

Rooty Hill Regional Distribution Centre Stockpile Modification (PA 05_0051 MOD 2)

Environmental Assessment Report

Section 75W of the *Environmental Planning and Assessment Act 1979*

1. BACKGROUND

Holcim (Australia) Pty Ltd (Holcim) operates the Rooty Hill Regional Distribution Centre (the RDC) located off Kellogg Road, Rooty Hill approximately 5 kilometres west of Blacktown. The site is located within the Blacktown local government area (see **Figure 1**).



Figure 1: Location of the Rooty Hill Regional Distribution Centre

The RDC currently operates under project approval 05_0051, which was granted by the Land and Environment Court on 24 November 2006 under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The project approval permits:

- receipt and distribution of up to four million tonnes per year of construction materials including sand, aggregate and concrete; and
- operation of a concrete batching plant to process up to 200,000 cubic metres of material per year.

On 22 March 2011, the Minister for Planning approved a modification to the project approval (MOD 1). MOD 1 involved changes to the site layout and configuration including material storage areas, train capacity, the rail unloader and sidings, and the location of workshops and offices.

2. PROPOSED MODIFICATION

On 27 February 2017, Holcim lodged a modification application under section 75W of the EP&A Act. The proposed modification (MOD 2) involves:

- establishment of an additional stockpile area of 0.43 hectares adjacent to the existing truck parking area; and
- utilisation of the additional stockpile area for material handling and truck loading.

The existing approved stockpile area is indicated in green and the proposed additional stockpile area in yellow in **Figure 2**.



Figure 2: Approved and proposed stockpile areas

The proposed works would occur within the approved disturbance footprint. The physical changes at the site would include the laying of road base over the stockpile area and concreting of high use areas. At present the area is in an unused but cleared area covered by grass and/or wood chips. No operational changes are proposed other than trucks using different routes within the site and the loading of trucks from the additional stockpile area. No changes are proposed to the approved volume of material stored on the site nor to the annual maximum material throughput or truck movements.

Holcim contends that the proposed modification is necessary in order to meet the stockpile certification requirements of clients in the construction materials industry. The increase in the number of infrastructure projects, including for road construction, is creating demand from Roads and Maritime Services (RMS) for the supply of materials from certified stockpiles. Holcim contends that the current stockpile area does not allow for the larger number of smaller stockpiles required to provide certified stockpiles.

3. STATUTORY CONTEXT

3.1 Section 75W

The RDC Project was approved under the now repealed Part 3A of the EP&A Act. The project remains a 'transitional Part 3A project' under Schedule 6A of the EP&A Act and the modification must be determined under the former section 75W of the Act.

The modification would not significantly change the overall nature of the development nor the associated environmental impacts. Consequently, the Department is satisfied that the modification is within the scope of section 75W and may be determined accordingly.

3.2 Approval Authority

The Minister for Planning is the approval authority for the proposed modification. However, under the Minister's delegation of 16 February 2015, the Director Resource Assessments may determine the application, as there were no public objections, Blacktown City Council did not object to the proposal, and Holcim has not declared any reportable political donations.

3.3 Environmental Planning Instruments

A number of environmental planning instruments apply to the modification, including:

- *State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007;*
- *SEPP (Infrastructure) 2007;*
- *SEPP (State and Regional Development) 2011;*
- *SEPP No. 33 – Hazardous and Offensive Development;*
- *SEPP No. 55 – Remediation of Land;* and
- *Blacktown Local Environmental Plan 2015.*

The Department has assessed the proposed modification against the relevant provisions of these instruments. Based on this assessment, the Department is satisfied that the proposed modification can be carried out in a manner that is consistent with the aims, objectives and provisions of these instruments.

4. CONSULTATION

Under section 75W, the Department is not required to notify or exhibit the modification application. However, after accepting the environmental assessment (EA) for the proposed modification (see **Appendix A**), the Department:

- publicly exhibited the EA from 16 March until 29 March 2017 on the Department's website and at the:
 - Department's Information Centre;
 - Blacktown City Council's office; and
 - Nature Conservation Council's office;
- advertised the exhibition of the EA in the *Mt Druitt St Marys Standard*; and
- notified relevant State government agencies and Blacktown City Council.

The Department is satisfied that the notification process met the requirements of the EP&A Act and the EP&A Regulation.

Two submissions were received from government agencies (see **Appendix B**).

The **Environment Protection Authority (EPA)** did not object to the proposed modification. The EPA noted that:

- Holcim has demonstrated a high level of compliance with noise limits and the proposed modification is not expected to significantly affect surrounding receivers;
- the proposed modification is expected to result in a less than 1 per cent increase in total dust particulate emissions, additional sprinklers would be installed (amongst other measures) and that while exceedances of PM_{2.5} are predicted, there is minimal contribution from RHRDC due to elevated background levels; and
- surface water is not expected to be impacted as the proposed modification would be located within the existing water management system.

