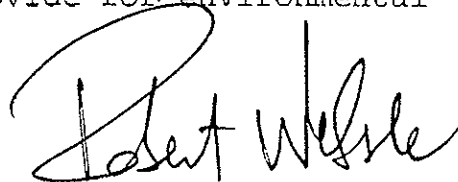


ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

DETERMINATION OF A DEVELOPMENT APPLICATION PURSUANT TO
SECTIONS 89(1) AND 101(8)

In pursuance of Sections 89(1) and 101(8) of the Environmental Planning and Assessment Act, 1979, I, the Minister for Planning, determine the development applications referred to below in Schedule 1 and Schedule 2 by granting consent to these applications subject to the conditions set out in the Schedule 3.

The reason for the imposition of the conditions in respect to each development is to minimise the adverse impact the developments may cause and to provide for environmental monitoring and reporting.



Robert Webster
Minister for Planning

Sydney,

12/10/

1992

File: S92/00191

APPLICATION

Schedule 1

APPLICANT : Australian Newsprint Mills Limited

DEVELOPMENT APPLICATION : No 147/92, dated 20th May 1992

COUNCIL : Albury City Council

LAND : Lots 21 and 22, DP 604181,
Lots 6, 8, 9 and 10 DP 264463
Lot 3, DP 258810 in the Parish of Mungabarina,
City of Albury

PROPOSED DEVELOPMENT : Modification to an existing pulp and paper mill by the installation of a recycled fibre plant and associated work, to enable the storage and warehousing of old newspapers and similar products and the deinking and recycling of such products into pulp which can then be used in the production of newsprint at the existing mill, on land situated between the Hume Highway and Olympic Way at Table Top.

RELEVANT
CONDITIONS IN
SCHEDULE 3 : No 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 15,
17, 18, 19, 20, 21, 22, 23, 24, 26 and 27

SCHEDULE 2

DEVELOPMENT
APPLICATION : No 41/92, dated 20th May 1992

COUNCIL : Hume Shire Council

LAND : Lot 13 (part), DP 8735 Parishes of Bowna and
Mungabarina, Shire of Hume;
Lot 15, DP 813569; Lots 2,3 (part), 4 (part), 7
and 8, DP 10665 Parish of Bowna, Shire of Hume;
Portion of the Great Southern Railway and Hume
Highway reserves, Shire of Hume;
Crown Land reserved for road purposes vested in
the Crown and unmade road reserve vested in
Shire of Hume.

PROPOSED
DEVELOPMENT : Establish a Local Waste Water Reuse Scheme
involving the installation of a pipeline under
the Great Southern Railway Line and Hume
Highway, along with the construction of a
storage dam, the development of an irrigation
system, the planting and management of trees and
the storage and disposal of treated wastewater
from ANM's paper and pulp mill, on land
generally known as "Maryvale" located to the
north east and east of ANM's mill, fronting the
Hume Highway south of Bowna Road.

RELEVANT
CONDITIONS IN
SCHEDULE 3 : 1, 2, 3, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17,
18, 19, 22, 23 and 25

NOTE : (1) To ascertain the date upon which this
consent becomes effective, refer to
section 101(9) of the Act;

(2) To ascertain the date upon which the
consent is liable to lapse, refer to
section 99 of the Act.

SCHEDULE 3

1. GENERAL:

The development is to be carried out generally in accordance with the Environmental Impact Statement (EIS) dated 1 May, 1992 and the supplementary submissions to the Commission of Inquiry dated 31 July, 21 August and 11 September 1992 prepared by Gutteridge Haskins and Davey Pty Ltd subject to the conditions below.

2. OTHER APPROVALS AND LICENCES:

The applicant shall, at its own expense, obtain and keep current all licences, approvals and other forms of authorisations required to construct and operate the Recycled Fibre Plant (RFP) and the Wastewater Reuse Scheme (WRS). The applicant shall obtain all approvals or licences as may by future legislation or regulation become necessary for the conduct of the development and shall conduct the development within the terms of such approvals and licences.

3. NOTIFICATIONS OF COMMENCEMENT:

The applicant shall notify the Department of Planning, Environment Protection Authority, NSW Agriculture, NSW Fisheries, the Department of Water Resources, the Department of Conservation and Land Management, the Murray Darling Basin Commission, NSW Dam Safety Committee, Roads and Traffic Authority (NSW), Pacific Power, Gas and Fuel Corporation of Victoria, Hume Shire Council and Albury City Council of the date of commencement of construction and the date of commencement of operation of the RFP and WRS. Such notifications shall take place within one month of these commencement dates.

4. RECYCLED FIBRE PLANT AND MILL

- 4.1 All new building works, alteration to the existing structures (including holding ponds, bund walls and mounding) proposed on lots 21 and 22 DP 604181, lots 6, 8, 9 and 10 DP 264463 and lot 3 DP 258810 shall be the subject of a building application submitted to Albury City Council for approval. The details to be included in this application shall be the subject of prior discussions with Council's Building and Development Services Department, in order that information necessary to approve such works is available to Council.
- 4.2 The location of the site of the RFP within the applicant's mill site shall be generally in accordance with the EIS subject to the approval by Pacific Power to the relocation of the 132 kV transmission lines to approximately 100 metres

to the north of the existing power lines. Should Pacific Power not approve the relocation of the power lines then the RFP site shall be within a 200 metre radius of the proposed site.

