



Department of  
**Infrastructure, Planning and Natural Resources**

**Assessment Report for  
Development Application No. DA-389-8-2003-i  
Pursuant to Section 80 of the Environmental Planning  
and Assessment Act, 1979**

**Proposal by Norske Skog Paper Mills (Australia) Ltd to  
Upgrade the Existing Albury Paper Mill,  
Table Top, Albury Local Government Area**

**Department of Infrastructure, Planning and Natural  
Resources**

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## 1. INTRODUCTION

On 27 August 2003, Norske Skog Paper Mills (Australia) Ltd (the Applicant) lodged a development application with the Department of Infrastructure, Planning and Natural Resources for an upgrade to its existing and currently operating Albury Paper Mill, Table Top, in the Albury local government area.

This report presents the outcomes of the Department's assessment and a final position in relation to the environmental impacts of the proposed development.

### 1.1 Background

The proposal is State significant and integrated development, and constitutes alterations/additions to an existing development. The Applicant requested that the Department consider the proposed development as non-designated development under the provisions of Part 2 Schedule 3 of the *Environmental Planning and Assessment Regulation 2000* (the Regulation). The Department concluded that the relevant provisions were satisfied, and as such the proposal was not considered as designated development. As such a Statement of Environmental Effects was submitted to support the development application instead of an environmental impact statement.

The Department has received 2 submissions during the exhibition period regarding the proposed development, being:

- The Roads and Traffic Authority regarding the intersection between the Hume Highway (a classified road) and RW Henry Drive, the principal entrance/exit point for vehicle entering/leaving the site; and
- the Murray Darling Basin Commission (MDBC) requesting clarification regarding the impacts associated with saline discharges on the Murray River.

### 1.2 The Existing Development

The Albury Paper Mill currently uses wood from *Pinus radiata* trees and recycled fibre from recovered newspaper and magazines to make pulp. In 2002-2003 some 310,000 tonnes of pulpwood was used 62% of this coming from NSW plantations, with the remainder coming from Victoria. Approximately 180,000 tonnes per annum of recycled paper is currently used. Recovered paper includes material from industrial and domestic sources. Domestic material includes recovery of newspapers and magazines obtained primarily from kerbside recycling collections. Industrial material includes pressroom spoilage, over-runs and unsold newspapers and magazines. The recycled paper is stored on site, in a warehouse with capacity for 3,800 tonnes or about 8 days supply.

The Mill has three major components associated with paper making, as well as a wastewater treatment plant. The three plants at the Mill are: the Thermomechanical Pulping (TMP) plant; the Recycled Fibre Pulping (RCF) plant; and the Paper Machine.

The TMP plant involves processing the wood chips into pulp. This includes washing the chips to remove contaminants, then heating them with steam to soften them. The chips are then fed through two refiners in series where they pass between one stationary and one rotating grooved steel disc, mechanically separating the fibres. There are three pairs of refiners in total. The resulting pulp is brightened prior to mixing with the recycled fibre. The TMP plant has a current throughput of 110,000 tonnes per annum (tpa), and is operating at capacity.

The RCF plant involves mixing the recycled paper with recycled water from the Paper Machine, and pulping with the addition of de-inking chemicals consisting of sodium hydroxide, hydrogen peroxide, sodium silicate and soap. The mixture is then passed through a large screen to remove large contaminants (such as computer discs and bottles). The remainder of the plant removes smaller contaminants (such as sand and glass) as well as removing the ink. Approximately 17% of the recovered paper is discharged as reject material. The large inert materials are taken to landfill. The finer rejects are mixed with other similar waste materials from the Mill, processed and spread on farms in the local area. The RCF plant

currently operates at a rate of 125,000 tpa, supplying sufficient fibre to the Paper Machine, as well as to the Boyer Mill in Tasmania. The RCF plant is rated to perform at a capacity of 145,000 tpa, and has proven operation at a rate of 155,000 tpa for several days at a time.

Papermaking consists of four stages: forming, pressing, drying and finishing. The forming stage consists of mixing the pulp from the TMP and the RCF plants (at a ratio of 60:40), which is pumped onto the Paper Machine to form a thin wet sheet. The sheet is then pressed under vacuum and pressure to reduce the water content from 84% to 58%. The drying section consists of passing the sheet over a series of steam-heated drums, and results in a sheet with 8-9% moisture. The sheet is then polished and finished before moving onto the winder where it is cut to size and packaged for dispatch. The Paper Machine produces a sheet of paper 8.6 metres wide, at a rate during 2002-2003 of 210,000 tpa.