The EPA recommended that the site's Operational Environmental Management Plan (OEMP) be updated to reflect operational changes associated with the proposed modification and that the consent condition limiting working hours during construction also be updated. The EPA's submission was considered in the Department's assessment of the project.

Blacktown City Council (Council) did not object to the proposed modification. However, in its submission, Council raised concerns with respect to surface water management on the site. This issue is discussed in **Section 5.1** below.

5. ASSESSMENT

The Department has assessed the merits of the proposed modification in accordance with the relevant objects and requirements of the EP&A Act. In assessing these merits, the Department has considered the:

- EA for the original project application;
- conditions of approval for the original project application, as amended by MOD 1;
- modification application (MOD 2); and
- relevant environmental planning instruments, policies and guidelines.

The Department considers that the proposed modification has the potential to result in impacts related to surface water, air quality and noise. The Department's assessment of the proposal's potential impacts is summarised below.

5.1 Surface Water

At present the surface runoff from the site is treated by means of a combination of silt traps, 'humeceptor' hydrodynamic separators and sediment basins, before discharge to Angus Creek. The proposed modification would increase the impermeable surface within the sites, and may therefore result in a minor increase in surface runoff. The increased surface area of the stockpiles, coupled with increased traffic movements within the stockpile area, may also result in an increase in pollutant loads, particularly total suspended solids, to be treated by the existing site water management system.

In its submission, the EPA noted that a site inspection was undertaken on 23 March 2017 and concurred with the conclusions in the EA. Council questioned whether the development and the proposed modification conforms with the stormwater provisions of the *Blacktown Development Control Plan 2015* (BDCP). The Department recommended that Holcim and Council meet to discuss its concerns regarding the requirements of the BDCP. However, in its response to submissions, Holcim indicated that it would instead undertake a water management system review to identify required changes and incorporate those changes in an updated OEMP (see **Appendix C**). The review would include a drainage review prior to commencement of construction.

The proposed modification is not expected to result in a significant additional impact because the enlarged stockpile area would be located within the boundaries of the existing surface runoff collection system and the proposed modification represents a relatively small increase in stockpile area (0.43 hectares). Thus, any increase in pollutant load is unlikely to be in excess of the treatment capacity of the existing water management system.

Nonetheless, Holcim has committed to undertake a review of the water management system and, should changes be required, to implement these prior to commencing construction. The existing Soil and Water Management Plan (Appendix E of the OEMP, dated 2015) would also be reviewed and approved prior to the commencement of construction.

The Department is satisfied that the surface water impacts of the proposed modification would be minor and would be suitably managed under the revised OEMP and Soil and Water Management Plan.

5.2 Air Quality

The EA included an Air Quality Assessment (AQA) prepared in accordance with the EPA's *Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW (2016)* (The Approved Methods). The AQA used the applicable impact assessment criteria for deposited dust, total suspended particulates (TSP), PM₁₀ and PM_{2.5} (see **Table 1**) to assess the predicted air quality impacts at 11 sensitive receivers (numbered R1 to R11) in the surrounding locality (see **Figure 3**).

Table 1: Air quality impact assessment criteria

Pollutant	Standard	Averaging Period	Source
TSP	90 µg/m ³	Annual	NSW EPA (2016) (assessment criteria)
PM ₁₀	50 µg/m ³ 25 µg/m ³	24-Hour Annual	NSW EPA (2016) (assessment criteria)
PM _{2.5}	25 µg/m ³ 8 µg/m ³	24-Hour Annual	NSW EPA (2016) (assessment criteria)

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month



Figure 3: Sensitive receivers - air quality

Overall, the AQA predicted that the proposed modification would result in an increase in total emissions of less than 1 per cent compared to existing operations. The predicted average annual deposited dust, TSP and PM₁₀ levels at surrounding sensitive receivers are all below the relevant criteria of 4

g/m²/month, 90 µg/m³ and 25 µg/m³, respectively. Neither the PM₁₀ nor the PM_{2.5} levels are predicted to exceed the 24-hour average criteria of 50 µg/m³ and 25 µg/m³, respectively. The average annual PM_{2.5} level is predicted to marginally exceed the criterion of 8 µg/m³ at some receivers, with a maximum of 8.3 µg/m³ predicted at R2. However, the existing background PM_{2.5} level (measured as 7.8 µg/m³ at OEH's monitoring station in St Mary's) is close to the criterion of 8 µg/m³. The Approved Methods acknowledge that there may be instances where elevated background levels are experienced. In these cases, it is recommended that "best management practices be implemented to minimise emissions of air pollutants as far as is practical".