5 PLANTATION AND LANDSCAPING PLAN:

Maryvale Site:

- 5.1 The applicant shall obtain any necessary approvals required by law from Hume Shire Council and National Parks and Wildlife Service prior to the removal of existing trees.
- 5.2 'Scarred' trees (alive or dead) including those identified in the Archaeological Survey for Aboriginal Sites of Maryvale, Albury NSW (August 1992 prepared by Smith and Upcher) shall be managed in accordance with Condition 6.
- 5.3 The applicant shall submit Plantation and Landscaping Plans for the Maryvale site to Hume Shire Council prior to the commencement of the construction. The plans shall identify those areas to be planted with irrigated radiata pine; areas of irrigated eucalypt and other native species; dryland tree planting areas for the control of waterlogging and salinity; and areas to be planted for dryland eucalypt and other native tree and shrub species for the purposes of amenity enhancement, visual screening, and habitat enhancement. Generally these plans shall be in accordance with the concept plan in the EIS (Figure 6.2 EIS) and shall contain a schedule of species (identification by common and botanical names) to be used in each area.
- 5.4 The applicant shall maintain the landscaping to the Hume Shire Council's requirements for the life of the project. Landscaping shall be implemented in stages in accordance with a schedule approved by Hume Shire Council and shall be commenced prior to the commencement of the operation of the WRS. After establishment of the initial areas of landscaping, clearing or removal of the trees comprising any part of the landscaping areas shall not occur, other than for the purposes of regular maintenance and in accordance with good silvicultural practice, unless approved in writing by Hume Shire Council.
- 5.5 The applicant shall prepare and update annually a staged thinning, logging and replanting program designed to maximize the utilisation of wastewater by the irrigation scheme described in Condition 13. This program shall be submitted to the Hume Shire Council at least 12 months prior to the commencement any of the above works.
- 5.6 Tree plantings shall be clear of the transmission line easement and not within 5 metres of the gas pipeline centre line.

Mill Site:

- 5.7 The applicant shall submit a landscaping plan for the mill site within three months of the date of consent to Albury City Council. This plan shall detail trees to be removed and the location and species of plantings for screening and replacement of landscaping removed by the construction works. The removal of existing trees shall be subject to the applicant obtaining approvals required by law from Albury City Council.
 - 5.8 Landscaping shall be implemented and updated to the satisfaction of Albury City Council for the life of the project.
- 6 **ARCHAEOLOGICAL CONSIDERATIONS:**
- 6.1 The applicant shall not disturb aboriginal relics (deposits, objects or material evidence) including those identified in the Archaeological Survey for Aboriginal Sites of Maryvale, Albury NSW (August 1992 prepared by Smith and Upcher) (the survey) without prior consultation with the Albury and District Local Aboriginal Land Council and the written consent of Director of National Parks and Wildlife.
 - 6.2 The applicant may seek 'consent to destroy with salvage' of sites identified in the survey as M3, M4, M5, M6, M7, M8 and IA2, IA3, IA4, IA7, IA8, IA9, IA10 from the Director of National Parks and Wildlife. The applicant shall carry out salvage in accordance with the recommendations of the Director of National Parks and Wildlife after prior consultation with the Albury and District Local Aboriginal Land Council. Records of the salvage operation and artifacts shall be stored and managed in accordance with recommendations of the Director of National Parks and Wildlife.
 - 6.3 The applicant shall permanently fence a buffer area around campsites and scarred trees (M1, M12, M13, M14) identified in the survey. The buffer area for campsites shall be a minimum of one metre from the extremity of the site and for scarred trees equal in size to the canopy as determined by a National Parks and Wildlife Service Officer.
 - 6.4 The applicant shall inform all its workers and contractors of the location of Aboriginal relics identified in the survey and of the obligation under the National Parks and Wildlife Act not to disturb aboriginal relics and that they are subject to the requirements of the Director of National Parks and Wildlife.
 - 6.5 The applicant shall cease work or cause work to cease if any skeletal remains are found and the Director of National Parks and Wildlife Services shall be notified within 24 hours. Works shall not resume except with written approval from the Director of National Parks and Wildlife.

7 ACCESS AND SITE ROADS, MARYVALE:

- 7.1 Access to the Maryvale site for all purposes associated with the WRS permitted by this consent, will be via Table Top Road, also known as Burma Road. The design and location of the access and associated road works shall be to the requirements of the Roads and Traffic Authority of NSW and Hume Shire Council.
- 7.2 Access roads and tracks within the Maryvale site shall be designed, constructed and maintained to the satisfaction of the Department of Conservation and Land Management to minimise soil erosion.
- 7.3 The applicant shall not install drains within Pacific Power transmission line easement so as to impede access by Pacific Power officers.
- 7.4 The applicant shall obtain approval from the Gas & Fuel Corporation of Victoria for the design and construction of any vehicular crossing over the gas pipeline prior to the commencement of the crossing.

8 PACIFIC POWER CONSIDERATIONS:

- 8.1 Any activity to be carried out within the Pacific Power transmission line easement shall be in accordance with Pacific Power guidelines and:
 - (a) the height of mobile plant, machinery or heavy vehicles (including aeriels) shall not exceed 4.3 metres when operating on the easement;
 - (b) where pipelines cross within 30 metres of any part of an existing support structure, then the pipelines shall be non-metallic.