Norske Skog has a licenced high security allocation of 6,300 megalitres per annum (MLpa) from the Murray River for use at the Mill, however the Mill's current usage is only 5,100 MLpa. The Mill has a water hierarchy whereby clean water is supplied at relevant points, and the progressively contaminated water moves through the Mill as appropriate, to parts of the Mill which do not require clean water, before being directed to the Wastewater Treatment Plant (WWTP). Because of this process, the Mill's consumption of water is 20-24 kilolitres per tonne (kL/t) of paper. Typical wastewater flows are 8.5 ML/day, which amounts to generation of 14 kL/t of paper, low by world standards. Treated wastewater is pumped to a dam in the nearby Ettamogah Forest where it is then directed to the pine plantations and crops and pastures for drip irrigation and centre pivot irrigation respectively. This wastewater re-use scheme significantly reduces the amount of wastewater directed to the Murray River. The Mill also requires cooling water, however this is kept separate from the contaminated process waters.

### 1.3 Current Development Consents

The Mill was constructed between 1979 and 1981 and has operated continuously since that time. The Mill has been subject to a number of development applications since that time, being:

- On 19 June 1991 the then Minister for Planning approved the newsprint brightening process at the Mill, after a Commission of Inquiry was held;
- In 1993 the recycled fibre plant was constructed, and the wastewater re-use scheme was implemented. These were two separate development applications were lodged with Albury City Council (DA 147/92 for the RCF plant) Hume Shire Council (DA 41/92 for the wastewater reuse scheme), but were approved by the Minister for Planning on 12 December 1992, since a Commission of Inquiry was held into the applications;
- On 23 January 1996 the Acting Minister for Urban Affairs and Planning granted development consent for a second paper machine. However, this consent was never acted upon and has subsequently lapsed.

Since the Mill was established, the capacity of the Mill has increased 173,000 tpa of newsprint to 210,000 tpa today. The Mill currently operates under the consent granted by the Minister for Planning on 12 December 1992.

## 2. DEVELOPMENT PROPOSAL

### 2.1 Description of the Proposed Development

The purpose of the proposed development is to increase the capacity of the existing Paper Machine by approximately 50,000 tonnes per annum. The proposed development will require the following amendments to the existing operations.

**Thermomechanical Pulping Plant** – Since the introduction of the RCF plant, the TMP plant has been operating at 110,000 tpa of pulp, well below the initial designed capacity of 185,000 tpa. The Applicant proposes to bring back on line a line of refiners that was mothballed after the RCF plant was established. All works are proposed to take place in the existing buildings.

**Recycled Fibre Pulping Plant** – the RCF plant is currently operating at 125,000 tpa, below the rated capacity of 145,000 tpa, and the proven capacity of 155,000 tpa. The Applicant

proposes to increase the pulp through the RCF by some 25,000 tpa, indicating that no significant physical modifications will be needed for the RCF plant.

**Paper Machine and Winder** – the Applicant proposes to increase the speed of the Paper Machine from an average of approximately 1,254 metres per minute to 1,525 metres per minute. The increased speed requires the electrical drive system to be replaced, as well as replacement of many of the rotating elements, with some strengthening of structural members. The modifications require the press section of the machine to effect increased drying. As such, a new press will be installed (known as a “shoe” press) to achieve this. The increased production will result in an extra 100 customer rolls of paper per day, requiring a new winder to cope with the additional load. The new winder would be installed in a new building adjoining the present Paper Machine building, and aligned with the existing winder.

**Wood Supply and Transport** – the proposal would require an increase of 80,000 tpa of pulp wood, bringing the total amount used at the Mill to 390,000 tpa (an increase of some 25%). The extra pulp wood would primarily consist of wood chips from saw mill waste, and logs from thinnings. The current Wood Mill would continue its operation as per current conditions.

**Water Supply and Wastewater** – there would be a small increase in water required, however this would remain within the Mill’s existing allocation. The wastewater flows would be increased to about 9 ML/day. However, the specific water used, and the specific wastewater generated (per tonne of paper) would be reduced, via the increased efficiency of the Paper Machine. To cope with the increased organic load in the wastewater, from 9,000 kg/day to 12,000 kg/day (BOD), the Applicant proposes to modify the existing aeration feeder tank and/or the cooling pond in the effluent treatment plant. The increases to the wastewater flow would require an increase in the area under cultivation for the wastewater re-use scheme. The Applicant proposes to provide an additional 50 ha of land for the purpose of establishing a centre pivot irrigating crops.

