

# Notice of Modification

Section 96(2) of the *Environmental Planning & Assessment Act 1979*

I, the acting Deputy Director-General, modify the development consent referred to in Schedule 1 as set out in Schedule 2.



13.10.05

Chris Wilson  
Acting Deputy Director-General  
Office of Sustainable Development Assessment & Approvals

Sydney,

2005

File No: P97/00237

## SCHEDULE 1

The development consent (DA 4) granted by the Minister for Urban Affairs and Planning for the Penrith Lakes Scheme, on 9 September 1998.

## SCHEDULE 2

1. Delete **proposed development** after **development application** and replace with:

<b>proposed development:</b>	Development as described in the development application identified as DA 4 and its supporting papers for the purposes of implementing the Penrith Lakes Scheme as defined in Schedule 1 of Sydney Regional Environmental Plan No. 11 – Penrith Lakes Scheme on land described in, and identified on the plan, attached at Schedule B, and subsequently modified by the Statement of Environmental Effects for the Camenzuli Property dated March 2005, and prepared by Arup Pty Ltd (which was subsequently modified by the supplementary noise information prepared by Arup Pty Ltd, and dated 22 August 2005).
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2. Insert after Condition 29 (a) (ii) of Schedule A:

(iii) The Applicant shall:

- (a) not undertake any works within 98.5m of the eastern boundary of Lot 2 DP617921; and
- (b) construct and maintain a 2 metre high noise bund along the eastern boundary of the limit of works on Lot 2 DP 617921 for the duration of works on Lot 2 DP 617921.

3. Delete condition 31 of Schedule A and replace with:

31. The standard hours of operation for extraction and rehabilitation on Lot 2 DP617921 and in the Exclusion Zone shown by side hatching in "Figure 1 – Exclusion Zone for Additional Hours" are:

Sand and gravel extraction, including haulage to processing plants	7.00am to 6.00pm, Monday 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 must be undertaken on Sundays or public holidays

4. Insert after condition 36 of Schedule A:

36A. Prior to carrying out any works on Lot 2 DP 617921 the Applicant shall erect a dust monitor in the vicinity of 138-147 West Wilchard Road to demonstrate compliance with the dust deposition criteria set out in Condition 34.

5. In the table following the heading "PLDC Land" of Schedule B, delete rows below row reference 174 and replace with:

48	Lot 2 DP617921						7.6
		<b>Subtotal</b>					<b>709.926</b>