

Penrith Lakes Development  
Corporation

**S75W Modification to Importation  
of VENM/ENM Approval**

Submissions Report

Final | 01 March 2017

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

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# Document Verification

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## Acronyms

CCCC	Castlereagh Christian Conference Centre
CCTV	Closed-circuit television
DA	Development Application
DP&E	NSW Department of Planning and Environment
EA	Environment Assessment
EMP	Environment Management Plan
ENM	Excavated Natural Material
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
IDO	Interim Development Order
OEH	Office of Environment and Heritage
OPL	Office of Penrith Lakes
PCC	City of Penrith Council
PLDC	Penrith Lakes Development Corporation
RES	Regional Environmental Study 1984
RNP	Road Noise Policy
SEPP	State Environmental Planning Policy
VENM	Excavated Natural Material

## Appendix A

### New Filling and Rehabilitation Areas

# 1 Introduction

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Arup was commissioned by Penrith Lakes Development Corporation to address submissions received to a proposed modification application for changes to the hours of operation available for the importation of Excavated Natural Material (ENM) and Virgin Excavated Natural Material (VENM) to the land covered by the Penrith Lakes Scheme.

## 1.1 Approved development

The site of the Penrith Lakes Scheme is the subject of various development consents approved by the NSW Minister for Planning in accordance with provisions of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Existing consents approved quarrying, extraction and rehabilitation across the site and allows the importation of ENM and VENM to the area covered by the Penrith Lakes Scheme.

This proposal was first identified in the Regional Environmental Study (RES) released in 1984 that recognised the potential of the area for a major water-based parkland based around four lakes to be constructed during the course of the orderly excavation and rehabilitation of the land.

The Penrith Lakes Scheme was then incorporated in State Environmental Planning Policy (Penrith Lakes Scheme) 1989 (Penrith Lakes SEPP), which remains the principal planning instrument for the development of the site.

Penrith Lakes Development Corporation (PLDC) was formed in the 1980s to undertake the coordinated extraction and rehabilitation operations of its three shareholder companies (Boral, Hanson and Holcim) in accordance with the expressed wishes of the NSW Government and Penrith City Council.

PLDC continues to undertake earthworks for the site rehabilitation as outlined in the RES and as agreed to with the NSW Government.

These arrangements were formalised in a Deed of Agreement (1987) that established a co-operative joint venture between the State of NSW and PLDC to implement the Penrith Lake Scheme.

## 1.2 Proposed amendments

The existing approvals are conditional and limit, amongst other things, the number of truck movements and hours of haulage to the site.

It was argued in the application that this imposes restrictions on haulage operators and results in traffic and noise impacts on the community. Extending the hours of operation (with no increase in the total number of trucks) increases the average time interval between trucks with potential benefits for traffic, noise and dust environments.

To this end, PLDC applied to the NSW Department of Planning and Environment to have modified the conditions of the existing approval to allow an extension of the hours of haulage of ENM and VENM to the site. The proposal seeks to increase the operational hours to between 6:00am and 9:00pm on weekdays and to between 6:00am and 3:00pm on Saturdays.

It is important to reiterate that no changes are proposed to the total permitted number of truck movements. However, maximum hourly truck movements have been proposed for the proposed operational hours, as follows:

- 6:00 am to 7:00 am – up to 40 truck movements/hour
- 7:00 am to 6:00 pm – up to 60 truck movements/hour
- 6:00 pm to 9:00 pm – up to 30 truck movements/hour.

### 1.3 Assessment and approvals process

As detailed in the Summary Report (Arup 2015) that supported the application, the EP&A Act and associated regulations and environmental planning instruments provides the framework for the assessment of environmental impacts and approval of development in NSW. As such, the proposed modification must be assessed in accordance with the EP&A Act and associated regulations.

The existing works for the rehabilitation and landscaping of the land at Penrith Lakes at the time were approved by the Minister for Planning under Part 4 of the EP&A Act.

