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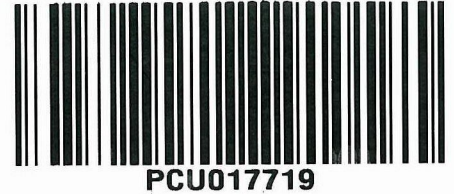
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Our Ref: 2802/JM/EL/09122010

9 December 2010

Kane Winwood
Department of Planning
PO Box 39
SYDNEY NSW 2001



Dear Kane

Re: Response to Submissions Report – for Proposed Minor Modification to Holcim Regional Distribution Centre (RDC), Rooty Hill, NSW.

Please find enclosed one hard copy of the Response to Submissions Report for the Proposed Minor Modification to Holcim Regional Distribution Centre (RDC) located at Rooty Hill, NSW.

Should you have any questions please do not hesitate to contact Emma Lodge or myself on (02) 4950 5322.

Yours faithfully

A handwritten signature in blue ink, appearing to read "John Merrell".

John Merrell
Associate



Holcim (Australia) Pty Ltd

**Response to Submissions for
Proposed Minor Modification to
Holcim Regional Distribution Centre (RDC),
Rooty Hill, NSW**

December 2010

**Response to Submissions for
Proposed Minor Modification to
Holcim Regional Distribution Centre (RDC),
Rooty Hill, NSW**

Prepared by

Umwelt (Australia) Pty Limited

on behalf of

Holcim (Australia) Pty Ltd

Project Director:	John Merrell		
Project Manager:	Emma Lodge		
Report No.	2802/R07/Final	Date:	December 2010



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1.0 Introduction

This document has been prepared in response to a request from the Director-General in accordance with section 75H(6) of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act) that Holcim (Australia) Pty Ltd (Holcim) prepare a response to the issues raised during the public exhibition period for the Proposed Minor Modification to Holcim Regional Distribution Centre Project. This report outlines Holcim's Response to Submissions and focuses on the issues raised during public exhibition of the Environmental Assessment (EA) in October 2010.

1.1 The Project

Project Approval was granted under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in April 2006 (Approval No. 05_0051) (hereafter referred to as the Project Approval), to construct and operate the Regional Distribution Centre (RDC). The RDC is approved to handle 4 million tonnes per annum (Mtpa) of quarry product. The approved, but not yet constructed RDC is strategically located close to the M7 Motorway and adjacent to the Main Western Railway Line, providing ready access to key components of the rail and road networks. Construction materials such as sand and aggregate will be transported by rail to the RDC where they will be blended, as required, and distributed by road to Sydney customers.

Since the approval was granted, and building on the recent change in ownership (Holcim recently acquired CEMEX's (formerly Readymix) Australian holdings), Holcim has been reviewing the plans for the RDC and has identified operational, capital and environmental benefits in modifying the approved RDC layout. Accordingly, Holcim is seeking to modify the 2006 Project Approval to provide for these minor changes to the approved RDC layout. These proposed changes will improve the efficiency of Holcim's capital output for the project in addition to providing operational benefits throughout the life of the facility.

The project is described in detail in Section 3.0 of the EA. The proposed minor modifications include:

- changing from elevated steel storage bins to on-ground concrete storage bays, reducing the height of the storage facility by approximately 10 metres;
- changing the configuration and location of the rail unloader and rail sidings to accommodate shorter trains, for the initial phase of the development;
- reducing the payload capacity of trains, for the initial phase of development;
- removing the ground storage bins that were originally sited west of the elevated steel storage bins;
- closure of North Parade by Blacktown City Council (BCC) rather than relocation of the road;
- increasing the ground storage area at the radial stacker; and
- minor changes to the locations of the office, workshop and other internal facilities to improve operating efficiencies and in response to the layout changes outlined above.

The RDC will make a significant contribution to the local and regional economies through employment of approximately 250 people during operations at full capacity. During construction the project will also contribute to local employment, with peak construction phase employment of approximately 220 people. The capital expenditure during the construction phase of approximately \$100M will also add significantly to the local and regional economies, further enhancing the economic benefits of the project. Construction of the modified RDC is planned to begin in 2011 and the RDC is expected to commence operations in 2013.

1.2 Submissions Received

Three submissions were received during the public exhibition of the EA. All submissions were made by government agencies including the Department of Environment, Climate Change and Water (DECCW), Blacktown City Council (Council) and the Western Sydney Parklands Trust (WSPT).

No submissions were received from members of the community.

The submissions from Council and DECCW raised several issues to which Holcim's response is provided in **Section 2.0** and **3.0** respectively.

The submission from Western Sydney Parklands Trust (WSPT) did not provide any comments in relation to the EA to be addressed in this report. Moreover, the WSPT submission indicated that it is supportive of the existing Project Approval conditions that address vegetation management and weed control along the creek line. The WSPT indicated that proper care with this work will help support its initiatives in managing the bushland at Nurragingy Reserve and along Eastern Creek.

