitution operations at two residential sites within proximity to the operations. These measurements will be carried out using 20 minute spot checks. Measurements shall be undertaken at 3 monthly intervals until such time as that recorded levels are equal to or below 55dB(A).
- (c) The noise levels of all quarry and reconstitution machinery shall be tested in accordance with AS2012-1977 on an annual basis as evidence that the noise level of individual item of machinery has not increased through improper maintenance or neglect. These tests will be commenced within three months from the date of this consent. Any new equipment will be tested within three months from the date of its arrival on site.

64. Air Quality

- (a) The Applicant shall, on a monthly basis, obtain and analyse dust samples collected from eight sites shown generally on Figure 1. Vertical dust deposit gauges shall be located at each site and, in addition, directional dust gauges shall be located at Sites 2, 3, 4, 7 and 8. This monitoring shall continue for two years from the date of this consent. Such monitoring shall cease after this period provided results obtained during the period indicate that dust emanating from quarry and reconstitution operations has not exceeded 4g/sq.m./month (annual average) at neighbouring residences.

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- (b) Two years prior to the preparation of DA3 dust monitoring shall recommence. Such monitoring shall include re-instatement of the gauges described above, the location of which shall be determined by the applicant in consultation with the SPCC and Council.
 - (c) PLDC shall install and operate a high volume dust sampler to ensure compliance with the 24 hour maximum concentration level. This monitoring shall continue for two years from the date of consent to the development application. Such monitoring shall cease after this period provided results obtained during the period indicate that dust emanating from quarry and reconstitution operations has not exceeded 260 ug/cubic.m./24 hour maximum concentration.
 - (d) PLDC shall monitor wind speed and direction at the site shown generally on Figure 1.
 - (e) A report containing the results of all air quality monitoring undertaken in the preceding 3 month period shall be submitted to the State Pollution Control Commission and Penrith City Council within 2 months of the end of the period.

Monitoring Report

65. The Applicant shall lodge with the consent authority at two yearly intervals, within 3 months of the end of that period, a monitoring report with regard to the previous two years. The first of such intervals shall be two years from the date of this consent. The report shall contain the following;

- (a) Works as executed drawings, 1:1000 scale with 1m contours;
- (b) Details of where topsoil was stripped from, placed and method of placement;
- (c) A report showing landforms completed and areas revegetated;
- (d) A summary of all works undertaken in regard to repairs and maintenance of landforms;
- (e) The results of all noise monitoring undertaken in the previous 24 month period;
- (f) The results of all air quality monitoring undertaken in the previous 24 month period.
- (g) Photogrammatic surveys at an appropriate scale showing the extent of rehabilitation which has been carried out on the lands.
- (h) The results of compaction and settlement tests.
- (i) The species composition and location of plantings completed together with loss rates.

(j) Planting times and methods and cumulative maintenance procedure.

(k) A description of all ancillary works which have an effect on the external environment.

(l) And any other matters the consent authority may direct be included from time to time.

Certificate of Practical Completion

66. The Applicant shall issue to the Minister a Certificate of Practical Completion on completion of works authorised by each detailed consent pursuant to Clause 10.

Joint Inspection

67. That the Applicant shall make a representative available for joint inspection of the lands with officers of the Council, the Soil Conservation Service and any other statutory authorities concerned with the proposed operation of these conditions. Such inspections shall be carried out each six (6) months but shall not be regarded as replacing any other inspections which any other authority is entitled to make.

Audit Checks

68. Inspections by Public Works Department will be carried out on an audit principle to ensure works are in accordance with approved plans.

LAND TO WHICH THIS APPLICATION APPLIES

Additional DA2 Areas

69. Those areas referred to as additional DA2 areas and specified in Chapter 8 of the Statement of Environmental Effects be withdrawn from the application.

Non-owner Consent

70. Those area's identified as private land, Crown land and public land on plan number B.1-40015 be withdrawn from the application.

(FILE NO.86/2720.)

ATTACHMENTS TO CONDITIONAL CONSENT DA2

Schedule 1 - Description of land the subject of DA2
 Schedule 2 - Areas under existing development consents
 Schedule 3 - Noise Sensitive Areas
 Schedule 4 - Other Heritage Sites

Figure 1 - Location of monitoring points for noise and air

Figure 2 - General location of the Castlereagh escarpment and Cranebrook village.