Section 8J(8) of *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) allows a current development consent that was determined under Part 4 of the EP&A Act before 1 August 2005 to be modified under Part 3A of the Act and s75W of the Act applies to any modification of such a consent.

Accordingly, a s75W amendment application seeking modifications to the existing conditions was lodged with the Department of Planning and Environment (DP&E). The application was supported by the following documents:

- A Traffic Noise Management Plan (June 2015)
- Assessment of the Noise and Vibration Impacts – Extended Hours of Operation (October 2015)
- The Summary Report (December 2015).

The application was lodged during October 2016 and was on public display from 20 October 2016 until 4 November 2016. During this time a number of submissions were received and accepted.

## 1.4 Purpose and structure of this report

This report addresses the issues raised in the accepted submissions with Chapter 3 being the core chapter of this report. This chapter tabulates:

- The details of the persons that made submissions
- The issues raised in their submissions
- Responses to each of the issues / submission.

For completeness, the report includes a summary of:

- The previously approved development
- The assessment and approvals process
- Consultation activities.

## 2 Submissions received

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### 2.1 Submissions received

A total of 11 submissions were received to the proposed approval modifications. These comprised:

- Three state government agencies – NSW Environment Protection Authority, the Office of Environment and Heritage and Roads and Maritime Services
- One local Council – Penrith City Council, which covers the whole of the Penrith Lakes Scheme area
- Three businesses – North-Connex (Lendlease Bouygues Joint Venture), Castlereagh Christian Conference Centre Limited and Nepean Park Pty Ltd, with the latter two businesses located within the Penrith Lakes Scheme area; both include residential and accommodation components
- Four individuals – located close to the Penrith Lakes Scheme area and impacted by the trucks using the vehicle access routes of Cranebrook Road and Castlereagh Road.

The location of nearby submitters (where known), relevant on-site works and road names (where mentioned in the submissions) are shown on the attached figure.

### 2.2 Assessment

The submissions and their responses were tabulated into the three column table contained at Chapter 3; with the three columns comprising:

- The name of the submitter
- The text of their submission either set out in full or paraphrased
- A response to each of the issues raised in each of the submissions.

Consideration was given to each submitter's circumstances and proximity to existing haul routes and on-site bulk rehabilitation works.

### 3 Responses to Submissions

This chapter provides a considered response to each of the submitters and the issues raised. This response is tabulated in the following table that includes:

- The name of the submitter
- The text of their submission either set out in full or paraphrased
- A response to the issues raised in each of the submissions.

Submission	Issue	Response
<b>EPA</b>	<p>The NSW Environment Protection Authority (EPA) received the DP&amp;E email dated 17 October 2016 advising of PLDC's s75W modification application to extend operating hours of three Development Approvals (DA 2, 3 and 4) for the importation of VENM and ENM.</p> <p>The EPA reviewed the associated documentation, which included the Environment Assessment (EA) and existing Environment Management Plan (EMP) and considered that the environmental impacts associated with the modification have been satisfactorily addressed.</p>	Noted.
<b>OEH</b>	The Office of Environment and Heritage (OEH) reviewed the Summary Report supporting the proposed modifications and have no comments to make.	Noted.
<b>Penrith City Council</b>	<p>The exhibition information has been reviewed including the Summary Report prepared by Arup, Job Number 243932-01 dated 1 December 2015. The following comments are made for consideration and address:</p> <p>The assessment report relies on the concept of 'shoulder periods' from the Road Noise Policy (EPA) which outlines <i>'at times, it may be reasonable to vary the standard time periods applied to the day and night where the noise level in an area may</i></p>	<p>(1<sup>st</sup> dot point) It is noted that Council agrees that the inclusion of an additional hour between the 'shoulder period' of 6:00am and 7:00 is appropriate and in accordance with the RNP.</p> <p>(2<sup>nd</sup> dot point) The submitter questioned the use and reliance on noise data that was collected more than three years ago. The use of this data was limited to establishing that the morning peak starts at or before</p>