1.3 Report Structure

This response to submissions report has been prepared by Umwelt (Australia) Pty Limited on behalf of Holcim to address the issues raised in the submissions received on the EA through the public exhibition period. Issues raised in the submissions are noted in bold, followed by the response in normal type.

2.0 Response to Blacktown City Council Submission

Submission

Whilst Council does not object in principle to the modification application over the site, Council does raise objection to certain aspects of the proposal. Council's objections are based on the following grounds:

Stormwater and Flooding

- a) On-Site Detention will be required in accordance with Council's Engineering Guide for Development 2005;
- b) A catchment and drainage plan is to be designed to safely convey the 20 year ARI storm flows of the proposed site;
- c) A DRAINS electronic model must be provided and approved to demonstrate that the pipe network can safely carry the 20 year ARI storm flows without surcharge. Blockage factors should be applied to all inlet pits with lintels/grates at 0.5 for sags and 0.2 for pits on grade. For grate only inlets the blockage factor should be 0.5 minimum;
- d) Where any Stormwater management measures or other structures are located within the 1% AEP flood extents and protrude above existing ground levels, a flood study is required to demonstrate that there is no adverse impact on flooding prior to release of the Construction Certificate;
- e) Prior to Occupation a Positive Covenant is to be provided over the On-Site Detention System in accordance with the requirements with Council's Engineering Guide for Development;
- f) All buildings within the site are to have a minimum floor level of RL 33.9m AHD;
- g) A Registered Surveyor is to certify that the minimum floor level has been achieved prior to pouring of the slabs; and
- h) Prior to the release of the Occupation Certificate, a Registered Surveyor is to certify that the minimum floor level of RL 33.9 AHD, has been achieved for all buildings on site.

Response

Council has raised the issue of potential flooding impacts. As outlined in the EA, the proposed modifications to the RDC will not result in a reduction to the available floodplain area or impact on flow conveyance and therefore flooding impacts will remain unchanged from those identified in the 2005 EA (NECS, 2005) for the approved RDC. Therefore the proposed modifications will not impact on flooding.

Council has also raised issues regarding the criteria to be applied to the design of the water management system for the RDC. As outlined in the EA, the Water Management System for the approved RDC will remain unchanged by the proposed modifications.

There are no changes to the environmental outcomes related to the above issues raised by Council as a result of the proposed modifications. These issues were addressed by the original EA (NECS, 2005) and considered by the relevant government agencies at the time of determination of the original project.

As outlined above, the proposed modifications to the RDC will not result in any changes to flooding impacts or the Water Management System of the approved RDC. It is also noted that the issues raised by Council, including the specific design requirements of the RDC

Water Management System are addressed in the existing Project Approval conditions for the RDC; specifically conditions 2.30, 2.31 and 2.32A. These conditions are reproduced below:

- Condition 2.30* *The Proponent shall ensure that all proposed works within, or connected to Angus Creek are designed, constructed, operated and maintained in compliance with the DNR's Draft Guidelines – Watercourses Crossing Design & Construction and NSW Fisheries' Why do Fish Need to Cross the Road? – Fish Passage Requirements for Waterway Crossings (2004) and Policy and Guidelines for Fish Friendly Waterway Crossings (2004).*
- Condition 2.31* *The Proponent shall generally design, construct and maintain all storm water management infrastructure on the site having regard to:*
- a) Restriction of future stormwater flows from the site to existing flow levels or better and utilising Council's On-Site Stormwater Detention Policy dated February 2005 as a guide;*
 - b) Management of all stormwater to minimise the discharge of sediments and other pollutants from the site. This shall include the use of gross pollutant traps to screen captured stormwater prior to discharge;*
 - c) Landcom's Managing Urban Stormwater: Soils and Construction, 4th edition March 2004;*
 - d) Compliance with the relevant provisions in the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems 1994;*
 - e) Prevention of the drainage of stormwater onto neighbouring properties and adjoining roadways;*
 - f) Prevention of overloading Council's stormwater infrastructure by site discharges during heavy rainfall events;*
 - g) Council's Stormwater Quality Control Policy dated 1 June 2005; and*
 - h) Current water-sensitive design best-practice guidelines, such as Sensitive Urban Design Technical Guidelines for Western Sydney (Upper Parramatta River Catchment Trust) dated May 2004.*
- Condition 2.32A* *All stormwater management measures located within the 1% AEP extent of inundation shall be designed and constructed to have minimal impact on the 1% AEP flood regime.*

It is considered that these existing Project Approval conditions appropriately address the issues raised by Council in its submission.

In regard to the issues raised by Council for consideration in relation to granting of a construction certificate for the project, these detailed design issues will be addressed by Holcim at construction certificate stage.