9 GAS AND FUEL CORPORATION OF VICTORIA CONSIDERATIONS:

- 9.1 Any activity to be carried out in the vicinity of the gas pipeline shall be generally in accordance with the Gas and Fuel Corporation of Victoria "Conditions for works near gas transmission pipelines" and :
 - (a) the existing cover over the pipeline of 200mm shall not be reduced;
 - (b) no disturbance to the Corporation's equipment shall occur;
 - (c) no mechanical equipment shall be used or parked within a horizontal distance of two metres from the pipeline centreline;
 - (d) a minimum of 48 hours notice is to be given by the applicant of any intended works in the vicinity of the pipeline to the Gas and Fuel Corporation of Victoria Pipeline Office, Dandenong.

10 PIPELINE CROSSING OF GREAT SOUTHERN RAILWAY LINE AND HUME HIGHWAY:

10.1 The installation of the wastewater pipeline crossing of Hume Highway shall be approved by Roads and Traffic Authority. The applicant shall ensure that :

- (a) the installation is to be carried out by thrust boring, with the crossing at right angles to the road centreline where possible;
- (b) the pipeline is to be:
 - i) sleeved in a galvanised steel pipe and ducted under the road formation to facilitate future pipeline maintenance;
 - ii) located in a minimum of 1.0m below the natural surface (0.6m below table drain) for the full width of the road reserve to avoid damage whilst grading table drains;
 - iii) marked by large durable markers at the fence boundaries indicating location of the pipeline;
- (c) any pipes located parallel to the highway within the highway reserve shall be placed where possible within 1.0m of the boundary fencing;
- (d) no tank or reservoir shall be located within the highway reserve;
- (e) valve and hydrant covers shall be flush with the ground to minimise their potential as traffic hazards;

10.2 The applicant shall install the wastewater pipeline crossing of the Great Southern Railway Line in accordance with State Rail Authority Guidelines and the design and construction shall be approved by the Division Engineer Wagga Wagga.

10.3 The applicant shall consult with Albury City Council and Hume Shire Council with regard to the installation of the wastewater pipeline crossing prior to construction.

11 SOLID WASTE MANAGEMENT PLAN:

11.1 With the exception of sludge to be used in land application trials on agricultural and forestry sites, the applicant shall dispose of all solid waste from the mill in accordance with existing approvals for mill solid wastes as modified by Condition 11.2 in this consent, until an alternative solid waste management plan is approved in accordance to Condition 11.3.

Landfill disposal:

- 11.2 The applicant's disposal of solid waste to Delaney's Quarry landfill site shall be modified in the following manner:
- (a) The applicant shall equip the landfill site with cut-off drains to divert rain water run-off from the landfill working area and a drainage system to collect run-off from the landfill site and divert it to a holding pond system. Water from this system shall be irrigated onto land on the landfill site.
 - (b) The applicant shall progressively rehabilitate the site and shall within one year of cessation of solid waste disposal at a landfill site restore that site, to the satisfaction of the Hume Shire Council by covering it with top soil and planting of grass and trees.
 - (c) The applicant shall install appropriate equipment for the implementation of the monitoring program in Condition 18.

Solid Waste Management Plan

- 11.3 The applicant shall prepare a solid waste management plan which will address disposal of sludge to existing and future landfill sites and a sludge reuse scheme. The plan shall address matters in Conditions 11.4, 11.5 and 11.6 and shall be prepared in consultation with the Department of Planning, Environment Protection Authority, Department of Conservation and Land Management, NSW Agriculture, Department of Water Resource, NSW Forestry Commission, Albury City Council and Hume Shire Council. The applicant shall lodge the plan with the Director of Planning prior to 31 May 1993 (or such further period as the Director of Planning shall approve) for the approval of Director of Planning. Following approval, the applicant shall dispose of solid wastes in accordance with the approved solid waste management plan.
- 11.4 As part of the preparation of the solid waste management plan required under Condition 11.3, the applicant shall investigate alternative landfill sites and any necessary approvals, licences, other authorisations or requirements.
- 11.5 As part of the preparation of the solid waste management plan required under Condition 11.3, the applicant shall undertake sludge utilisation trials on forestry and agricultural land to establish application methods, rates, environmental controls, and monitoring program criteria.

- 11.6 Any sludge land application scheme developed as part of the solid waste management plan in Condition 11.3, shall operate generally in accordance with the plan outlined in the Project Statement on ANM Sludge Utilisation Scheme submitted to the Commission of Inquiry on 11 September 1992 subject to the following conditions:
- (a) The applicant shall be responsible for the transport and application of sludge as a soil additive subject to the applicant (or their sub-contractors) obtaining any necessary approvals, licences and other authorisations.
 - (b) The sludge land application scheme shall detail application rates and methods, scheduling systems, environmental controls and record keeping provisions;
 - (c) The applicant shall provide and manage a stockpiling site on the mill site for sludge to be used in land application schemes. The stockpile site shall consist of a bunded impervious surface with a run-off collection system connected to the wastewater treatment works. Short term storage of sludge for use on a land application site may occur at that application site for a period of not greater than ten days;
 - (d) The applicant shall maintain a land application contingency scheduling plan which shall provide for a minimum of two years disposal of sludge on lands controlled by the applicant.
 - (e) The dewatered sludge for land application shall not be less than 38% dry solids.
 - (f) The applicant shall develop a monitoring program for the forestry and agricultural land to the requirements of Environment Protection Authority in consultation with Department of Water Resources, NSW Agriculture, NSW Forestry Commission and Department of Conservation and Land Management.

Incineration

- 12 Sludge shall not be incinerated under this consent.

WASTEWATER REUSE SCHEME:

13 CORE IRRIGATION SCHEME

- 13.1 The wastewater re-use scheme shall be fully operational by 31 December 1996 generally in accordance with the EIS (Figure 6.2 & 6.3) and shall utilise establishment, management and irrigation scheduling principles as described in the EIS (pages 6-25, 6-26 and 6-27).