	<p><i>begin to rise sharply earlier than 7:00am.</i> The assessment report provides noise monitoring graphs that show that the noise levels in the assessment locations are rising to peak levels at or around 6am. No concerns are raised with the 6am-7am period being considered part of the daytime criteria.</p> <p>The summary report however relies on data collected more than 3 years ago. It is also Council’s understanding that the data was collected prior to an expanded VENM/ENM operations occurring on the site. Further noise readings are necessary, to adequately assess the impact of current operations as well as the additional impacts from the proposed expanded operations.</p> <p>Section 6.1 of the Summary Report outlines that <i>‘for the typical scenario, VENM/ENM haul traffic is predicted to comply with the Road Noise Policy (RNP) criteria for receiver location on all road segments.’</i> The report does not clearly indicate or justify this statement and it is requested that this is further explained.</p> <p>The applicant proposes to manage traffic noise through a Noise Management Plan, which has not been provided as part of the modification. To enable adequate assessment of the proposal and required mitigation measures to manage offsite impacts, the Noise Management Plan should be submitted and assessed as part of the application to consider if the modification is suitable and reasonable.</p> <p>ii) Public Interest</p> <p>Council has historically received a number of complaints from residents within the vicinity of the development site, regarding existing truck movements to and from the site outside of the approved hours of operation. In addition, representations have been received in response to the</p>	<p>6:00am. It is unlikely that traffic patterns on Castlereagh Road would have changed over the last three years in a way that suggests that the morning peak does not start at or before 6:00am.. The traffic noise management plan prepared for the project stipulates noise monitoring as a control element for the project and summarises situations where noise monitoring may be undertaken.</p> <p>Noise monitoring was undertaken over a period of four consecutive weeks during the importation of VENM/ENM. Results indicate that the increase in noise levels resulting from the VENM/ENM importation activities are within the allowable limits as per the Traffic Noise Management Plan.</p> <p>(3<sup>rd</sup> dot point) The preceding paragraph in Section 6.1 of the summary report states the following: <i>The noise predictions above have been based on ‘typical’ noise predictions where VENM/ENM haul trucks are assumed to be divided evenly between the three site entrances. (See Section 2.1 for the haulage route maps.)</i>. The report subsequently goes on to also analyse worst case conditions in addition to the ‘typical’ scenario. In addition, Section 5.1 of the report details percentage splits and breakdown of traffic volumes used in the assessment. This is considered an adequate explanation of what the ‘typical’ scenario entails.</p> <p>(4<sup>th</sup> dot point) 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. Approval is sought specifically to extend the</p>
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	<p>proposed application that non-compliant hours of access and truck movements are still occurring. Where formal complaints are received they are forwarded to the Environment Protection Authority (EPA) for consideration and investigation. The outcomes of these investigations should be discussed with the EPA given the proposal is seeking to expand hours of operation.</p> <p>It should however be verified that existing operations are ensuring compliance with the issued conditions of consent as currently imposed, prior to consideration of the proposed expanded operation. As the activity is licensed by the Environment Protection Authority, this authority will need to be satisfied that the changes in operating hours will not have adverse effect on the adjoining residential areas. Motion activated CCTV systems are also recommended to be installed at each entry point to monitor truck access to and from the site, with data emailed to the appointed regulatory authority (EPA) to monitor site operations and determine any breaches in hours of operation with appropriate compliance action pursued.</p> <p>It is considered that inadequate information has been submitted to support the proposed modification, or suitably address the concerns of local and nearby residents. The applicant should be requested to prepare and submit additional information to address the above concerns if the application is to be pursued.</p> <p>Should you require any further information or would like to discuss the matter further, please do not hesitate to contact me on (02) 4732 8125.</p>	<p>hours of the currently approved operation. It is noted that the provisions of the Traffic Noise Management Plan do not directly affect the approval sought for extended hours of operation. The Traffic and Noise Management Plan will be updated prior to commencement of the extended working hours' operation.</p> <p>(Public interest) While it is proper that any complaints received are passed onto the responsible agency and any breeches of approval and environmental license conditions are followed up and the appropriate actions taken, this matter is beyond the scope of the Modification Application and its assessment. An assessment of the merits of the application needs to be confined to potential impacts associated with the additional hours of operation being sought. Any breeches of existing approval or license conditions needs to be addressed separately. Further, the Modification Application has been assessed by the EPA who considered that the assessment of environmental impacts associated with the proposed modifications have been satisfactorily addressed.</p> <p>There is currently no proposal to install a motion activated CCTV network as a suggested means of monitoring after-hours truck access to and from the site.</p>
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<p><b>Roads and Maritime Services</b></p>	<p>Roads and Maritime raises no objection to the proposed modifications subject to Council being satisfied with the proposed extension of operating hours.</p>	<p>Noted.</p>
<p><b>North-Connex (Lendlease Bouygues Joint Venture)</b></p>	<p>The extension to the operating hours allows the NorthConnex project to run spoil haulage trucks over a wider operating period. We have a given amount of spoil to remove from our tunnel project therefore the benefit to the community is that we can spread our truck movements over a longer day rather than concentrate them during a shorter period. This will help reduce congestion between West Pennant Hills and Penrith especially during peak hours.</p>	<p>Noted.</p>
<p><b>Castlereagh Christian Conference Centre</b></p>	<p><i>Castlereagh Christian Conference Centre Limited</i> objects to the above application for the following reasons:</p> <p>Castlereagh Christian Conference Centre Limited (CCCCL) comprises two Heritage buildings, the Wesleyan church (1847) and the original Schoolhouse, together with an accommodation and conference facility built in 1999-2000. Across the road and bordering the subject site is the heritage State schoolhouse and the Principal’s residence, now tenanted by our caretaker. This is a cohesive suite of buildings and is known collectively as the Castlereagh Heritage Precinct. This Precinct borders the south-eastern corner of the subject site and will be directly affected by the proposed extension to permissible transportation hours. The accommodation comprises 6 modern cabins arranged at the south end of the Precinct and near to the Haul Road, internal to the subject site from the southern site entry. Our Caretaker’s residence is also a similar close distance to this Haul Road.</p> <p><i>The extension of transportation hours means noise from the passing truck &amp;</i></p>	<p>It is acknowledged that the circumstances of both the Castlereagh Christian Conference Centre (CCCC) and Nepean Park site differ from the circumstances of the submitters located along the haul routes; the CCCC and Nepean Park properties are both located within the Penrith Lakes Scheme area and are adjacent to internal haul roads and rehabilitation works.</p> <p>Separate methodologies have been adopted in Arup’s Noise and Vibration Impacts report for assessing traffic noise impacts within the Penrith Lakes Scheme area (defined as internal traffic noise impacts) and on the approach roads to and from the site (external traffic noise impacts). Under this methodology, internal traffic impacts are covered by existing conditions and are unaffected by the proposed modifications.</p> <p>The conditions that specifically relate to the management of noise impacts from internal traffic on receivers</p>