Submission

Stormwater Quality and WSUD

- a) A Stormwater Management Plan is to be prepared to satisfy the requirements outlined in Council's Water Quality Control Policy;
- b) MUSIC modelling is to be undertaken to confirm that the water quality requirements have been met. Such modelling is to be undertaken in accordance with Council's draft guidelines. Council is able to supply local MUSIC rainfall and source node data for use in the model;
- c) A design Plan is required detailing the proposed Water Quality devices and locations, including the area around the rail siding;
- d) A drainage catchment plan is required to indicate what areas are draining the specific Stormwater Quality Improvement Devices;
- e) Rainwater tanks are to be provided to supply a minimum of 40% of all non-potable uses for the site, unless physically impossible;
- f) The on-ground concrete storage bays shall be designed to have sufficient containment measures, to avoid wash out of materials that may end up in the waterway; and
- g) Prior to Occupation, a Positive Covenant is to be provided over the Stormwater Quality Improvement Devices in accordance with the requirements with Council's Engineering Guide for Development.

Response

As discussed above, the proposed modifications to the approved RDC will not result in changes to the currently approved Water Management System for the RDC. Therefore, there are no changes to the environmental outcomes related to the above issues raised by Council as a result of the proposed modifications with each of the relevant issues addressed by the original EA (NECS, 2005) and considered by the relevant government agencies at the time of determination of the original project.

These issues are also addressed by the existing Project Approval conditions, in particular by conditions 5.3 (a) and 5.5 (c). These conditions are reproduced below.

Condition 5.3 As part of the Construction Environmental Management Plan for the project, required under condition 5.2 of this approval, the Proponent shall prepare and implement the following Management Plans:

- a) A **Soil and Water Management Plan** to detail measures to minimise dust, erosion and the discharge of sediment and other pollutants to lands and/or waters during construction works associated with the project. The plan shall be prepared in accordance with Landcom's Managing Urban Stormwater: Soils and Construction, 4th edition, March 2004.....

Condition 5.5 As part of the Operation Environmental Management Plan for the project, required under condition 5.4 of this approval, the Proponent shall prepare and implement the following Management Plans:

- a)
- b)

-
- c) A **Soil and Water Management Plan** to detail measures to manage and mitigate the impacts of stormwater runoff from within the site. The Plan shall be consistent with the South Creek Stormwater Management Plan and shall utilise Council's Stormwater Quality Control Policy dated 1 June 2005 as a guide. The plan should include, but not necessarily be limited to:
- a. Details of the monitoring requirements of this approval, specifically the requirements of condition 1.1 of this approval; and
 - b. Details of any contingency measures that would be followed to ensure the protection of groundwater and neighbouring waterways should any non-compliance be detected or during an accident or emergency situation at the site that could result in the contamination of surface water or groundwater; and
 - c. Evidence of compliance with the targets in Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC & ARMCANZ, 2000) October 2000.

Further detailed design information relating to the RDC Water Management System will be provided to the Principal Certifying Authority at construction certificate stage.

Submission

Design and Works Specification

- a) All engineering works must be designed and undertaken in accordance with the relevant aspects of the following documents:
- I. **Blacktown City Council's Works Specification – Civil (Current Version);**
 - II. **Blacktown City Council's Engineering Guide for Development (Current Version);**
 - III. **Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version);**
 - IV. **Blacktown City Council on Site Detention/ Detention Basin/Water Sensitive Urban Design Guidelines and Checklist**
 - V. **Blacktown City Council Stormwater Quality Control Policy**

Response

The above responses address the points regarding the design of the RDC Water Management System.

In regard to the detained engineering design of the project, Holcim will prepare detailed engineering designs for the project in accordance with all relevant standards and submit them to the Principal Certifying Authority for approval prior to the issuing of a construction certificate.

Submission

Environmental Health

- a) Any activity carried out shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997;
- b) All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997; and
- c) In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

Response

As outlined in the EA, the project will require an Environment Protection Licence under the *Protection of Environment Operations Act 1997* (POEO Act). Holcim will operate the site in accordance with the requirements of this licence and all provisions of the POEO Act.

Holcim will manage waste in accordance with the requirements of the Holcim Health, Safety and Environment System to ensure that it does not result in pollution. This will include provision of appropriate waste collection points and use of appropriately licenced waste disposal contractors. Further details regarding the waste management practices to be implemented by Holcim as part of the project are outlined in the EA for the approved RDC (NECS, 2005).