- 13.2 Within 18 months of the date of the consent, the applicant shall have planted a minimum 302 hectares of plantation trees and shall lay the irrigation network to 202 hectares of these 302 hectares. If an alternative treated wastewater irrigation scheme (developed as a result of Condition 13.6) is not fully operational by 1 November 1996, then the applicant shall lay the irrigation network to and irrigate the entire 302 hectares at Maryvale by 31 December 1996.
- 13.3 If the water use of the scheme for any rolling 2 year period after 1 January 1997, is less than that projected by the model used to generate the EIS estimates of water utilisation, the applicant shall put in place measures to rectify this inadequacy in the water utilisation, within one month of the end of that two year period. These measure could involve expanding the irrigated plantation area and/or implementing alternative procedures as outlined in the EIS, such as reduction in water usage in the mill, to the requirements of Environment Protection Authority.
- 13.4 If after 1 January 1997, the monitoring program established in Condition 19 indicates that there are soil structural, nutrient or toxicity problems in the irrigated plantations, the applicant shall within one month of notification by NSW Agriculture, expand the irrigated plantation area and/or implement alternative procedures as outlined in the EIS, to the requirements of NSW Agriculture.
- 13.5 Should larger irrigated plantation areas be required within Maryvale as a result of Condition 13.3 or 13.4, then the larger areas shall be irrigated in accordance with the same principles set out in the EIS (pages 6-25, 6-26, 6-27).
- 13.6 Within 12 months of the date of this consent, the applicant shall undertake and complete investigations into alternative irrigation usage of an average of 1000 Ml of treated wastewater per annum, and shall report those investigations to the Environment Protection Authority within 15 months of the date of this consent.
- 13.7 The minimum 302 hectares plantation area or any extended plantation areas within Maryvale required in accordance with Conditions 13.3 and 13.4 shall be maintained at all times as plantation areas notwithstanding any approval the Applicant may obtain for alternative use of this treated wastewater for irrigation purposes.

14 WINTER STORAGE DAM

- 14.1 The applicant shall design, construct and maintain the proposed dam with a storage capacity of 1650 ML to the satisfaction of the NSW Dams Safety Committee. The design will conform to the guidelines of Australian National Committee on Large Dams and shall be fully operational by 31 December 1996. The applicant shall comply with appropriate dam safety standards of care required by the committee.
- 14.2 No fill is to be imported onto the site without the prior consultation and written notification of the Hume Shire Council. Fill material shall not be sourced from suppliers other than those who are operating in conformity with the relevant planning controls and approvals.
- 14.3 The dam shall be designed, constructed and managed to avoid discharge or irrigation of land by anoxic or anaerobic water to the requirements of the Environment Protection Authority.

15 WINTER RELEASE PROGRAM

- 15.1 The applicant may continue to discharge treated wastewater into the Murray River until 31 December 1996. Thereafter the applicant may only discharge treated wastewater to the Murray River in accordance with following conditions.
- 15.2 The treated wastewater from the mill shall be diverted by the return pipeline to the Murray River when the winter storage dam water level reaches 0.2 metres below the spillway level, provided the river disposal criterion described in the EIS of a minimum of 1:600 dilution is met at the point of discharge in the Murray River.
- 15.3 If the river disposal criterion cannot be met, the winter storage dam water level shall be allowed to reach the spillway level. At that stage, treated wastewater shall be sent directly to the Murray River by the return pipeline regardless of whether the River disposal criterion can be met. The release of treated wastewater shall be managed with the objective of preventing or minimising flow of water from the dam to Nine Mile Creek.
- 15.4 The applicant shall not discharge dissolved salts into the Murray River except in accordance with any licensing conditions imposed by the Environment Protection Authority.
- 15.5 The applicant shall not discharge diethylenetriaminepentaacetic acid (DTPA) into the Murray River except in accordance with any licencing conditions of the Environment Protection Authority.

- 15.6 The applicant shall carry out aluminium sulphate dosing within its wastewater treatment plant prior to any discharge of wastewater to the Murray River in accordance with the requirements of the Environment Protection Authority.
- 16 RE-USE DAMS
- 16.1 The re-use dams (first flush) shall be installed to collect run-off from all wastewater irrigation areas and shall have a capacity to hold the run-off from a 1 in 10 year, 10 minute storm event at a 65% per cent run-off coefficient (ROC) from the irrigated area without overtopping and shall be fully operational by 31 December 1996.
- 16.2 The re-use dams shall have a by-pass which will prevent stormwater from entering the ponds in the event that wet weather criteria referred to in the EIS (page 6-20) are exceeded.
- 17 SOIL CONSERVATION AND GROUNDWATER CONTAMINATION PREVENTION PROGRAM:
- 17.1 The applicant shall divert Nine Mile Creek around the winter storage dam. The applicant shall design, construct and maintain the diversion channel and any related works for the diversion of Nine Mile Creek to the satisfaction of the Department of Conservation and Land Management in consultation with Department of Water Resources to avoid erosion of the channel or adjacent lands.
- 17.2 The applicant shall carry out earthworks for the control and safe disposal of:
- (a) contaminated runoff from the irrigation area, and
 - (b) uncontaminated stormwater run-on to the irrigation area,
- and these works shall be designed, constructed and maintained to the requirements of Department of Conservation and Land Management to avoid contamination of groundwater and soil erosion.
- 17.3 The applicant shall design and construct the mounding along planting lines to the requirements of the Department of Conservation and Land Management to improve drainage in the root zone while not causing nor aggravating erosion due to the concentration or re-direction of run-off.
- 17.4 Prior to the commencement of construction, the applicant shall prepare a soil conservation construction plan to the requirements of the Department of Conservation and Land Management and Hume Shire Council, setting out measures the applicant shall undertake to control of erosion and sediment transport during the construction phase of the development and shall implement these measures during construction including:

- (a) the applicant shall minimise site disturbance during the dam's construction, and shall rehabilitate the disturbed area outside the area of inundation by the planting, establishment and maintenance of groundcovers, shrubs and trees, as soon as possible after construction is completed;
- (b) where earthworks are involved, the applicant shall manage the removal, stockpiling and replacement of topsoil to prevent erosion of excavated areas and topsoil stockpiles;
- (c) the applicant shall stabilise and maintain the beds and banks of natural watercourses and open drains traversing the Maryvale site;
- (d) the applicant shall control water flows onto and across the land by the provision of surface and sub-surface drains where appropriate.
- (e) the applicant shall prevent the transmission of soil, sediment and water-borne pollution from the land by the construction and maintenance of settling ponds, sediment and pollution traps in a manner approved by a nominated officer of Hume Shire Council.
- (f) the applicant shall stabilise and cover with good quality top soil to a sufficient depth to permanently support the grass cover on the southern batters of the dam wall.

17.5 The applicant shall not cause damage to the Hume Highway formation adjacent to the Maryvale property by the operation of the WRS.

MONITORING PROGRAM:

18 Groundwater Monitoring

- 18.1 Following consultation with the Department of Conservation and Land Management, Environment Protection Authority and Department of Water Resources, the applicant shall develop and submit to the Department of Water Resources for its approval:
- (i) a groundwater monitoring strategy for Maryvale and the mill sites within three months of issue of this consent;
 - (ii) a hydrogeological study followed by a groundwater monitoring strategy for Delaney's landfill site within six months of issue of this consent;

18.2 The groundwater monitoring strategy shall include:

1. Delaney's Landfill Site

- * the hydrogeological study of the site;
- * construction of 6 shallow and 6 deep piezometers around the site including the irrigated area (and any proposed extension) consistent with the findings of the hydrogeological study;
- * surveying of all piezometers (to AHD datum)
- * monitoring and analysis of groundwater at a frequency and duration to the requirements of the Environment Protection Authority for:
 - i) Metals (As, Cd, Co, Cr, Cu, Fe, Hg, Mn, Ni, Pb, Zn);
 - ii) SWL, RWL and Conductivity;
 - iii) pH, TOC, TKN, NO₃(N);
- * a contingency plan indicating measures to mitigate potential adverse impacts on groundwater.

2. Maryvale Site

- * relocation of three of the four shallow piezometers and one deep piezometers because of the location and size of the water storage dam;
- * installation of four shallow bores and one deep bore along the southern boundary;
- * installation of an additional 2 deep piezometers and 2 shallow piezometers in the irrigated plantation area;
- * Surveying of all piezometers (to AHD datum)
- * Monitoring and analysis of groundwater at a frequency and duration to the requirements of the Environment Protection Authority for:
 - Metals (Al, As, Cd, Co, Cr, Cu, Fe, Hg, Mg, Mn, Ni, Pb, Zn);
 - SWL, RWL and Conductivity;
 - BOD, COD, NH₃(N), NO₃(N), PO₄, TKN, TOC, pH, HCO₃, SO₄, Cl, Ca, K, Na, F, SiO₂, AO_x, 2-4-6 trichlorophenol;
- * a contingency plan indicating measures to mitigate potential adverse impacts on groundwater.

3. Mill Site

- * installation of three shallow bores and one deep bore;
- * Surveying of all piezometers (to AHD datum);
- * Monitoring and analyses of groundwater at a frequency and duration to the requirements of the Environment Protection Authority for:
 - Metals (Al, As, Cd, Co, Cr, Cu, Fe, Hg, Mg, Mn, Ni, Pb, Zn);
 - SWL, RWL and Conductivity;
 - BOD, COD, NH₃(N), NO₃(N), PO₄, TKN, TOC, pH, HCO₃, SO₄, Cl, Ca, K, Na, F, SiO₂, AO_x, 2-4-6 trichlorophenol;
- * a contingency plan indicating measures to mitigate potential adverse impacts on groundwater.

- 18.3 In accordance with condition 23.8, the applicant shall revise the groundwater monitoring strategy in accordance with requirements of Department of Water Resources should Department of Water Resources consider that the monitoring is in need of revision following consideration of the monitoring results.
- 18.4 All monitoring piezometers must be licensed under Part V of the Water Act with one licence for each site.
- 18.5 In accordance with condition 23.5, an interpreted report on the groundwater monitoring must be submitted to Department of Water Resources and the Environment Protection Authority on an annual basis together with copies of all the raw data.
- 18.6 All chemical analyses must be undertaken at a water testing laboratory approved by Environment Protection Authority.
- 18.7 All monitoring piezometers, if not already installed, shall be installed within 3 months of approval of the groundwater monitoring strategies outlined in condition 18.2.
- 18.8 In the event that a watertable rise in either the shallow or deep piezometers exceed an average 20cm per year rise over an five year period of record (or part thereof for the first five years) the applicant shall undertake investigations to determine the cause. If the cause of the rise is found to be the irrigation scheme, the applicant shall implement the recommendations of Department of Water Resources.
- 18.9 In the event that the water quality in the regional aquifer system exceeds 1500 mg per litre total salts, or if the salinity is already above 1200 mg per litre and the salinity increases by more than 20%, the applicant shall immediately notify Department of Water Resources and shall implement the recommendations of Department of Water Resources.
- 18.10 The applicant shall carry out any groundwater monitoring as required under Condition 11 to the requirements of the Department of Water Resources.

