

Notice of Modification

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

As delegate of the Minister for Planning, I modify the project approval referred to in Schedule 1, as set out in Schedule 2.


Richard Pearson
Deputy Director-General
Development Assessments and Systems Performance

Sydney 22nd March 2011

SCHEDULE 1

Holcim Regional Distribution Centre, Rooty Hill (05_0051), granted by the Land and Environment Court on 24 November 2006

SCHEDULE 2

1. Delete the definitions for "DEC", "DNR", "EPA" "Project" and "Proponent" in the Definitions in Schedule 2, and insert in alphabetical order the following:

AEMR	The Annual Environmental Management Report required under condition 6.3
DECCW	Department of Environment, Climate Change and Water
NOW	NSW Office of Water
Project	The project as described in the documentation listed in condition 1.1, the general layout of which is shown in Attachment 3
Proponent	Rinker Australia Pty Limited (Readymix), or its successors

2. Delete all references to "DEC", "EPA" and "Department of Environment and Conservation" and replace with "DECCW".
3. Delete all references to "DNR" and replace with "NOW".
4. In condition 1.1, delete all words after "17 March 2006;" and insert:
 - (e) the *Environmental Assessment Report - Proposed Minor Modification to Holcim Regional Distribution Centre (RDC), Rooty Hill, NSW* prepared by Umwelt (Australia) Pty Limited, dated October 2010; including the *Response to Submissions for Proposed Minor Modification to Holcim Regional Distribution Centre (RDC), Rooty Hill, NSW*, dated 9 December 2010, and the March 2011 Modification Statement of Commitments shown in Attachment 2; and
 - (f) the conditions of this approval.

Note: The general layout of the project is shown in Attachment 3.

5. Delete condition 1.2, and insert the following:

If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.

6. After condition 1.12A, insert the following:

Structural Adequacy

- 1.13 The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes:

- *Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the Project.*

7. In condition 2.19, delete “the existing and realigned”.

8. In condition 2.20A:

- a. delete “, relocations and replacements”;
- b. in paragraph a), delete “, Council’s operational requirements with respect to North Parade”; and
- c. in paragraph d), delete “equivalent to the full cost of the North Parade works, and equivalent to percentage of” and insert “fully reflecting the percentage of heavy” .

9. Delete condition 2.21B.

10. In paragraph c) of condition 2.31, after “March 2004” insert “and *Managing Urban Stormwater Soils and Construction: Volume 2D Main Road Construction*”.

11. Delete condition 4.1 and insert the following:

- 4.1 By 30 September 2011, the Proponent shall:

- (a) make copies of the following publicly available on its website:
 - the documents referred to in condition 1.1;
 - all relevant statutory approvals for the project;
 - all approved strategies, plans and programs required under the conditions of this approval;
 - a comprehensive summary of the monitoring results for the project;
 - a complaints register, which is to be updated on a quarterly basis;
 - the AEMR reports required under this approval (over the last 5 years);
 - any independent environmental audit of the project, and the Proponent’s response to any recommendations in any audit; and
 - any other matter required by the Director-General; and
- (b) keep this information up-to-date, to the satisfaction of the Director-General.

In paragraph b) of condition 5.2, delete “the EAR and supporting information submitted to the Department (as referenced in condition 1.1), as well as the final Statement of Commitments submitted by the Proponent to the Department on 17 March 2006” and insert in its place “the documents referenced in condition 1.1”.

12. Insert new Attachment 2, as follows:

ATTACHMENT 2

MARCH 2011 MODIFICATION STATEMENT OF COMMITMENTS

Final Statement of Commitments

If approval is granted under Section 75W of the EP&A Act for the proposed modifications, and in addition to the Project Approval Conditions for the RDC, Holcim will commit to the following:

Compliance with this EA

1. To carry out the project generally in accordance with the modification application and this EA report.

Noise

2. The following noise controls will be implemented for the modified RDC:
 - all conveyor drives and transfer points will be enclosed (or alternative comparative mitigation);
 - the most eastern side of the truck load-out facility will be enclosed;
 - noise walls will be constructed during the site establishment phase of construction (refer to **Figure 6.1** for noise wall locations. Noise wall specifications are outlined in **Appendix 2**);
 - plant design, specification and implementation of the modified RDC to achieve the relevant noise criteria (refer to **Appendix 2**);
 - during construction noisy equipment will be situated behind structures that act as barriers or at distance from the noise-sensitive areas, where possible;
 - construction plant and equipment will be maintained in good working order;
 - during construction 'quiet' practices will be employed when operating equipment (e.g. unloading of trucks away from noise sensitive areas); and
 - Holcim will liaise with Blacktown City Council and the Western Sydney Parklands Trust regarding the management of construction noise impacts on Nurraging Reserve.