**Solid Wastes** – would be increased at the Mill, with:

- Landfill waste increasing from 1,670 tpa to some 2,000 tpa;
- RCF waste would increase from 51,080 tpa to 58,900 tpa, and sludge from the WWTP would increase from 26,000 tpa to 32,000 tpa, resulting in a total biosolids increase from 78,700 tpa to 90,900 tpa. This would a further 150 ha for land spreading, from the residual land bank of 16,800 ha.

Chemical use at the site will increase proportionally with the processes stated above, however, there will be no increase in chemicals stored on site. The Applicant is currently investigating electricity demand side management such that new electricity transmission infrastructure is not necessary.

## 2.2 Proposed Development Site

With the exception of the additional land for the wastewater re-use scheme, the proposed development would take place within the existing footprint of the existing development, and largely within existing buildings. The land is described as Lot 1 DP 258810, Lot 6 DP 264463, Lot 21 DP 604181 and Lot 2 DP 629660 Ettamogah, in the local government area of Albury. The location of the existing Mill, and the proposed additional irrigation area are shown in figures attached and tagged “B”.

## 2.3 Justification

The Applicant identifies that the proposed upgrade will increase the production output capacity to be equivalent world class for machines of this type, and so increasing the competitiveness of the Albury Mill with imported products. The Applicant also notes that an increasing amount of recovered paper is currently being exported and recycled newsprint is being imported (mainly from New Zealand), since the maximum capacity of Australian mills is less than the demand from the Australian market. The Applicant’s proposed upgrade will result in reduced importation of newsprint. The Applicant also notes that the proposed upgrades will enhance the prospects of attracting major new investment in a new paper machine in the region, which have the potential to significantly increase the productivity at Albury, should the Albury Paper Mill be able to attract that investment.

## 2.4 Employment and Investment

The Applicant expects the proposed development to cost some \$110 million. However, the Applicant notes that while a large sum of money is being spent on the Mill, all new equipment (except for the second winder) will be installed as replacements for existing parts within the existing machine footprints. The development as proposed would not result in any increased employment at the Mill during operations, but would make the future of the Mill more secure (the Mill currently employs 260 people, and provides contracting opportunities whereby there is likely to be 40 contractors at the site on any given day). Notwithstanding this there would be an increase in employment in the supply chain (for wood and recovered paper), as well as in product distribution.

The majority of construction works and the required paper machine rebuilds are expected to occur during a 20 to 25 day shut down period in mid 2005. During this time works will occur 24 hours a day. There will be approximately 280 additional construction jobs on site, consisting mainly of engineers and contractors. Most of the work will occur inside existing buildings, and there will be no significant earthworks. Activities would include mechanical fitting and machinery erection and some civil works in the wastewater treatment plant.

## 3. STATUTORY PLANNING FRAMEWORK

### 3.1 Permissibility

The proposed site is located within the Employment Area Zone as defined by *Albury Local Environmental Plan 2000* (Albury LEP 2000). The Albury LEP does not specifically stipulate permissible or prohibited uses in this zone, however does stipulate that development cannot be carried out in the Employment Area Zone without the consent of the consent authority. As such, all development is permissible in that zone, with development consent.

### 3.2 Legislative Context

In accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (the Act) and the *Environmental Planning and Assessment Regulation 2000* (the Regulation), the proposed development is Non-designated development, Integrated development and State Significant development.

#### Designated Development

The existing development is defined as 'Paper Processing' under Schedule 3 of the Regulation since it is for a "paper pulp or pulp products industry" and would have an intended production capacity of more than 30,000 tonnes per year (in this case some 50,000 tonnes per year). If considered in isolation of the existing Paper Mill the subject development application would be considered as Designated development.

However, the proposal can be considered as an "alteration or addition" to an existing development. Part 2 Schedule 3 of the Regulation provides that an "addition or alteration" to an existing designated development may be considered as non-designated development if certain criteria are met. These criteria relate to the alterations or additions not significantly increasing the environmental impacts of the total development including:

- previous environmental management performance;
- rehabilitation or restoration of any disturbed land;
- the number and nature of all past changes and their cumulative effects;
- the scale, character or nature of the proposal in relation to the development;
- the existing character of the receiving environment and the surrounding locality;
- the degree to which the potential environmental impacts can be predicted;
- the capacity of the receiving environment to accommodate the changes in environmental impacts;
- any proposals to mitigate the environmental impacts and manage any residual risk; and
- any proposals to facilitate compliance.

