

25 August 2014

Ref: SSD 6078 – Response to Submissions



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NSW Department of Planning and Environment  
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**Attention:** Emma Barnet

**Subject: State Significant Development 6078 - Oakdale Central, Horsley Park (Lot 21 in Deposited Plan 1173181)**

Dear Emma,

Further to the correspondence received from Fairfield City Council dated 12 August 2014, please find attached a detailed response to the matters raised. This document is to be read in conjunction with the Response to Submissions dated August 2014 prepared by McKenzie Group.

Based on the information provided all matters raised by external agencies have now been satisfactorily addressed.

Should you have any queries in relation to the responses provided, please do not hesitate to contact the undersigned.

Yours faithfully,

A handwritten signature in blue ink, appearing to read "Andrew Cowan".

Andrew Cowan  
Senior Planner  
McKenzie Group Consulting Planning (NSW) Pty Ltd  
ACN 146 03

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**Supplementary Report – Response to Fairfield City Council**

#	Issue	Response
1.	<p><b>A. Vegetation Management Plan</b></p> <p><i>The implementation of the VMP needs to be financially resourced noting the value of the works specified within Section 4 of the Vegetation Management Plan totals \$1.5 Million. Without secured funding, the VMP is compromised.</i></p> <p><i>Should the VMP addendum affect the scope of work detailed in Section 4 of the VMP, a revised cost needs to be specified.</i></p> <p><i>The VMP Should align with the Urban Design and Landscape Plan for the project to ensure consistency between the two documents.</i></p> <p><i>Careful planning and sufficient lead time is required to achieve the large number of plants required to grow from seed sourced on site, within 15 km of the site or Ropes Creek catchment. If sourcing seed from within these parameters is difficult, it is much more preferred to widen the provenance radiance to greater than 15km and ensure still 'Cumberland Plan' provenance. In Council's experience, provenance from large landscape suppliers is usually questionable.</i></p> <p><i>An audit of the implementation of the VMP and its outcome, ensuring satisfactory compliance is requested as part of the development approval.</i></p>	<p>The VMP requirements and considerations are addressed in detail at <b>Appendix 1</b> of this report.</p> <p>Noted and agreed</p> <p>Noted and agreed. A VMP will be prepared in conjunction with the detailed landscape design.</p> <p>Noted and accepted. The required will be determined by the species included in the final landscape design for the OWR upgrade road reserve corridor.</p> <p>Noted and agreed.</p>
2.	<p><b>B. Contamination</b></p> <p><i>Contamination relating to the Section of land intended for the road upgrade has been addressed and no objection is raised to the road upgrade subject to the following conditions.</i></p> <p><b>Environmental Management Plan – Prior to the commencement of any works, an Environmental Management Plan</b></p>	<p>Noted and agreed. In addition, a Contractors Environmental Management Plan(CEMP) will be required from the construction contractor to incorporate</p>