The existing operation implements a number of mitigation measures which are documented in the site's Dust Management Plan (Appendix F of the OEMP), including maintenance of plant and equipment, sealing trafficable areas, cleaning of trucks and covering loads, and using sprinklers on stockpiles. Existing conditions also require the enclosure of all storage bins and sweeping of paved trafficable areas by street sweeper. The Dust Management Plan would need to be updated to reflect the operational changes. Holcim also proposed installing additional sprinklers for the purpose of dust suppression.

The Department is satisfied that air quality impacts from the proposed site would be minimal, and would be suitably managed through modified conditions and the Dust Management Plan.

5.3 Noise

The EA contained an Operational Noise Review (ONR) which updated the operational noise model to reflect the proposed modification and compared the noise predictions from the updated model against the site's noise criteria (see **Table 2**).

Table 2: Noise impact assessment criteria

Location	Morning Shoulder (6am – 7am Monday to Saturday and 6am – 8am Sundays and Public Holidays)	Day 7am – 6pm Monday to Saturday and 8am – 6pm Sundays and Public Holidays	Evening 6pm – 10pm Monday to Sunday	Night 10pm – 7am Monday to Saturday and 10pm – 8am Sunday	
	L _{Aeq} (15 minute) (dB(A))	L _{Aeq} (15 minute) (dB(A))	L _{Aeq} (15 minute) (dB(A))	L _{Aeq} (15 minute) (dB(A))	L _{A1} (1 minute) (dB(A))
Any residences in Station Street	39	44	44	39	53
Any Residences in Crawford Road	40	40	39	39	53
Any residences in Mavis Street	35	35	35	35	53
Nurragingy Reserve	When the Reserve is in use – L _{Aeq} 50 dB(A)				
Colebee Centre	When the Centre is in use – L _{Aeq} 50 dB(A)				
Blacktown Olympic Park (active recreation areas)	When active recreational areas of the Park are in use – L _{Aeq} 55 dB(A)				

Modelled noise levels at surrounding receivers indicated no change in the L_{Aeq} (15 minute) noise levels at two receivers and an increase of 1 dB(A) to 3 dB(A) at the remaining receivers. However, all the predicted noise levels remained below the existing noise criteria.

The existing noise mitigation measures include limited construction hours, limits on production, preferential receipt of materials at the site by rail and a range of operational and maintenance measures outlined in the Statement of Commitments and the site's Noise Management Plan (Appendix B of the OEMP). The Noise Management Plan would need to be reviewed and approved to reflect the proposed modification.

The Department considers that the proposed amendments to the stockpile area would not materially increase noise impacts on surrounding sensitive receivers. Accordingly, the Department is satisfied that noise impacts would be managed under the existing conditions.

6. RECOMMENDED CONDITIONS

The Department has drafted a recommended notice of modification (see **Appendix D**) and a consolidated version of the consent as it is proposed to be modified (see **Appendix E**). The Department considers that the environmental impacts of the project would be appropriately managed through the proposed amended conditions of consent.

The Department has also taken the opportunity to further update existing conditions to reflect its current drafting standards.

Holcim does not object to the recommended conditions.

7. CONCLUSION

The Department has assessed the modification application, EA and submissions in accordance with the relevant requirements of the EP&A Act. The Department has carefully considered the likely impacts of the proposal on the natural and cultural environment, and on nearby residents. The Department is satisfied that the environmental impacts of the proposal would be of a minor nature, and could be appropriately managed by existing, modified and/or updated conditions of consent.

The proposed modification would facilitate the continued supply of construction materials for infrastructure projects within the Sydney region without significantly increasing the environmental impacts of the operation. Consequently, the Department is satisfied that the proposed modification is in the public interest and should be approved, subject to conditions.

8. RECOMMENDATION

It is **RECOMMENDED** that the Director Resource Assessments, as delegate of the Minister:

- **considers** the findings and recommendations of this report;
- **determines** that the proposed modification falls within the scope of section 75W of the EP&A Act;
- **approves** the proposed modification under section 75W, subject to conditions; and
- **signs** the attached notice of modification (see **Appendix D**).



Lauren Evans
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29/6/2017



Howard Reed
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29-6-17

APPENDIX A: ENVIRONMENTAL ASSESSMENT

See: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8286

APPENDIX B: SUBMISSIONS

See: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8286

APPENDIX C: RESPONSE TO SUBMISSIONS

See: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8286

APPENDIX D: NOTICE OF MODIFICATION

See: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8286

APPENDIX E: CONSOLIDATED CONSENT

See: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8286