	<p><i>dog traffic will heavily impact both these residential facilities an hour earlier in the morning, and will not cease until 9.00pm. Virtually ALL waking hours will be subject to this burden.</i></p> <p>The Application fails to recognize that this Precinct, being immediately adjacent to the subject site, and lying at a significant distance from the station points for the background sound measurements used in the supporting reports, is in a different sound context.</p> <p><i>The significantly lower background noise level here requires a lower limit than typically called for elsewhere.</i></p> <p>The application fails to address the noise impacts from the discharging and stockpiling/spreading processes at the unloading points. If the transport window were to be extended, on-site discharge times would require extension to match.</p> <p><i>For an hour earlier and three extra hours into the evening, daily, our accommodation and conference guests and our caretaker would need to bear the burden of loud warning BEEPS as trucks reverse to discharge and the impact BANGS (much louder than general traffic noise) as the back-door on each truck and dog falls shut. At peak times, this will be a continual barrage with barely seconds between each salvo, only to be replaced by the high revving engine noise as they manoeuvre to exit the tipping zone.</i></p> <p>In failing to address the above matters, the application also fails to address any means of amelioration to these specific noise impacts. As the “sensitive” areas are at the north and south ends of the subject site, adoption of the following measures would provide significant amelioration:</p>	<p>within the Castlereagh escarpment are provided in Section 32(b) of the Minister for Planning and Environment Conditions – DA2, DA3 and DA4 consent. These conditions apply at all times of the day and therefore remain applicable for proposed changes to hours of operation.</p> <p>All truck drivers go through a compulsory site-based induction before they are allowed to work within the Penrith Lakes Scheme area. It is a requirement that all truck drivers must comply with PLDC’s on-site tipping protocol and other operational procedures. While the prime focus of these procedures are safety issues and set out appropriate driver behaviours, the procedures also have the effect of reducing potential sources of noise and dust.</p> <p>Further restrictions on on-site operations are contained in existing conditions of approval and environmental license provisions. Noise and dust levels across the site are periodically monitored in accordance with license conditions and the results tabulated, analysed and forwarded to the EPA.</p> <p>To date PLDC has been compliant with noise and dust conditions.</p>
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	<ul style="list-style-type: none"> <li>• On-site tipping and distribution hours via south end site entry to be limited to 7.00am to 6.00pm</li> <li>• Tipping zones to be located an adequate distance from the boundaries of adjacent sensitive properties. (The subject site boundaries are within just 20 meters of our facilities in places).</li> </ul>	
<p><b>Nepean Park Pty Ltd</b></p>	<p>The Nepean Park property is located at 1404 Castlereagh Road, Castlereagh, and is currently accessed through the Penrith Lakes lands from an access road, off Castlereagh Road, south of Church Lane. There is a two storey Georgian mansion located towards the western boundary of the property which was constructed in the 1820s. This building is referred to as 'Nepean Park', which is currently not listed as an item of Environmental Heritage in the Penrith Local Environmental Plan (Heritage Conservation) and is not listed on the State Heritage Register.</p> <p>Nevertheless Nepean Park has been identified as representing one of the most important homesteads in the Nepean River Valley and within the State of NSW on account of its age and historical associations. Nepean Park is identified in the State Environmental Planning Policy Penrith Lakes Scheme as a heritage item (Nepean Park, Part portion 48, Parish of Castlereagh, County of Cumberland - No. 2 in the Structure Plan).</p> <p>The property is one of a few privately owned properties with the Penrith Lakes Scheme Area, and has been owned and farmed continuously by the Dixon family since the 1930's. Dixon's continue to maintain the residence and farm the land for agriculture as a productive farm utilising the rich fertile soil of the Nepean River floodplain.</p>	<p>Like the Castlereagh Christian Conference Centre, the Nepean Park property is located within the Penrith Lakes Scheme area and is close to land that was previously subject to rehabilitation works when it would have experienced similar noise issues as discussed with respect to the CCCC site. As acknowledged by the submitter, quarrying was completed and only site rehabilitation is within the immediate vicinity of Nepean Park heritage area. Filling and rehabilitation activities are now located elsewhere, with the nearest filling being at 'Black Clay Pit', located two (2) kilometre east of the Nepean Park site (as shown in Appendix A which represents the northern-most fill area within the Penrith Lakes Scheme area.</p> <p>Potential noise impacts of the extended operational hours were assessed by Arup (October 2015) and included with the application documents. This assessment found that the noise and vibration impacts of the extended operational hours would be minimal and recommended mitigation measures to better manage traffic volumes on Castlereagh Road. It is noted that the total number of trucks to and from Penrith Lakes will not change. The extension of hours will potentially reduce cumulative noise impacts for any given period because of the ability to spread trucks across the extended time period.</p>