19 Monitoring of soils

- 19.1 The applicant shall continue the current monitoring program for the trial irrigation plantations at the mill site and at the sludge land application trial at 'Waitara' Gerogery, and shall analyse the results for the prediction of potential salinity, toxicity or soil degradation problems.
- 19.2 The applicant shall design and implement at the Maryvale site, a suitable long-term monitoring program of the impact on soils and tree growth prior to any work commencing upon the site. The monitoring program shall

focus on the measurement of adverse impacts on soils at an early stage and include monitoring of watercourses in and adjacent to any disposal areas. In addition to groundwater monitoring conditions 18, monitoring of the following environmental changes shall be carried out:

- (i) changes in soil salinity levels using in-situ techniques as agreed by NSW Agriculture;
- (ii) a decrease in soil pH.
- (iii) an increase in the proportion of halophytes and salt tolerant plant species;
- (iv) the development of salt-induced scalds;
- (v) an increase in the number and size of salt induced scalds;
- (vi) a deterioration in the growth rate of pines, pasture or other plants reasonably attributable to the wastewater. Should deterioration occur, then tissue culture testing shall be carried out in accordance to the requirements of NSW Agriculture.

19.3 The applicant shall undertake soil monitoring of the sludge land application sites in accordance with Condition 11.

20 Monitoring of the Murray River: abstracted water, waste water and receiving waters

20.1 The applicant shall monitor and keep records of the quality and quantity of water from the Murray River and wastewater discharged into the River. The applicant shall also monitor and keep records of the characteristics of the water which receives wastewater discharged from the mill.

20.2 The applicant shall ensure that the following parameters are monitored for river water and treated wastewater at a frequency and duration to the requirements of the Environment Protection Authority:

- (a) pH
- (b) Biological Oxygen Demand (BOD;mg/1)
- (c) Non-Filterable Residue (NFR;mg/1)
- (d) Ammonia (N-NH₃;mg/1)
- (e) Total Nitrogen (N;mg/1)
- (f) Phosphorous (P;mg/1)
- (g) Chemical Oxygen Demand (COD;mg/1)
- (h) True Colour (Hazen Units)
- (i) Temperature (°C)
- (j) Total Dissolved Solids (TDS;mg/1)
- (k) Flow (ML/day)
- (l) DTPA (or other similar chelating agent)
- (m) Metals, including iron, manganese, zinc, copper,

- chromium, cadmium, lead and cobalt (ppm).
- (n) AOX
- (o) DOC or TOC
- (p) 2,4,6 trichlorophenol

20.3 The applicant shall continue the monitoring program in Condition 20.2 until 31 December 1996 (subject to condition 23.9); thereafter monitoring will be carried out in consultation with the Environment Protection Authority and shall be related to the quality, quantity and frequencies of releases of wastewater.

21 Bioassay Testing and Environmental Monitoring Programmes of the Murray River.

21.1 The applicant shall carry out bioassay testing and environmental monitoring of the Murray River until December 1998, in accordance with programs developed by the applicant for the brightening facility and shall include testing of river bed sediments (including metals, nitrogen and phosphorous). The bioassay testing and environmental monitoring program from 1 January 1999, shall be as specified by NSW Fisheries, and shall be related to the quality, quantity and frequencies of releases of wastewater.

21.2 The applicant shall forward results of the bioassay testing and environmental monitoring programs to NSW Fisheries at intervals nominated by NSW Fisheries. The applicant shall consult with NSW Fisheries in the carrying out of statistical analyses of the results of the biological monitoring programs.

22 ENVIRONMENTAL MANAGEMENT PLAN

22.1 In relation to the environmental management and monitoring of the operation of the RFP and WRS, the applicant shall prepare an environmental management plan in consultation with the Department of Planning, Environment Protection Authority, Department of Conservation and Land Management, Department of Water Resources, NSW Agriculture, NSW Fisheries, Hume Shire Council and Albury City Council for the treatment, utilisation or disposal of treated wastewater and solid waste. The plan must be lodged prior to 30 June 1993 with the Environment Protection Authority. The applicant shall not commence operation of the RFP and WRS prior to notification by the Environment Protection Authority of its approval of the plan.

22.2 The plan shall be consistent with the Conditions 12 to 21 inclusive and Condition 23 of this consent and shall describe management, monitoring and reporting provisions for the areas set out below:

- (a) Solid waste management
- (b) Wastewater management
 - (i) irrigation scheme
 - (ii) river disposal
- (c) Water storage dam management
- (d) Soil conservation plan
- (e) Groundwater contamination prevention program
- (f) Odour control
 - (i) solid waste
 - (ii) wastewater
 - (iii) mill site
- (g) Contingency plans.
 These plans could include but not be limited to alternative wastewater and solid waste disposal methods, alternative process methods and procedures, methods for water usage reduction and wastewater recycling in the mill.

- 22.3 The applicant shall amend and keep up to date the environmental management plan taking into consideration Condition 23.8. and shall provide an amended and updated plan to an authority referred to in Condition 23.6 within one month of a written request.