Attached Plans

B.1-40015	Penrith Lakes Scheme Land & DA2
B 4-30039	Mining Sequence Key Plan
B 4-30040	" " Stage 1
B 4-30041	" " " 2
B 4-30042	" " " 3
B 4-30043	" " " 4
B 4-30044	" " " 5
B 4-30045	" " " 6
B 4-30046	" " " 7
B 4-30047	" " " 8
B5 10043	Landforms set-out Pors 80 & 85
B5 10044	Landforms set-out Pors 82 & 89
B5 10045	" " " 82 & 89
B5 10046	" " " 89
B5 10047	" " " 89
B5 10048	" " " 89
B5 10054	General Arrangement of geo-technical works
B5 10055	Cross sections
B10 10008	Cranebrook Village Noise Bund

Other Attachments

Statement of Environmental Effects
 Land Rehabilitation Manual

DESCRIPTION OF SUBJECT LAND (DA2)

<u>LAND</u>	<u>TITLE REFERENCE</u>
Portion 69	CT Vol.1118 Fol.116 CT Vol.1217 Fol.89 CT Vol.7292 Fol.62 CT Vol.12771 Fol.88
Portion 70	Conv.No.312 Bk.2845 Conv.No.775 Bk.2549 Conv.No.987 Bk.2809 CT Vol.9650 Fol.101
Portion 71	Conv.No.521 Bk.2558 Conv.No.741 Bk.2575 Conv.No.775 Bk.2549
Portion 72	Conv.No.196 Bk.2544 CT Vol.7209 Fol.141 CT Vol.7864 Fol.23
Portion 81	Conv.No.495 Bk.2544
Portion 82	Conv.No.494 Bk.2544
Portion 89	CT Vol.3848 Fol.68 CT Vol.5884 Fol.87
Portion 297	CT Vol.8369 Fol.90
* All title references - Parish of Castlereagh, County of Cumberland.	

SCHEDULE 2AREAS UNDER EXISTING DEVELOPMENT CONSENTS

<u>LAND</u>	<u>TITLE REFERENCE</u>
Portion 301	CT Vol.9190 Fol.232 CT Vol.9190 Fol.233
Portion 302	CT Vol.5574 Fol.169
Portion 303	CT Vol.5547 Fol.170
Portion 304	CT Vol.7540 Fol.195
Portion 305	CT Vol.5370 Fol.23
Portion 306	CT Vol.7103 Fol.39
Portion 307	CT Vol.7068 Fol.105
Portion 308,Pt Por 321	CT Vol.10279 Fol.101
Portion 309	CT Vol.8117 Fol.100
Portion 310	CT Vol.8321 Fol.247
Portion 325	CT Vol.5547 Fol.168
Portion 337	CT Vol.7184 Fol.69
Portion 338	CT Vol.7068 Fol.24 CT Vol.14992 Fol.228
Portion 80 REM	CT Vol.7186 Fol.104 CT Vol.7186 Fol.105 CT Vol.10347 Fol.27
Portion 85	Conv.No.693 Bk.2803 CT Vol.3483 Fol.17 CT Vol.9971 Fol.86 CT Vol.10547 Fol.179 CT Vol.10832 Fol.142
Portion 86	CT Vol.8317 Fol.22 CT Vol.10547 Fol.179 CT Vol.13001 Fol.43
Portion 89	Conv.No.330 Bk.2557 CT Vol.3848 Fol.68 CT Vol.5884 Fol.87 CT Vol.5712 Fol.175 CT Vol.6070 Fol.10 CT Vol.7344 Fol.16 CT Vol.7387 Fol.100 CT Vol.8168 Fol.110 Land in DP 356204
Portion 299	CT Vol.7960 Fol.60 CT Vol.10547 Fol.143

SCHEDULE 3

NOISE - SENSITIVE AREAS

North of Cranebrook Village

Portions 2, 3, 4, 84, 99, 247
and Part Portion 299

South of Cranebrook Village

Portion 86 and 85

The final boundary of noise sensitive areas within the above locations to be defined by the State Pollution Control Commission. Prior to such delineation the portions as described above shall be considered noise sensitive.

SCHEDULE 4

DA2 AFFECTED HERITAGE SITES

Free-standing structures:

1806 - 1867:

- 1 The Poplars cottage and outbuildings
- 2 Wright's cottage complex
- 4 Methodist Church

1867 - 1899:

- 10 Upper Castleraagh schoolhouse
- 11 Schoolmasters residence
- 12 Methodist Church hall

1900 - 1950:

- 20 Bungalow
- 23 Parker's homestead
- 24 Parker's slaughteryard
- 26 Weatherboard cottage

Cemeteries:

- 30 McCarthys Cemetery
- 31 Methodist Cemetery

Ruins of former structures:

- 33 Purcell's cottage
- 34 Lees' house
- 35 Kerry Lodge
- 36 Barn, dairy and house

Sites of former structures:

- 43 McCarthy's farm