	<p>The site is legally described as Lot 482 DP 849952, and is zoned Rural 1 (a2) under Interim Development Order 93 (IDO 93), Penrith City Council.</p> <p>In 2015 the Office of Penrith Lakes (OPL) released a ‘Draft Vision Plan’ for the Penrith Lakes site, looking at future master planning options following consultation and feedback from local community and stakeholders. Nepean Park made a submission which looked at future compatible landuses for the area and the Nepean Park site. This process is ongoing and Nepean Park continue to consult with the OPL in relation to future uses at the site.</p> <p>Whilst most of the active quarrying and remediation activities have ceased from within the immediate vicinity of Nepean Park heritage area there continues to be issues relating to the existing backfilling operations along Castlereagh Rd. In particular noise and dust from the existing operations and activities at this location.</p> <p>We understand the Penrith Lakes Development Corporation (PLDC) is seeking a 75W modification to intensify operations (increase hours of operations and corresponding extension of a significant volume of truck movements into these hours).</p> <p>Nepean Park are specifically concerned with the degree of the proposal and the extension of operating hours to within the critical early morning and late evening periods. The proposed extension represents a significant increase in volume of truck movements to these critical sensitive time periods of early morning and late evening periods. We are not talking about a 10 to 15 movements per hour which subject to satisfying noise constraints. Forty (40) movements within a 6am to 7am period is very significant with obvious potential for cumulative adverse impacts within a rural residential</p>	<p>Potential dust issues need to be addressed with reference to current conditions of approval and environmental licensing. This is because the Modification Application includes no request to increase total truck numbers. As a result, no increases in dust emissions are anticipated as a result of the application.</p> <p>It should be noted that the EPA has assessed the s75W Modification Application and deemed the application acceptable.</p> <p>As stated by the submitter, Arup’s noise and vibration report (October 2016) recommended management of truck movements and their distribution across an increased number of access points. While the application does not detail truck management measures, the reasons for requesting extended operating hours include the increased ability to manage truck movements during peak traffic periods that this would allow. Granting additional operating hours will result in greater ability to run trucks outside of traffic peak times and thereby reduce congestion during traditional peak periods.</p> <p>Further, the application for the modification of operating hours is conditional on an additional access being constructed. PLDC is currently waiting on approval of a s138 Roads Act application to allow the development of a new intersection at the northern-most gate (see figure). The impact of this will be, on average, a reduction in the number of trucks that use each access.</p>
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	<p>setting. Correspondingly the ability to increase truck movements by 30 from 6pm to 9pm is significant considering the proposed time and degree of movements.</p> <p>The ARUP assessment claims that it is reasonable to apply daytime noise criteria to this early morning 6am to 7am period. This period should be properly assessed as it is a critical period of the morning for receivers. Nepean Park already have issues relating to noise from current activities. We are very concerned that the assessment from ARUP has not fully addressed the potential impacts and has incorrectly made assumptions in relation to appropriate background criteria for these periods. This is unacceptable for such a large number of movements within a rural residential area at such times.</p> <p>The recommendation to ‘manage truck movements to reduce impacts’ and the division of overall daily truck movements to several access points to reduce impacts on any one road segment is a very vague recommendation, open to any interpretation and non-committal. This also seems to conflict with the initial assessment in concluding that impacts from the modification will be minor.</p> <p>Nepean Park residents already experience noise issues from trucks entering and exiting the site and tipping loads. Dust issues are significant during adverse winds and noise issues relating to these operations from trucks and associated movements into and out of the site are an issue for us. Noise is of prime concern from the current operations. Nepean Park have contacted the PLDC on numerous occasions relating to noise exceedances from the existing operations.</p> <p>It is of significant concern for Nepean Park that such a proposal to extend truck movements and operating hours</p>	
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	<p>into critically sensitive time periods of the morning and evening, with no proper assessment and loose recommendations in such a residential context. Once again we are not talking about a small number of movements within the existing and proposed consents. The proposal to increase 40 truck movements from 6am to 7am and 30 movements up to 9pm is of grave concern for Nepean Park. This is a significant volume of trucks for a sensitive period of the morning and evening with significant noise related impacts in particular.</p> <p>We strongly object to the proposal and wish to see more assessment in relation to real impacts.</p>	
<p><b>Individual (1)</b></p>	<p>As I live in a development which coincides with both entrances off Castlereagh and Andrews Road, I feel it necessary to write of my disapproval to extend the hours fill can be transported. Just attempting to get out of Waterside Estate (turning Right) onto Castlereagh Road of a morning is hard enough not having a merge lane. But with these B-Doubles constantly coming in and out they have absolutely no respect for the occupants of the estate. I have lost count of the times I have been given the "middle finger" as I attempt to slowly get out onto Castlereagh Road. They are a bunch of arrogant drivers who speed (not caring it is a 60km zone). I love living where I do and yes I fully understand development, but to be coping these trucks from both entrances in and out of Waterside is really making it hard to enjoy what I have.</p> <p>To extend the hours is just going to make it harder and a lot of residents angrier. Not to mention the safety of everyone.</p>	<p>The reasons for requesting extended operating hours include an increased ability to manage truck movements during peak traffic periods with beneficial impacts that include traffic and safety. While the Modification Application seeks additional hours before the morning traffic peak and after the evening peak, there is no intention in this application to increase total truck numbers. The result is a greater ability to allow additional trucks to run outside of peak times and thereby reduce congestion during traditional peak periods.</p> <p>Further, the request to modify operating hours is conditional on an additional access being constructed. PLDC is currently waiting on approval of a s138 Roads Act application to allow the development of a new intersection at the northern-most gate (see figure). The impact of this will be, on average, a reduction in the number of trucks that use each access, including the number of truck movements through the access off Andrews Road.</p>