23 ANNUAL REPORTING AND REVIEW:

Independent Audit

- 23.1 The applicant shall carry out an independent environmental audit of the testing and monitoring programs referred to in conditions 18, 19, 20 and 21 if required by the Environment Protection Authority.
- 23.2 The applicant shall make available the results of any such audit to the authorities referred to in Condition 23.6 within one month of a written request from that authority.

Provision of Records

- 23.3 The applicant shall submit the results of monitoring programs to the Environment Protection Authority one year after the date of consent of the RFP or within such further period agreed to by the Environment Protection Authority, and thereafter on an annual basis, or such longer period agreed to by the Environment Protection Authority.

- 23.4 The applicant shall make available the results of the monitoring and testing programs referred to in Conditions 18, 19, 20 and 21 to authorities referred to in Condition 23.6 within one month of a written request.

Annual Environmental Management Report

- 23.5 The applicant shall prepare, on an annual basis, a report which analyses the principal findings of the wastewater and solid waste disposal program monitoring, bioassay testing and environmental monitoring program and any independent environmental audit. In addition the report shall include sections dealing with the analysis and interpretation of the monitoring data and make an assessment of the impact of the development on the environment. These sections shall be prepared by a person with relevant experience and qualifications on behalf of the applicant.

The report shall include:

- (a) control of odour emission;
 - (b) solid wastes management;
 - (c) liquid wastes management;
 - (d) soils and agriforest management;
 - (e) protection of surface and groundwaters;
 - (f) Murray River environmental monitoring and bioassay testing programs;
 - (g) storage dam management;
 - (h) findings of any audit required in Condition 23.1
- 23.6 The applicant shall present this report within three months of 31 December 1994 (due date) and thereafter annually from the due date, to the Department of Planning, Environment Protection Authority, NSW Agriculture, NSW Fisheries, Department of Water Resources, Department of Conservation and Land Management, Albury City Council and Hume and Corowa Shire Councils and Murray Darling Basin Commission. The applicant shall also provide additional copies of this report to the Councils for public access.
- 23.7 Within three months of the expiration of the Environment Protection Authority licence, the applicant shall submit the environmental management report (referred to in Condition 23.5) to the Environment Protection Authority with an application for licence renewal. The environmental management report shall report on environmental performance over the duration of the current licence.
- 23.8 The applicant shall adjust the monitoring programs and requirements referred to in Conditions 18, 19, 20 and 21 after consultation with the relevant authorities referred to in these conditions, in accordance with the requirements of the Environment Protection Authority.

HAZARD AND EMERGENCY MANAGEMENT

MILL SITE

24 RISK MANAGEMENT CONSIDERATIONS

24.1 At least one month prior to the commencement of construction of the RFP (excluding civil works), or within such further period as the Director of Planning (the Director) or her nominee may determine, the applicant shall, at its own expense and in accordance with the Environmental Risk Impact Assessment Guidelines, Hazardous Industry Planning Advisory Paper No 3, prepare and submit for the approval of the Director:

(i) Hazard and Operability Study

Hazard and Operability Study (HAZOP) of the RFP as well as design changes in the existing mill complex shall be carried out and be chaired by an independent qualified person approved by the Director.

(ii) Final Hazard Analysis

A hazard analysis and risk assessment of the detailed design layout of the RFP as well as the existing mill complex shall be prepared at the applicant's expense in accordance with Hazardous Industry Planning Advisory Paper No 6.

(iii) Review of Fire Safety Study

A fire safety study for the RFP and the existing mill complex shall cover all aspects detailed in the Hazardous Industry Planning Advisory Paper No 2, Fire Safety Study Guidelines. This study shall also be submitted for the approval of the NSW Fire Brigade.

24.2 Emergency Plan

At least two months prior to the commencement of the operation of the RFP, or within such further period as the Director may determine, the applicant shall prepare and submit for the approval of the Director an amended emergency plan and detailed emergency procedures for the RFP and the existing mill complex. This plan should include arrangements for the safety of people in areas outside the site. The plan should be in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1 Industry Emergency Planning Guidelines.

24.3 Hazard Audit

Twelve months after the commencement of the operation of the RFP, or within such further period as the Director may determine, the applicant shall carry out a comprehensive hazard audit of the RFP and existing mill complex in accordance with Hazardous Industry Planning Advisory paper No 5: Hazard Audit Guidelines in addition to the existing audit requirements and submit a report on the audit to the Director for approval. This audit is to be carried out at the applicant's expense by a duly qualified independent person or team to be approved by the Director. Further the applicant shall comply with any requests of the Director in respect of the implementation of any measures arising from the approval, within such time as the Director may advise. Further audits will be required every three years from the due date or as may be requested by the Director.

24.4 Compliance

The applicant, at its own expense, shall comply with all the requirements of the Director in respect of the implementation of any measures arising from the approvals given in respect to the preceding conditions within such time as the Director may agree. Such compliance shall be prior to the commencement of the operation of the RFP and the applicant shall bring to the Director's notice those matters which the applicant considers may require further investigation. Upon the receipt of the Director's instructions relating to compliance with preceding conditions, the applicant shall proceed to implement those instructions to the satisfaction of the Director within such time as the Director or her nominee may determine.

MARYVALE SITE

25.1 Bushfire Plan:

Within two months of the commencement of operation of the WRS, the applicant shall prepare and submit for the approval of Hume Shire Council's Bushfire Control Officer a Bushfire Management Plan. This plan shall be upgraded annually by the applicant after consultation with Council's Bushfire Control Officer and submitted to Council's Officer for approval. The applicant shall comply with the requirements of Council's Bushfire Control Officer, in respect of mitigating bushfire hazards and implementation of the annual Bushfire Management Plan.

