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# ARUP

Arthur Ashburn  
Penrith Lakes Development Corporation  
PO Box 457 Cranebrook  
New South Wales 2749

Level 10 201 Kent Street  
PO Box 76 Millers Point  
Sydney 2000  
Australia

t +61 2 9320 9320  
d +61 2 93209601  
f +61 2 9320 9321

desiree.carolus@arup.com  
www.arup.com

12 April 2017

Dear Mr Ashburn

**Penrith Lakes Development Corporation (PLDC)  
S75W Modification to Importation of VENM/ENM Approval**

Thank you for the opportunity to further assist you with your S75W Modification to Importation of VENM/ENM Approval Submission Report.

As requested please find below our draft response for your consideration to the points raised by Penrith City Council in their letter dated 28 March 2017 regarding the S75W Submission report. The Penrith City Council letter is appended to our response in Appendix A.

(1<sup>st</sup> dot point) We confirm that the Traffic Noise Management Plan for the works was provided with the original submission to the approval authority and relates to management of overall noise impacts from the operation. Accordingly the Traffic Noise Management Plan and the suite of noise management measures made therein for the site will be updated prior to the start of extended working hours if this is approved by the EPA. This was also noted in the S75W Modification to Importation of VENM/ENM Approval Submission report. It is noted that the EPA assessment is independent of the Arup Report.

(2<sup>nd</sup> dot point) As noted in the Submissions report motion activated CCTV network will not be installed as a means of monitoring after-hours truck access to and from the site. The Traffic Noise Management Plan relates to the management of overall noise impacts from the operation and this Plan will identify a suite of noise management measures to pro-actively manage truck access to and from the site. It is noted that the Department of Planning and Environment assessment is independent of the Arup Report.

Yours sincerely



Tim Cook  
Associate | Environmental and Resources, New South Wales

## Appendix A



Our reference: ECM: 7567667  
Contact: Gavin Cherry  
Telephone: 4732 8125

28 March 2017

Department of Planning  
Email: [Amy.Robertson@planning.nsw.gov.au](mailto:Amy.Robertson@planning.nsw.gov.au)

Dear Ms Robertson,

### Penrith Lakes Scheme Modification Application

I refer to Council's previous submission dated 4 November 2016 and the NSW Department of Planning and Environment's Submission Report dated 1 March 2017 which was received by Council on 10 March 2017.

Below is further comment in response to a review of the issued submissions report:-

- The commentary provided in response to the acoustic and noise management concerns raised by Council are noted however the Noise Management Plan previously submitted does not form part of the application and as such reliance on the details and recommendations of this report would be expected to be addressed through an addendum report. That report would then confirm that site conditions, environmental conditions and traffic movements have not changed to the point that necessitates reassessment through a revised acoustic report or noise management plan. Notwithstanding this it is noted that the EPA is the appropriate regulatory authority for the environmental aspects of this proposal and consultation has occurred with the EPA as part of the assessment process. It is however recommended that EPA be requested to provide strict controls relating to noise, dust and sediment tracking as part of their environmental protection licences (EPL).
- The submission report confirms that motion activated CCTV is not proposed to be installed however Council's submission recommended that this be considered and imposed as a requirement by the Department in the assessment of the proposed Section 75W Application. The response outlined within the submissions report does not provide any commentary on whether this recommended management measure can be imposed or incorporated despite it not being specifically proposed by the applicant. The Department is again requested to consider this management measure as a condition of consent in consultation with the Environmental Protection Authority as the relevant regulatory authority for the works.

Should you require any further information or would like to discuss this matter further, please do not hesitate to contact me on (02) 4732 8125.

Yours sincerely,

Gavin Cherry  
Development Assessment Co-ordinator

Penrith City Council  
PO Box 60, Penrith  
NSW 2751 Australia  
T 4732 7777  
F 4732 7958  
[penrithcity.nsw.gov.au](http://penrithcity.nsw.gov.au)

**PENRITH**  
CITY COUNCIL