<p><b>Individual (2)</b></p>	<p>I live on Cranebrook Rd and wish to object to more time that the trucks can cart loads along there, we need some peace from the traffic.</p>	<p>Noted.</p>
<p><b>Individual (3)</b></p>	<p>I strongly object to the any modification put forward by the Penrith Lake Scheme due to the dust issue that affects our residents and surrounding areas that is produced from that site, we have had several complaints investigated by the EPA, however there has NEVER been any improvement to the dust issue, and there has been no response from the management of the Penrith Lake Scheme after repeated attempts to contact this organisation to address the dust issue. I fear the increase in dust and noise pollution will go unchallenged once again.</p>	<p>Environmental issues, such as the management of existing levels of noise and dust, need to be addressed with reference to current conditions of approval and environmental licensing. In this regard, PLDC is required to regularly monitor and report to the EPA. To date PLDC has been compliant with noise and dust conditions.</p> <p>Potential dust issues will not increase as a result of changes to operating hours as there is no intention in this application to increase total truck numbers. There is a potential benefit due to the fact that the increase in operating hours will result in an increase in the average time interval between truck trips, thereby potentially decreasing dust concentrations.</p> <p>Potential noise impacts of the extended operational hours were assessed by Arup (October 2015) and the results included with the application documents. This assessment found that the noise and vibration impacts of the extended operational hours would be minimal and recommended mitigation measures to better manage traffic volumes on Castlereagh Road.</p> <p>Further, the EPA has assessed the s75W Modification Application and deemed the application acceptable.</p>

