

From: [Alan Ly](#)
To: [Michelle Niles](#)
Cc: [Helen Prifti](#)
Subject: RE: DA2 MOD 9 - Penrith Lakes Scheme - request for advice
Date: Friday, 31 January 2020 8:37:58 AM
Attachments: [image001.jpg](#)

Hi Michelle,

Thank you for your enquiry. Please be aware that the EPA is not in a position to provide you with legal advice and encourages you to seek any legal advice as necessary to ensure that you meet all of your regulatory responsibilities. The following advice is based on information that you have provided.

It appears Greater River NSW Ltd has requested their DA be amended to receive materials subject to a "site specific order and exemption". The EPA has no issues with this. The EPA would only grant a specific order and exemption to a proponent like Greater River if they can demonstrate the waste is fit-for-purpose, confers a benefit to the receiving environment, and presents minimal risk of harm to human health and the environment.

If Planning would like to add an additional condition on Greater River's DA to include the development and implementation of a Fill Importation Protocol which includes the 3 considerations below, the EPA has no issues with this. Planning may want to consider adding this condition as part of approving Greater River's request to receive materials subject to a site specific order and exemption.

I hope the above has assisted with your enquiry.

Regards,

Alan Ly

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Report pollution and environmental incidents 131 555 (NSW only) or +61 2 9995 5555



From: Michelle Niles <Michelle.Niles@planning.nsw.gov.au>

Sent: Wednesday, 29 January 2020 6:11 PM

To: Alan Ly <Alan.Ly@epa.nsw.gov.au>

Subject: FW: DA2 MOD 9 - Penrith Lakes Scheme - request for advice

Hi Alan,

I was wondering whether you have had a chance to review the below? It would be great if I could have a response by the end of the week.