The Department considers that the proposed development satisfies these provisions for the following reasons:

- historical compliance with the current Minister's consent;
- recent improvements to environmental performance, with further improvements (per tonne of product) arising from the alterations;
- proposed expansion of the irrigation scheme to account for the increase in wastewater production, something which was envisaged in the current Minister's consent;
- no new buildings or chemical storages proposed on site, only a small annex to the existing paper machine building; and
- the scale and nature of proposal is minor and consistent with the existing development.

Accordingly the Department required a Statement of Environmental Effects to be submitted in support of the development application, instead of an Environmental Impact Statement.

### **Integrated Development**

The proposed development constitutes Integrated development, as defined by section 91 of the Act. In addition to development consent the proposed capacity upgrade requires an amendment to an existing Environment Protection Licence (EPL) from the Environment Protection Authority (EPA) under the *Protection of the Environment Operations Act, 1997*.

The EPA was consulted prior to the preparation of requirements for the Statement of Environmental Effects and notified of the lodgement of a development application for the proposal. Following the supply of copies of submissions in response to the exhibition of the development application, the EPA supplied comments and General Terms of Approval to the Department, which are included in the Department's recommendations. This indicates that the EPA would make the required amendments to the EPL.

### **State Significant Development**

The proposed development satisfies the provisions of Schedule 1 of *State Environmental Planning Policy No 34 – Major Employment-Generating Industrial Development*. Specifically, the proposed development is of a type of industry listed under part (b)(iii) of that schedule being "pulp or paper processing" and satisfies part (a)(ii) of the schedule which requires the capital investment of the proposal to be greater than \$20 million dollars, excluding land (some \$110 million). The proposed development, therefore constitutes State Significant development, as defined by section 76A(7) of the *Environmental Planning and Assessment Act, 1979*. The Minister for Infrastructure and Planning is the consent authority for State Significant development.

### **Exhibition and Notification**

The development application and accompanying SEE was exhibited between 2 September 2003 and 3 October 2003, at the following locations:

- Albury City Council – Albury;
- Hume Shire Council – Albury;
- Albury Library – Albury;
- Lavington Library – Lavington;
- Department of Infrastructure, Planning and Natural Resources – Albury; and
- Department of Infrastructure, Planning and Natural Resources – Lee Street, Sydney.

The Department notified some 207 local residents and businesses, most of which were in the Hume local government area. An advertisement, in accordance with the Act, was placed in the Albury Border Mail on two occasions: 1 September 2003 and 15 September 2003. This advertisement advised how an interested party could view the exhibited documentation, and how submissions could be made. The Department considers that the exhibition and notification requirements of the Act have been met.

In response to the notification and exhibition of the development application, the Department received 2 submissions, from the RTA and the Murray Darling Basin Commission. The Department did not receive any submissions from local residents or local interest groups.

### 3.3 Minister's Role

The proposed development is State significant development, under the provisions of *State Environmental Planning Policy No. 34 – Major Employment-Generating Industrial Development* (see above). As such the Minister for Infrastructure and Planning is the consent authority for the development application.

### 3.4 Relevant Environmental Planning Instruments

The assessment of the proposed development is subject to the following environmental planning instruments:

- *State Environmental Planning Policy No. 33 - Hazardous and Offensive Development*;
- *Albury Local Environmental Plan 2000*

Consideration of the proposed development in the context of the objectives and provisions of these environmental planning instruments is provided below.

#### State Environmental Planning Policy No. 33

*State Environmental Planning Policy No. 33 - Hazardous and Offensive Development* aims to identify proposed developments with the potential for significant off-site impacts, in terms of risk and/ or offence (odour, noise etc). A development is defined as potentially hazardous and/ or potentially offensive if, without mitigating measures in place, the development would have a significant risk and/ or offence impact on off-site receptors.

The current operations are not considered hazardous, and the upgrade proposal would not pose significant increased risk in relation to the locality to human health, life or property or to the biophysical environment. As such, the proposal is not considered "potentially hazardous development" and there is no requirement under SEPP 33 for a Preliminary Hazard Analysis to be undertaken. The upgrade proposal is not "hazardous development".

The proposal is, however, considered "potentially offensive development" as it will require an amendment to the Environment Protection Licence (EPL) from the Environment Protection Authority (EPA). The EPA has issued General Terms of Approval for the proposed development, thereby indicating that it would be prepared to make such an amendment to the EPL. As such, the proposal does not constitute "offensive" development.

