

**PROPOSED REGIONAL DISTRIBUTION CENTRE, KELLOGG ROAD, ROOTY HILL
RINKER AUSTRALIA PTY LTD**

DRAFT CONDITIONS OF CONSENT

This document provides comment on specific conditions recommended in Submissions.

1. DEPARTMENT OF ENVIRONMENT AND CONSERVATION

NOISE

N1

Noise from the premises must not exceed the sound pressure level (noise) limits presented in the Table below. Note the limits represent the sound pressure level (noise) contribution, at the nominated receiver locations in the table.

Noise Assessment Location	Morning Shoulder	Day	Evening	Night	
	L_{Aeq}(15 minute)	L_{Aeq}(15 minute)	L_{Aeq}(15 minute)	L_{Aeq}(15 minute)	L_{Ae}11 minute)
Any residence in Station Street	39	44	44	39	53
Any residence in Crawford Road	40	40	39	39	53
Any residence in Mavis Street	35	35	35	35	53
Nurragingy Reserve*	When in use – L _{Aeq} 50 dB(A)				
Colebee Centre*	When in use – L _{Aeq} 50 dB(A)				
Blacktown Olympic Centre*	When in use – L _{Aeq} 55 dB(A)				

- For guidance in the selection of an assessment location, reference should be made to the NSW Industrial Noise Policy

Comment

The Noise Impact Assessment for the project has been undertaken in accordance with the NSW EPA Industrial Noise Policy (INP). The INP (Section 6.3, paragraph 1) states that "The development is considered to cause a noise impact if the predicted noise level at the receiver exceeds the project-specific noise levels for the project." Readymix believes that it is unduly stringent to impose noise limits lower than those predicted to cause impacts at the nearest noise sensitive receivers. The relevant noise limits should be those provided in Table 11 and Table 12 of the Noise Impact Assessment Report (Ref:

30-1202R2R3 dated 3 November 2005) which are consistent with the INP. Hence any conditions of consent for the project must be in accordance with the INP.

The DEC accepts that sleep disturbance goals for Station St can be applied at Mavis Street, similarly, Readymix recommends that operational project specific noise levels at Mavis Street be the same as those determined for Station St.

N2

For the purpose of Condition N1:

- Morning shoulder period is a subset of the night period between 6am and 7am Monday to Saturday and 6am to 8am Sundays and Public Holidays. During this period the shoulder limit applies.
- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays
- Evening is defined as the period from 6pm to 10pm
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays

Comment

Noted

N3

Noise from the premises is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary, to determine compliance with the noise level limits in Condition N1 unless otherwise stated.

Noise from the premises is to be measured at 1 m from the dwelling façade to determine compliance with the $L_{A1(1\text{minute})}$ noise level in N1.

Where it can be demonstrated that direct measurement of noise from the premises is impractical the DEC may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy.

The modification factors presented in Section 4 of the NSW Industrial Policy shall also be applied to the measure noise levels where applicable.

Comment

Noted

N4

The noise emission limits defined in Condition N1 apply under meteorological conditions of:

- Wind speed up to 3m/s at 10 metres above ground level; or
- Temperature inversion conditions of up to 3°C/100m and wind speed up to 2m/s at 10 metres above the ground.

Comment

Wind speed should be based on modeling of 2m/s.

The DEC appear to agree with the wind analysis conducted by Heggies and the meteorological modelling parameters Heggies have used for noise modeling in Technical Report No 6. The meteorological conditions under which noise limits apply (N4) should be consistent with the modelling parameters.

N5

All construction work at the premises must be conducted between 7am and 6pm Monday to Friday and between 8am and 1pm Saturdays and at no time on Sundays and public holidays, unless inaudible at any residential premises.

Comment

Noted.

N6

The proponent must prepare and implement a Construction Noise Management Plan (CNMP) prior to commencement of construction activities that includes but is not necessarily limited to:

- (a) identification of each work area, site compound and access route (both private and public);
- (b) Identification of the specific activities that will be carried out and associated noise sources at each work area, site compound and access route;
- (c) Identification of all potentially affected sensitive receptors;
- (d) The construction noise and vibration objectives identified in the EAR for construction periods greater than 26 weeks;
- (e) Assessment of potential noise and vibration from the proposed construction methods (include noise from construction traffic) against the objectives identified in the EAR for construction periods greater than 26 weeks;
- (f) Where the objectives are predicted to exceed an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts;
- (g) Description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including the early erection of operation noise control barriers;
- (h) Procedures for notifying residents of construction activities that are likely to effect their noise and vibration amenity;
- (i) Measures to receive, record and respond to complaints;
- (j) Measure to monitor and report against noise performance.

