

OUT14/39049

Mr Thomas Piovesan  
Industry, Key Sites and Social Projects  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

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Dear Mr Piovesan,

**Penrith Lakes Scheme (DA2 Mod5, DA3 Mod 4, DA4 Mod 9)  
Proposed Modification**

I refer to your email dated 17 October 2014 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter.

Comment by NSW Office of Water

The NSW Office of Water has reviewed the Section 75W Modification Environmental Assessment for the proposed Importation of Virgin Excavated Natural Material (VENM) and Excavated Natural Material (ENM) and has minimal comment on the proposal.

I note that Erosion and Sediment Control (ESC) is already undertaken as part of the DA2, DA3 and DA4 existing conditions of consent. As such, the Office of Water has no further comments in this regard.

While the proponent is exempt from the need to obtain a Controlled Activity Approval in relation to this proposal, any works on waterfront land (as defined in the *Water Management Act 2000*) should still be conducted in accordance with the NSW Office of Water's Guidelines for Controlled Activities on Waterfront Land (2012).

Section 6.5.3 (Environmental Management Measures) of the report by Penrith Lakes Development Corporation titled "Importation of VENM and ENM - Section 75W Modification - Environmental Assessment" dated 25 September 2014 states that the use of imported VENM/ENM as opposed to fill material sourced from site will change the characteristics of the soil present. While this section of the report focuses on contamination or corruption of the material, it should be noted that excessive use of shale-based VENM/ENM has the potential to increase the salinity in the local water sources (both the surface and groundwater systems), thus impacting on water quality.

Recommended conditions of approval are at Attachment A.

Should you require further information please contact Richard Nevill on (02) 8838 7570 or email [richard.a.nevill@dpi.nsw.gov.au](mailto:richard.a.nevill@dpi.nsw.gov.au).

Comment by Agriculture NSW

Material being imported and stockpiles / disturbed land will need to be monitored and managed for noxious and other weed intrusions.

For further information please contact Andrew Docking, Resource Management Officer (Richmond office) on 4588 2128, or: [andrew.docking@industry.nsw.gov.au](mailto:andrew.docking@industry.nsw.gov.au).

## **Attachment A**

### **Penrith Lakes Scheme (DA2 Mod5, DA3 Mod 4, DA4 Mod 9) Proposed Modification Recommended Conditions of Approval – NSW Office of Water**

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1. Works on waterfront land (as defined in the *Water Management Act 2000*) are to be conducted in accordance with the NSW Office of Water's Guidelines for Controlled Activities on Waterfront Land (2012).
2. Management of imported materials onsite should be undertaken in such a way as to minimise the potential risk of mobilisation of the imported materials during heavy rainfall and flood events.

**End Attachment A**