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<p><i>prepared by a suitably qualified environmental consultant shall be submitted to the consent authority for review and subsequent approval.</i></p> <p><i>The EMP shall include but not limited to the assessment/management of any contamination (including but not limited to asbestos containing materials) discovered during earthworks associated with the road upgrade.</i></p> <p><b>Land Contamination</b> – <i>Any new information which comes to light during the remediation, demolition or construction works which has potential to alter previous conclusions about site contamination or remediation must be notified to Council and the accredited certifier immediately after discovery.</i></p> <p><b>Air Quality</b> – <i>Where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, dust is to be suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport.</i></p> <p><b>Waste Classification</b> – <i>Prior to the exportation of waste (including fill or soil) from the site, the material shall be classified in accordance with the provisions of the Protections of the Environment Operations Act 1997 and NSW Environmental Protection Authority (formerly known as Department of Environment and Climate Change) Environmental Waste Classification Guidelines. The Classification of the material is essential to determine where the waste may be legally taken.</i></p> <p><b>Erosion and Sediment Control (FCC Standard Condition 3.8)</b> – <i>Prior to the commencement of any construction works on site, erosion and sediment controls shall be implemented prior to clearing of any site vegetation, to ensure the maintenance of the environment and to contain soil erosion and sediment on the property. Erosion and sediment controls shall be maintained until all construction works are completed and disturbed areas are restored</i></p>	<p>environmental safeguards and mitigation measures as identified with the EIS and EMP</p> <p>Noted and agreed. The CEMP will be required to include procedures to address this issue.</p> <p>Noted and agreed. Noted and agreed. The CEMP will be required to include procedures to address this issue.</p> <p>Noted and agreed. Noted and agreed. The CEMP will be required to include procedures to address this issue.</p> <p>Noted and agreed. Noted and agreed. The CEMP will be required to include procedures to address this issue.</p>
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<p><i>by turfing, paving and revegetation.</i></p> <p><i>The documented erosion and sediment control plan shall be available on site for inspection by the consent authority and all contractors undertaking works on the site.</i></p> <p><b>Environmental Reports Certification (FCC Standard Condition No.4.3.6) –</b>  <i>After the completion of works, written certification from a suitably qualified person(s) shall be submitted to the consent authority stating that all works/methods/procedures/control measures/recommendations in the following reports have been completed:</i></p> <p><i>Phase 1 ESA, dated 22 May 2014 prepared by AECOM Australia Pty Ltd, Document No. 60220882-3.0_RPE_22052014_0</i></p> <p><b>Monitoring of State of Roadways – FCC Standard Condition No.7.29</b>  <i>The applicant shall monitor the state of roadways leading to and from the site and shall take all necessary steps to clean up any adversely impacted road pavements as directed by Council.</i></p> <p><b>Waste Receipts (FCC Standard Condition No.8.27) - A</b>  <i>permanent record of receipts for the removal of both liquid and solid waste from the site shall be kept and maintained up to date at all times. Such record is to be made available to authorised person upon request.</i></p> <p><b>Fill Validation Report (as amended)(FCC Standard Condition No.8.29)</b>  <i>a) Prior to the importation of any land fill material onto the site, a validation report prepared in accordance with the NSW EPA Contaminated Sites Guidelines, shall be submitted to the Consent Authority for approval. The validation report shall state in an end statement that the fill material is</i></p>	<p>Noted and agreed.</p> <p>Noted and agreed in relation to impacts to existing road pavements resulting directly from construction activities for the OWR upgrade works.</p> <p>Noted and agreed. The CEMP will be required to include procedures to address this issue.</p> <p>Noted and agreed. The construction specification will require the CEMP to include a materials management plan to include procedures to address this issue and be implemented during construction.</p>
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	<p><i>suitable for the proposed use of the land.</i></p> <p>b) <i>In the event that the fill/spoil associated with the road upgrade works are intended to be re-used outside the subject land, validation sampling of the material shall be carried out in accordance with the NSW EPA Contaminated Sites Guidelines. A validation report shall be submitted to the consent authority for approval. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.</i></p> <p><b>Chain of Custody Documentation (FCC Standard Condition No.8.30)</b> <i>Chain of Custody Documentation shall be kept for the transport of validated fill material from the source site to the subject premises. A record of Chain of Custody shall be submitted to the consent authority within seven (7) days of the fill material being moved, to or from, the subject site.</i></p>	<p>Noted and agreed. The construction specification will require the CEMP to include a materials management plan to include procedures to address this issue and be implemented during construction.</p> <p>Noted and agreed.</p>
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**Appendix 1**  
**VMP Requirements and Considerations**