Comment

Noted

N7

A noise compliance assessment shall be undertaken with three months of commencement of operations at the premises. The assessment shall be prepared by a suitably qualified and experienced acoustical practitioner and shall assess compliance with noised limits presented in N1.

Comment

Noted.

N8

A Train Noise Management Plan to be developed and implemented by the proponent to ensure that feasible and reasonable noise management strategies for train movements associated with the facility are identified and applied, that include but are not necessarily limited to the following:

1. clauses in contracts with rail service provider(s) that require:
 - a. best noise practice in the selection, provision and maintenance of locomotive and rolling stock;
 - b. specific procedures for drivers minimizing rail traffic noise impacts;
 - c. driver training to ensure that noisy practices are not unnecessarily used near sensitive receptors;
 - d. adherence of drivers and staff of the rail service provider to the reasonable directions of the proponent for minimizing noise and effective disciplinary actions for breaches of the procedures.
2. Movement scheduling where practicable to reduce impacts during sensitive times,
3. A system of audited management practices that identifies non-conformance, initiates and monitors corrective and preventative action (including disciplinary action for breaches of noise minimisation procedures) and assesses the implementation and improvement of the Train Noise Management Plan.

Comment

Noted

DUST

D1

The premises must be maintained in a condition, which minimises or prevents the emission of dust from the premises.

Comment

Noted.

D2

All road surfaces with the premises must be paved.

Comment

Noted.

D3

All conveyors and transfer points must be enclosed and have dust control measures installed. A dry dust collection system must be used to control dust at a point where transit trucks are loaded and this area must be enclosed on three sides.

Comment

Note conveyors and transfer points will be either covered or enclosed on 3 sides. Refer Sections 6.5.1 and 7.6.6 of EAR.

D4

All transfer, load out and unloading points must be enclosed and will include dust control equipment, including concrete mixing and rail transfer. Cement products must be loaded to silos pneumatically. All dust collection systems must be designed, built and operated to meet the particulate matter discharge limit of 20 mg/m³.

Comment

Noted.

D5

All storage bins must be enclosed.

Comment

Noted.

D6

Appropriate water spray systems must be installed on stockpiles.

Comment

Noted.

D7

All paved areas must be swept as required by a permanently stationed street sweeper to minimise dust.

Comment

Noted.

FLORA AND FAUNA

In regard to the recommendation that cleared areas outside the development footprint are to be revegetated, the DEC suggests that this revegetation occurs in accordance with the document "Recovering Bushland on the Cumberland Plain (DEC 2005). This should include an assessment of

the natural regeneration potential prior to revegetation, and the use of local seed stock in any revegetation.

In regard to the Vegetation management Plan, the DEC recommends that this is implemented for at least five years and includes specific measures for the management of remnants of Cumberland Plain Woodland and River-flat Eucalypt Forest on the site.

- Vegetation Management Plan to be prepared and implemented;
- Revegetation of Cleared/disturbed areas outside the development footprint and areas disturbed by the construction, using locally endemic native species;;
- A 20m woodland buffer zone to be established around the *G. juniperina ssp. Juniperina* site;
- Fencing of the native vegetation outside the development footprint;
- Implementation of appropriate sediment control including silt fencing;
- Protection of native hollow bearing trees;
- Provision of additional sheltering habitat for the Cumberland Plain Woodland Snail, in the Cumberland Woodland Areas.

Comment

Noted

2. RAILCORP

Condition XX : Freight train operations into and out of the Readymix Distribution Centre will not be permitted between the hours of 0530 to 0830 and 1500 to 1900 weekdays, in the vicinity of the Western Connection. Train operations will be limited to one train movement in each direction (in/out of the facility) per intra-peak daytime period.

Comment

The proposed condition relates to a commercial issue between a rail operator and a rail owner. Such a condition could greatly restrict efficient rail freight movement which is inconsistent with NSW Government Rail Freight Policy. Train movements are extremely complicated and depend on a broad range of factors beyond Readymix's control including train paths, train availability, product availability and rail line conditions.

The condition should be reworded to state that " RailCorp (or their successor) are responsible for the allocation of train paths into and out of the site from the Main Western Line."

Condition XX : Due to the location of the proposed development in the 1 in 100 year flood zone, the Developer is to obtain RailCorp's endorsement for the proposed on site drainage works to ensure that the development does not result in the flooding of the Main Western Railway Line.

Comment

Noted