<p><b>Individual (4)</b></p>	<p>Objections to the proposal by Penrith Lakes Development Corporation are as follows –</p> <ol style="list-style-type: none"> <li>1. Deterioration to the road surface of Castlereagh Road. This is a main access road from Richmond / Windsor to Penrith and the M4 motorway. Potholes are continually being patched-up, especially where the trucks turn into the quarry.</li> <li>2. The big trucks using Castlereagh Road are a danger in the residential areas.</li> <li>3. Noise is also a problem.</li> </ol> <p>I have resided in Farrells Lane for almost fifty years and I have “put up” with all the changes made by the PLDC, but to extend the hours of transportation is unreasonable.</p>	<p>Approval has been reached on truck haulage routes (Castlereagh Road, Cranebrook Road and Andrew Road) and the location and design of access points. Access and intersection designs are to Roads and Maritime standards and have been approved following the lodgement and assessment of Development Applications. Road-based concerns with safety, design and maintenance are matters that should be addressed to Roads and Maritime Services.</p> <p>The extended hours will have a beneficial impact with respect to safety. An important benefit of the extended operational hours will be the ability to better manage truck movements during peak traffic periods. There is no intention to increase total truck numbers at this stage. The result is greater ability to allow additional trucks to run outside of peak times and thereby reduce congestion during traditional peak periods.</p> <p>Other environmental issues, such as the management of existing levels of noise and dust, needs to be addressed with reference to current conditions of approval and environmental licensing. In this regard, PLDC is required to regularly monitor and report to the EPA. To date PLDC has been compliant with noise and dust conditions.</p> <p>Potential noise impacts of the extended operational hours were assessed by Arup (October 2015) and included with the application documents. This assessment found that the noise and vibration impacts of the extended operational hours would be minimal and recommended mitigation measures to better manage traffic volumes on Castlereagh Road.</p>
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		<p>Further, the EPA has assessed the s75w Modification Application and deemed the application acceptable.</p>
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## 4 Conclusions

