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Planning and Assessment
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Electronic Mail
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**EPA Response to MOD 2 – Penrith Lakes Employment Lands Subdivision and Works –
Modification 2**

Thank you for consulting with the Environment Protection Authority (EPA) regarding Modification Application (DA9876 MOD2) at Penrith Lakes Employment Lands Subdivision and Works (Lot 1, 2, & 3 DP 1263486) located at 14-98 Old Castlereagh Street, Penrith.

The EPA understands the proposal involves:

- Amending the hours of works to allow 24 hour construction works
- The replacement of fencing on the north-eastern boundary

The EPA has reviewed the information submitted for the proposed modification including:

1. Statement of Environmental Effects Section 4.56 Modification of Development Consent DA9876, 14-98 Old Castlereagh Rd, Penrith prepared by Planning Ingenuity Pty Ltd (May 2023).
2. Construction Noise Assessment – Penrith Lakes Subdivision prepared by RAPT Consulting (March 2023)

The EPA understands that a portion of land that the proposed works are being carried out on hold an Environment Protection Licence and that is why the EPA has been asked to provide comment on the construction of the subdevelopment.

The EPA has the following comments and recommendations

1. Interim Construction Noise Guideline (ICNG)

As per section 2.2 of the ICNG the proponent is required to justify the need to undertake construction outside the recommended stand hours of construction. The proponent has not provided clear justification that satisfies any of the 5 categories for works that might be undertaken outside the recommended standard hours as outlined in Section 2.3 of the ICNG. Planning should consider the need and justification for the proponent to be undertaking these out of hours construction works.

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2. Construction Noise Assessment - Noise Monitoring Levels

In table 4.3 of the construction noise assessment, exceedances of the noise monitoring limits for residential receivers R1 and R2 were predicted during several different stages of works for the subdevelopment. The EPA note the construction noise assessment provides recommendations for specific work hours for each stage of works that cannot achieve the out of hours noise monitoring limits. If planning determines the out of hours construction necessary, it should consider restricting the hours of construction in line with the recommendation in the assessment to ensure each stage of works complies with the noise monitoring limits.

If you have any questions about this matter, please contact Nick Vlasoff on 02 8275 1989 or email Nicholas.vlasoff@epa.nsw.gov.au

Sincerely



RUTH OWLER
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