Holcim is committed to achieving the noise mitigation outcomes achieved by the above management controls. As technological advances occur and through implementing operational management controls, Holcim may be able to achieve the same noise mitigation outcomes through alternative means. Holcim may therefore modify the above management controls in response to these technological advances or operational controls, provided that the same overall noise management outcomes are achieved.

Air Quality

Construction

3. Holcim will implement the following controls during construction of the modified RDC to minimise dust emissions associated with the Project:
 - minimising all disturbed areas and stabilisation by progressive rehabilitation/stabilisation as soon as practicable;
 - clearly identifying and delineating areas required to be disturbed and ensuring that disturbance is limited to those areas;

- minimising the area of disturbance by restricting vegetation clearing ahead of construction activities;
- removal of any material which is tracked onto pavement surfaces at the end of each working day;
- place hardstand material or install rumble grids at site exit points onto public roads to minimise the tracking of soil onto pavement surfaces;
- all trafficable areas on the site will be maintained in a condition that will minimise the generation or emission of windblown or traffic generated dust from the site at all times;
- vegetation will be established on soil stockpiles if they will be undisturbed for a period longer than three months;
- topsoil stripping will be undertaken when there is sufficient moisture content in the soil to minimise dust generation;
- plant and equipment will not be left idling when not in use;
- restricting or ceasing dust-generating activities on extremely windy or dry days; and
- ensuring that all equipment used on site will be maintained in good working order and in accordance with manufacturers specifications to minimise emissions.

Operation

4. Holcim will implement the following controls to minimise dust emissions associated with the operation of the project:
 - all conveyor transfer points will be enclosed;
 - conveyors will be covered on at least three sides;
 - water sprays will be used within the transfer point enclosures, rail unloading facility and in other enclosures as required to further minimise dust;
 - water spray systems will be installed to service all stockpiles;
 - the rail unloading facility will be enclosed in a building that is open at each end to allow trains to pass through;
 - all paved trafficable areas shall be swept as required by a permanently stationed street sweeper to minimise dust;
 - all trafficable areas on the site will be maintained in a condition that will minimise the generation or emission of windblown or traffic generated dust from the site at all times;
 - plant and equipment will not be left idling when not in use;
 - the radial stacker and associated stockpiles will have water sprays which will be used when the facility is in operation, including when loading vehicles, as required to suppress dust;

- vehicle movements will be confined to designated areas, and vehicles will only travel on sealed roads; heavy vehicles entering and leaving the site that are carrying loads shall be covered at all times, except during loading and unloading activities; and
- ensuring that all equipment used on site will be maintained in good working order and in accordance with manufacturers specifications to minimise emissions.

Ecology

5. In addition to the existing commitments the following mitigation measures will be implemented to further reduce the impact of the modified RDC:
 - prior to any clearing operations being undertaken, the limits of clearing will be clearly marked;
 - native logs and bark removed during construction will be retained and reused in areas of Cumberland Plain Woodland, during regeneration and revegetation to provide sheltering habitat for the Cumberland land snail;
 - sedimentation and erosion control measures will be put in place and maintained during construction and operation to ensure that soil material does not enter surrounding woodland and waterways; and
 - the post-construction rehabilitation program will use local native plant species and incorporate a weed control program to prevent the spread of weed species into the surrounding woodland landscape.
6. Holcim will consider the small additional area of Cumberland Plain Woodland to be cleared for the modified RDC when establishing the Ecological Offset for the project as part of the preparation of the Vegetation Management Plan required by Project Approval Condition 2.24.

Water Resources

7. All erosion and sediment control measures will be carried out in accordance with relevant guidelines for erosion and sediment control, including Managing Urban Stormwater: Soils and Construction (the Blue Book):
 - *Volume 1* (Landcom, 2004); and
 - *Volume 2D Main road construction* (DECC, 2008).

Greenhouse

8. Holcim will develop and implement an Energy Saving Management Plan (ESMP) as part of the Operation Environmental Management Plan. The ESMP will review energy usage, identify energy savings opportunities, and based on this, will implement viable energy saving measures.

Visual

9. The externally visible elements of the on-ground concrete storage bins, the concrete plant silos, concrete batching plant, unloading station and other bulky elements, will be coloured in tones that are sympathetic (i.e. green/brown tones) to the surrounding native vegetation.

Hazard

10. The following control measures will be implemented associated with the development in relation to the high pressure gas pipeline:

Technical control measures include:

- design of piping and structures in accordance relevant standards;
- geotechnical assessment to determine soil stability prior to construction activities;
- use of appropriate equipment to minimise the impact on the pipe in the event of contact; and
- use of process and design controls including limited excavation depths, buffer distances and designated crossings to limit potential for contact with or overstress of the pipe.

