

Wednesday, 11th December 2019

0448886_PJ1139



Mr Arthur Ashburn

Penrith Lakes Development Corporation,
89-151 Old Castlereagh Road,
Castlereagh, NSW 2749

Dear Sir,

Penrith Lakes Scheme DA 2 MOD 10, DA 3 MOD 8 and DA 4 MOD 13 Modification Report

ERM Services Australia (ERM) was requested by Arthur Ashburn of Penrith Lakes Development Corporation (PLDC) to provide a response to correspondence received from the Department of Planning, Industry and Environment in regards to the Penrith Lakes Scheme DA 2 MOD 10, DA 3 MOD 8 and DA 4 MOD 13 Modification Report. The modification seeks to permit the import of fill that is subject to the following resource recovery exemptions:

- The M4-M5 Link tunnel spoil exemption 2019 (17 April 2019)
- The Sydney Metro Tunnel soil exemption November 2018 (28 November 2018).

Specific comments provided by the DPIE – Water and the NSW Natural Resources Access Regulator (NRAR) include:

1. The Applicant should adjust the “Penrith Lakes Importation Protocol” to reflect the revised spoil sources and any related quality assessment needs.
2. The Applicant should be advised that this Department has some concerns that the proposed spoil fill may introduce or heighten deleterious hydrogeochemical aspects to the emplaced materials in terms of a wider range of sulphide or sulfate compounds and increased salinity. These matters might have deleterious implications for related ground- and surface- water systems. This potential issue should be monitored and managed appropriately.

In consideration of the comments, ERM and provide the following responses.

- 1) The Penrith Lakes Importation Protocol has been updated to permit the importation of Tunnel Boring Materials from the M4-M5 Link Tunnel spoil and the Sydney Metro Tunnel soil.
- 2) ERM are aware of the potential for Acid Sulfate Soils to be generated during the Tunnel Boring Operations. The Exemptions for both materials within sections 1.1 clearly state that the material is to not contain asbestos, Acid Sulfate Soils (ASS), Potential Acid Sulfate Soils (PASS) or sulfidic ores. Therefore the material requested to be approved for importation into the Penrith Lakes Site defined by the M4-M5 Link tunnel spoil exemption 2019 and The Sydney Metro tunnel spoil exemption November 2018 cannot contain Acid Sulfate soils (ASS) Potential Acid Sulfate Soils (PASS) or sulfidic ores.

ERM have been advised by the respective material generators that management of spoil generated by the tunnels is covered by site specific Environmental Management Plans to confirm adequate classification and allocation of spoils generated from the Site. Only materials that meet the description of the relevant Resource Recorder Orders approved to be received into the Penrith Lakes Site will be dispatched to the Penrith Lakes site.

As a further precaution, PLDC in accordance with the Importation Protocol and the advice of their appointed EPA Accredited Site Auditor will monitor and manage the material import by:

- A statement of compliance with the resource recovery order is to be generated by the material supplier. The statement must meet all requirements of the PLDC importation protocol for tunnel material. The statement is to be reviewed and approved by an environmental consultant prior to site entry being approved..
- A PLDC representative provide a site inspection to confirm material descriptions and material suitability.
- Only approved materials will be permitted entry into the site via a controlled gate house with adequate material tracking required prior to entry.
- Full time Class 1 Geotechnical Supervision of imported material will be conducted with any change in material types from the original classification or observations of sulfidic ores to be flagged by the geotechnical supervisor and subsequent material refused to be accepted on the site.
- A statement of compliance to be provided by an environmental consultant via a validation report at the completion of importation works into each fill location to confirm material suitability.

If you have any questions please do not hesitate to contact us.

Yours faithfully,

ERM SERVICES AUSTRALIA



Russell Jarman

Environmental Consultant