

Modification of Minister's Approval

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

As delegate of the Minister for Planning, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.

Chris Wilson
Executive Director
Infrastructure and Industry Assessments

Sydney

20 April

2015

SCHEDULE 1

The development consent (DA3) granted by the Minister for Urban Affairs and Planning on 27 June 1995, for the Penrith Lakes Scheme.

SCHEDULE 2

- 1 Insert the following bullet point in Development Application
 - Modification application DA3 MOD 4 and accompanying Environmental Assessment titled Penrith Lakes Development Corporation, Importation of VENM and ENM Modification, dated 25 September 2014 including the response to submissions dated 13 January 2015
- 2 Insert the following condition after 15A of the schedule:
 - 15B. Prior to the commencement of VENM and ENM importation in accordance with MOD 5, PLDC shall notify the EPA and the Department regarding the source of VENM and ENM including documentation that material has been classified in accordance with the Waste Classification Guidelines, Part 1 Classifying Waste, EPA 2014 and the requirements of the EPA 2014 Excavated Natural Material Order and Excavated Natural Material Exemption.

Insert the following after Condition 31:

- 31A. The applicant shall ensure the development described in DA3 MOD 3 and DA3 MOD 4 complies with the hours of operation set out in Table 2:

Monday to Friday	Saturdays	Sundays and Public Holidays
7.00am to 6.00pm	7.00 am to 1.00pm	No work

Table 2 – Hours of Operation

3 Delete condition 40A and replace with the following condition:

- 40A. All VENM and ENM transport to and from the site will be in accordance with the approved haulage routes shown in Figures 2 and 2A below and described in the Importation of VENM and ENM Modification. No trucks shall use Castlereagh Road south of Old Castlereagh Road or Mulgoa Road to access or egress the site

4 Insert the following after condition 41A:

- 41B. Prior to the commencement of additional importation of VENM and ENM in accordance with DA2 MOD 5, the applicant will submit a revised Project Traffic and VENM Management Plan to the Department in accordance with the requirements of condition 41A. The plan is to incorporate both a Construction Traffic Management Plan and a Traffic Noise Management Plan and outline the proposed management of additional vehicle movements associated with the increased requirements for VENM and ENM importation.

5 Insert the following after condition 41B:

- 41C. The importation of VENM and ENM shall be limited to 8 million tonnes at a maximum rate of 3 million tonnes per year.

6 Delete condition 41 and replace with the following condition:

41. Prior to the commencement of importation of VENM or ENM using the northern most access, the road network adjacent to Gate 3 (Castlereagh Road north of Cranbrook Road intersection) shall be upgraded to provide auxiliary left turn treatment for northbound traffic turning onto the site and right turn treatment for southbound traffic in consultation with Penrith City Council and RMS.