Non-technical safeguards and procedures include:

- assessment of process designs, site layout and design changes;
- procedural control including the pipeline owner's Daily Permit System and site inductions;
- preparation of operating/construction procedures, including awareness and training;
- cessation of operations in adverse weather conditions;
- implementation of site speed limit, driver training, route selection and physical barriers where appropriate;
- provision of physical controls including fencing of siding during construction;
- limiting access to authorised personnel only and implementation of security patrol if necessary;
- appropriate training and supervision of operations; and
- provision of ongoing maintenance and operation procedures.

13. Insert new Attachment 3, as follows:

ATTACHMENT 3 APPROVED PROJECT LAYOUT

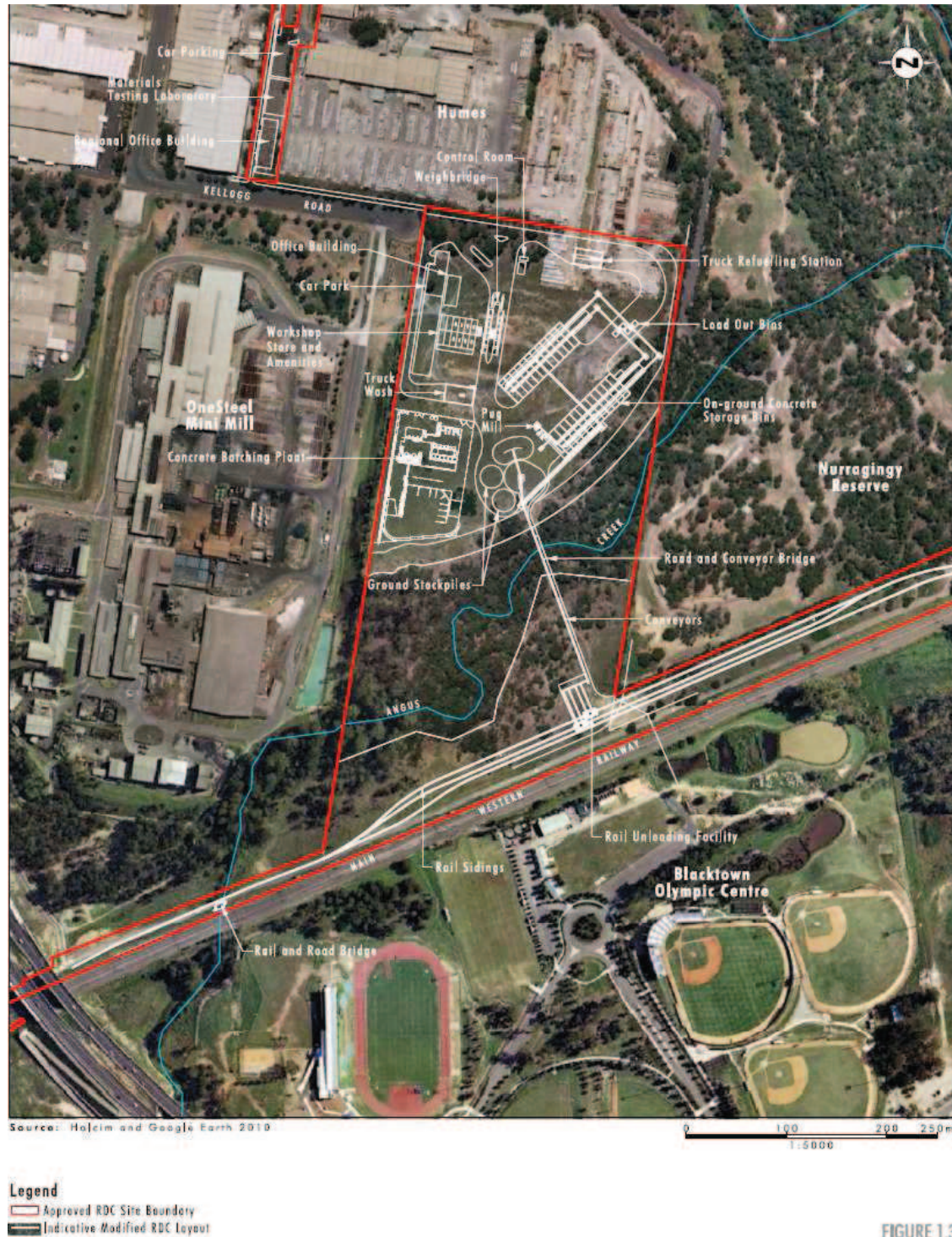


FIGURE 1.3

Indicative Modified RDC Layout