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PLDC currently has approval (via modification of approvals DA2, DA3 and DA4) to import up to eight million tonnes of VENM and ENM at a maximum rate of three million tonnes per year via road haulage.

PLDC has submitted a modification application for the existing development consent for the site on the basis that the proposed working hours are not considered to be consistent with the existing development consent for the site. The modification application sought changes to operating hours as set out in Section 1.2. The modification is being assessed under s75W of the EP&A Act by virtue of section 8J(8)(a) of the EP&A Regulation, because the original consent was granted by the Minister under section 100A or 101 of the EP&A Act.

The modification is for the extension of operating hours for the importation of VENM and ENM to the site. An environmental assessment of noise and vibration impacts has been undertaken and concluded that it is unlikely that the modification will have any significant environmental impact. The assessment of additional noise and vibration impacts from the proposed extension of operating hours concluded that extending the day time period to include the proposed haulage hours is considered reasonable.

Noise and vibration impacts from internal traffic movements are subject to existing approval conditions for the site which relate to all time periods. Therefore, an extension of hours does not affect these approval conditions.

The noise and vibration assessment recommends that PLDC continues to implement effective administrative mitigation measures to control the traffic noise impacts, including the division of overall daily haul traffic between several access locations to reduce the traffic noise impact on any one road segment. Reference is made to the Traffic Noise Management Plan developed for the site which will be updated prior to the start of the extended working hours operation and the suite of noise management measures made therein.

## References

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Arup (December 2015) Section 75W Amendment Application – Importation of ENM/VENM for Penrith Lakes Development Corporation

Arup (October 2015) Section 75W Application: Assessment of Noise and Vibration Impacts – Extended Hours of Operation for Penrith Lakes Development Corporation

Arup (June 2015) Importation of Virgin Excavated Natural Material Excavated Natural Material – Traffic Noise Management Plan

NSW Government Architect's Office (2014) Penrith Lakes Parkland Draft Vision Plan for Office of Penrith Lakes

NSW Department of Environment, Climate Change and Water (2011) NSW Road Noise Policy

State Environmental Planning Policy (Penrith Lakes Scheme) 1989

## Appendix A

### New Filling and Rehabilitation Areas



Active Tipping Areas



Nepean Park (Pty) Ltd



Castlereagh Christian Conference Centre

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

**Submissions Report**