25.2 Dam Safety Emergency Plan

The applicant will undertake a dam break study during detailed design of the dam and consult and co-operate with the State Emergency Service and other authorities in the development an appropriate emergency preparedness plan.

WASTEPAPER TRANSPORT

26.1 The applicant shall investigate in consultation with the State Rail Authority the transport of wastepaper to the mill site by rail.

26.2 The applicant shall report its findings to the State Rail Authority and Director of Planning within six months of the date of this consent or such longer time as may be granted by the Director of Planning or her nominee.

MODIFICATION TO BRIGHTENING FACILITY CONSENT

27.1 The consent dated 19 June, 1991 (the "19 June 1991 consent") issued by the Minister for Planning for the operation of the brightening facility (D.A. No. N6207) shall be modified in the manner set out in Condition 27.2 within 3 months of the date of this consent.

27.2 The 19 June 1991 consent shall be modified:

(a) by adding the words "except where modified by the conditions of this consent" at the end of Condition 1;

(b) by deleting Condition 3 and substituting as Condition 3 a condition in terms identical to Conditions 20.1 and 20.2 and by adding the following:

- . The applicant shall continue the monitoring program established by this condition until 31 December 1996; thereafter monitoring will be carried in consultation with the Environmental Protection Authority and shall be related to the quality, quantity and frequencies of releases of treated waste water.

Records of all monitoring undertaken pursuant to the program shall be made available in accordance with Conditions 6 and 7.

(c) by modifying Condition 4 to include the following after the last paragraph in that condition:

"The bioassay testing and environmental programs established above shall be carried out until 31 December 1998. The bioassay testing and environmental monitoring program from 1 January 1991 shall be as specified by NSW Fisheries and shall be related to the quality, quantity and frequencies of releases of waste water.

The applicant shall forward results of the biological monitoring programs to NSW Fisheries at intervals nominated by NSW Fisheries. The applicant shall consult with NSW Fisheries."

- (d) by deleting Condition 6 and substituting the following:

6. Provision of Records

The applicant shall submit the sets of results of the monitoring program referred to in condition 3 to the Environment Protection Authority, the first one year after the commencement of the operations of the brightening facility, and the second one year later.

The applicant shall submit the results of these monitoring and testing programs established in conditions 3 and 4 and the results of any audit referred to in condition 5, to the following agencies, upon request in writing from them: the Department of Planning, the Environment Protection Authority, NSW Agriculture, NSW Fisheries, Department of Water Resources, Murray Darling Basin Commission, Department of Conservation and Land Management, and Albury, Hume and Corowa Councils. The applicant shall forward these results to the agency within one month of any such request.

- (e) by deleting condition 7 and substituting the following:

7. Annual Report

The applicant shall prepare the reports which analyses the principal findings of the waste water monitoring, bioassay testing and environmental monitoring programs, and any audit. The first report will be prepared one year after the commencement of the brightening facility and the second report will be prepared one year later. This report shall be made available, within three months of the due date, to the Department of Planning, the Environment Protection Authority, NSW Agriculture, NSW

Fisheries, Department of Water Resources,
Department of Conservation and Land Management,
Murray Darling Basin Commission and Albury
Wodonga Development Corporation.

(f) by deleting Condition 8.

(g) by deleting Condition 9 and substituting for it the following:

- 9.1 The applicant may continue to discharge treated waste water from the brightening facility into the Murray River until 31 December 1996 in accordance with Conditions 9.4, 9.5 and 9.6. Thereafter the applicant shall discharge treated waste water from the brightening facility to the care irrigation scheme for the mill unless the discharge of treated waste water to the Murray River is permitted in accordance with Conditions 9.2 to 9.6 inclusive.
- 9.2 The treated wastewater from the brightening facility shall be diverted by the return pipeline to the Murray River when the winter storage dam water level in the dam on the mill site reaches 0.2 metres below the spillway level, provided the river disposal criterion described in the EIS of a minimum of 1:600 dilution is met at the point of discharge in the Murray River.
- 9.3 If the river disposal criterion cannot be met, the winter storage dam water level shall be allowed to reach the spillway level. At that stage, treated wastewater shall be sent directly to the Murray River by the return pipeline regardless of whether the river disposal criterion can be met. The release of treated wastewater shall be managed with the objective of preventing or minimising flow of water from the dam to Nine Mile Creek.
- 9.4 The applicant shall not discharge dissolved salts into the Murray River except in accordance with any licensing conditions imposed by the Environment Protection Authority.
- 9.5 The applicant shall not discharge diethylenetriaminepentaacetic acid (DTPA) into the Murray River except in accordance with any licencing conditions of the Environment Protection Authority.
- 9.6 The applicant shall carry out aluminium sulphate dosing within its wastewater treatment plant prior to any discharge of

wastewater to the Murray River in accordance with the requirements of the Environment Protection Authority.

- (h) by deleting Conditions 11, 12, 13, 14 and 15.
- (i) by deleting Condition 16 and substituting the following:

With the exception of sludge to be used in land application trials on agricultural and forestry sites, the applicant shall dispose of all solid waste from the brightening facility in accordance with existing approvals for mill solid wastes until an alternative solid waste management plan for the mill, including the brightening facility, is developed and approved in accordance with the conditions attaching to D.A. No. 147/92 (Albury City Council). Once the solid waste management plan is approved all solid waste from the brightening facility shall be disposed of in accordance with that plan.

Sludge shall not be incinerated under this consent.

- (j) by deleting Conditions 17 and 18.