Submission

Other Matters

- a) All hazardous substances, air quality and noise impacts during the construction and operational phases inclusive of mandatory reporting and continued compliance with the targets are adhered to and verified for compliance;

Response

The existing Project Approval conditions for the approved RDC impose performance goals on the RDC for relevant environmental aspects. Noise performance criteria are specified in conditions 2.1 to 2.3, air quality performance criteria are specified in conditions 2.8 to 2.10, with further performance criteria specified for issues including traffic, water, visual amenity and dangerous goods. The Project Approval conditions also require a regular independent environmental audit to verify that Holcim is complying with these requirements. It is considered that these existing Project Approval conditions appropriately address Council's comment.

Submission

Other Matters

- b) Council supports the proposal to increase the density of landscaping and trees on site as set out in Section 5 and 6 of the Report. Any landscaping on Council-owned land is to be endorsed by Council's Open Space Manager, Eddy Rogers with prior written approval.

Response

Holcim will seek the approval of Council's Open Space Manager in regard to the implementation of the proposed landscaping and tree planting on Council land.

3.0 Response to Department of Environment Climate Change and Water Submission

Submission

DECCW is concerned that there will be the loss of another 0.02 ha of Cumberland Plain Woodland Critically Endangered Ecological Community. Notwithstanding, DECCW understands that these additional impacts will be offset in line with the offsets required as part of the original project approval, ie, the implementation of a compensatory habitat package in consultation with DECCW, that may include either provision of land ratio of 3:1, or equivalent financial contribution to environmental works in the local area, or another form of compensatory habitat agreed to by DECCW.

Response

As discussed in Section 6.4 of the EA, the modified RDC will result in an additional 0.09 hectares of land being cleared, of this approximately 0.07 hectares consists of cleared/disturbed land and approximately 0.02 hectares consists of regenerating Cumberland Plain Woodland (CPW). CPW is listed as a Critically Endangered Ecological Community (CEEC) under the *Threatened Species Conservation Act 1995* (TSC Act) and *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The EA found that the proposed modifications to the RDC are not expected to result in a significant impact on any threatened species, populations or Threatened Ecological Communities (TECs), due to the poor quality and small quantity of vegetation to be disturbed and the mitigation measures proposed.

As discussed in the EA and as noted in DECCW's submission, the existing Project Approval conditions for the RDC address the requirement for offsetting impacts to CPW. Specifically:

- Condition 2.27 requires the preparation of a compensatory habitat package which is to include one or more of the following compensatory measures:
 - a) provision of no less than three hectares of compensatory habitat comprising of Cumberland Plain Woodland, whether new or restored, for every one hectare of 'Core Habitat' or 'Support to Core' habitat impacted; or
 - b) equivalent financial contribution to a rehabilitation project in the Blacktown local government area; or
 - c) any other form of compensatory habitat agreed by the DECCW; and

-
- Condition 2.24 requires the preparation and implementation of a Vegetation Management Plan (VMP). The overall aim of the VMP is to improve the quality of the significant vegetation that will remain on the RDC site, including the CPW. The VMP is required to be prepared in consultation with DECCW and to include details of weed management and replanting/revegetation to be undertaken within the project area.

In addition, a range of other ecological management and mitigation measures will be implemented to minimise the ecological impact of the modified RDC, as outlined in Section 6.4.4 of the EA.

It is considered that these existing Project Approval conditions and proposed measures as outlined in the EA appropriately manage the ecological impacts of the RDC, including the impacts of the proposed modifications.

Submission

Further, due to the recent amendment of Schedule 1 of the Protection of the Environment Operations Act 1979 (POEO Act), the applicant may not require to apply for an environment protection licence (EPL), ie, concrete batching plant, has been taken off the Schedule.

Response

We note DECCW's advice regarding the recent changes to the POEO Act. Despite these changes to the Act, as outlined in Section 5.2.2.1 of the EA, the modified RDC will require an Environment Protection Licence (EPL) to be issued by DECCW for the operation of the facility as it is a class of development listed Under Schedule 1 of the POEO Act. Under Schedule 1 of the POEO Act it is considered that the modified RDC falls under Section 19 Clause 1, which relates to:

'land-based extractive activity, meaning the extraction, processing or storage of extractive materials, either for sale or re-use, by means of excavation, blasting, tunnelling, quarrying or other such land-based methods'.

As the modified RDC will receive, store and distribute up to 4 million tonnes per annum (Mtpa) of extractive materials it is considered to be a development listed in Schedule 1 of the POEO Act. Accordingly, Holcim will apply to DECCW for an EPL prior to construction of the RDC. Holcim will consult with DECCW further regarding this issue.

4.0 References

National Environmental Consulting Services Pty Ltd. (2005), *Environmental Assessment Report: Proposed Regional Distribution Centre, Rooty Hill*. Sydney.

Umwelt (Australia) Pty Limited (2010), *Environmental Assessment Proposed Minor Modification to Holcim Regional Distribution Centre (RDC), Rooty Hill, NSW*. Prepared on behalf of Holcim (Australia) Pty Ltd