## Responding VMP requirements and considerations

<b>Vegetation Management Consultant</b>	
Responsibilities	Monitoring/reporting and provision of advice for restoration and revegetation project
	Ensuring compliance with VMP
	Certification that restoration and revegetation works have met the assessment criteria at completion of PC and PEPE in consultation with the consent authority
Specific tasks	<b>1. Prepare contractor's scope of works</b>
	Convert the activities required by the Bush Regeneration Contractor (BRC) specified in the VMP into concise scope of works suitable for Goodman to obtain quotes from subcontractors
	<b>2. Plant Procurement</b>
	2.1. Review VMP (AECOM, June 2011) and VMP amendment (AECOM, December 2012) rehabilitation and revegetation zones and prepare planting schedule
	2.2. Make enquiries on behalf of Goodman as to the availability of plant stock required (against planting schedule) and determine what additional propagation requirements are necessary <sup>1</sup>
	2.3. Document tasks 2.1. and 2.2. sufficient to enable Goodman to engage suppliers of plant stock required.
	2.4. Nursery inspections
	2.4.1. 2 months prior delivery
	2.4.2. 2 weeks prior delivery
	The aim of nursery inspections is to ensure that the propagation and/or maintenance of existing and available plant stock is being undertaken appropriately, ensure that reserved plant stock is in good condition, and to identify any issues that affect the anticipated planting installation <sup>2</sup>
<b>3. Compliancy Monitoring and Reporting</b>	
3.1. Undertake inspections at key milestones as follows:	
3.1.1. <b>On completion of site preparation works:</b> to ensure that the all preparation works are completed satisfactorily in readiness for delivery and	

<sup>1</sup> A number of nursery and seed suppliers are likely to have plant stock available that is suited to this project and the VMP's requirements. Securing such would substantially decrease both time and effort in the delivery of plant stock which could be used as initial 'core' plantings, with additional diversity and/or key species not currently available able to be forward ordered for 'supplementary' plantings to fulfil the VMP requirements.

<sup>2</sup> Nursery inspections are an important insurance exercise for any project of this scale and nature. Most commercial nurseries will initially offer cost effective prices per plant unit, but costs can escalate substantially if existing plant stock needs to be 'potted on' (i.e. becomes root bound and requires relocation into larger sized stock containers. This risk is of equal importance to the preparation of the site for planting. Delays by the Principal or the Principal's BRC contractor in receiving plant stock for installation will incur additional cost.

installation of plant stock.

Delivery and receipt of plant stock should not be facilitated until any identified non-conformances are rectified.

3.1.2. **On completion of plant installation.** This assumes that the BRC will be responsible for inspecting all plant stock at site on delivery and will be required to not accept damaged or unviable plant stock. Optionally the VMC could be engaged to undertake an additional inspection timed with the delivery of plant stock.

Inspection of plant installation will identify any non-conformances and the BRC will be required to rectify such.

3.1.3. **Practical completion (PC).** Post plant installation site visit with NOW to sign off on PC.

#### 4. Monitoring & Reporting over 1 year

4.1. **Undertake 3 monthly inspections over the first year post PC,** inclusive of brief memorandum style reporting to Goodman – items reported will include progress against project timelines, identification of any non-conformances, any potential issues and how these may be, or have been, rectified.

4.2. **Undertake annual inspection** (4<sup>th</sup> of three monthly inspection over first year post PC), inclusive of reporting that collates and summarise 3 monthly inspections/memos, any data/photography collected during the year, identifies trends (positive and negative), and any recommendations or improvement opportunities

4.3. **Maintenance schedule.** Review in consultation with Goodman the BRC's proposed maintenance regime for the ensuing year.

**Note:** The VMP specifies that maintenance requirements should extend for a minimum of two years after PC or until such time as a minimum 80% survival rate for all plantings and a maximum five percent (5%) weed cover for the treated riparian corridor (controlled activity) is achieved.

However, it is currently unclear whether NOW have provided Goodman with any specific timeframes and subsequent milestones for which certification of works undertaken is required (other than the guidance provided in the VMP). Hence unable to identify in the above scope outline when further certification and relevant sign off required.

Additionally, the above scope encompasses one year only. However it is envisioned by this stage that the BRC will have a sound understanding of what ongoing maintenance requirements will be for the ensuing year. Ongoing monitoring and reporting requirements are likely to substantially decrease in intensity compared to the first year post PC. Hence it best to reassess these requirements at this stage rather than try to predict them now – or amend once NOW's timeline understood?