#### Albury Local Environmental Plan 2000

Under Albury LEP 2000, the site is located in the Employment Area Zone, which has a stipulated objective of providing land for industrial and related land uses in that zone. The Department has assessed the proposed development against the relevant provisions of the Plan and considers that the proposed development is generally consistent with the provisions and objectives of the Plan, and the Employment Area Zone. The Department detailed consideration is provided in Appendix B.

### 3.5 Statutory Requirement Compliance

The Department is satisfied that all requirements of the *Environmental Planning and Assessment Act 1979* have been met in relation to the notification and exhibition of the development application and public involvement in the assessment process. The proposed development is generally consistent with the provisions of relevant environmental planning instruments.

## 4. CONSIDERATION OF ENVIRONMENTAL ISSUES

The Department has reviewed the SEE for the proposed development, and duly considered all submissions. As a result, the Department has identified the following environmental issues associated with the proposal. The issues have been classified as being of significance, or high significance, depending upon the magnitude and extent of environmental impacts, and the issues raised in submissions. A full consideration of each of the issues listed is provided in sections 4.1 to 4.10 of this report.

Issues identified as being of **high significance** to environmental planning:

- surface water impacts;
- impacts on soil and groundwater; and
- traffic and transport impacts.

Issues identified as being of **significance** to environmental planning:

- air quality impacts;
- noise impacts;
- hazard and risks impacts;
- waste management; and
- impacts on visual amenity.

Other important issues associated with the proposed concrete batching plant are:

- impacts on flora and fauna and heritage items; and
- socio-economic impacts.

## 4.1 Surface Water Impacts

### Applicant's Position

#### **Water Supply**

Norske Skog has a licenced high security allocation of 6,300 megalitres per annum (MLpa) from the Murray River for use at the Mill, however the Mill's current usage is only 5,100 MLpa. The Mill incorporates a water hierarchy whereby clean water is incorporated into the Mill at the relevant points, and the progressively contaminated water moves through the Mill as appropriate, since some parts of the Mill do not require clean water. Because of this process, the Mill's specific consumption of water is 20-24 kilolitres per tonne (kL/t) of paper. There would be a small increase in water required, however this would remain within the Mill's existing Licence.

#### **Wastewater**

Typical wastewater flows are 8.5 ML/day, which amounts to a specific generation of 14 kL/t of paper, which the Applicant indicates is low by world standards. Treated wastewater is pumped to a dam in the nearby Ettamogah Forest where it is then directed to the pine plantations and crops and pastures for drip irrigation and centre pivot irrigation respectively. Diverting wastewater to the re-use scheme reduces the amount of wastewater directed to the Murray River. The Mill also requires cooling water, however this is kept separate from the dirty process waters.

The wastewater flows would be increased to up to 9 ML/day, however, the water used, and the wastewater generated per tonne of paper would be reduced due to increased efficiencies. The increases to the wastewater flow would require an increase in the area under cultivation for the wastewater re-use scheme, to ensure that there are no additional discharges of wastewater to the Murray River. The Applicant commissioned a report by Nolan-ITU, which established that, with an average wastewater generation rate of 8.6 ML/day, an additional 30 ha of land under irrigation would be required to maintain the Mill within the existing predictions within the 1992 EIS, of an average annual discharge of some 130 MLpa to the Murray River. The Applicant proposes to provide an additional 50 ha of land for the purpose of establishing a centre pivot irrigator for crops/pasture. The sensitivity analysis indicates that 50 ha would be enough extra land should the wastewater be generated at 9ML/day.

The Applicant has further undertaken modelling that indicates there is a more appropriate method for determining when and whether discharge to the Murray River is necessary. Currently, the EPA Licence, and the existing development consent specify the conditions under which treated wastewater can be discharged to the River. Under these conditions it is possible for the discharge to occur at any time, and subsequently discharges may not meet the required dilution criteria. The Applicant proposes the "depth-based draw-down rule", which specifies that discharge take place at a certain time of year, when the dam reaches a certain volume at that time. The incentive to do so is that the discharge would then take place

at times when high flow in the River is virtually assured. As such, the River dilution criteria would be met with more certainty. The Applicant has further modelled the proposed rule, in the context of the existing situation, and indicates that it does not result in any extra discharges, and as such meets the outcomes of the existing rule.

### **Issues Raised in Submissions**

The Murray Darling Basin Commission (MDBC) requested clarification as to the potential impacts of the proposed development on the Murray River, via increased discharges and salt loads. The MDBC subsequently provided a consideration of the proposal and its likely impacts on the Murray River. The MDBC concluded that the proposed development would result in discharges that would not exceed the criteria threshold for salinity levels. The MDBC has requested that the flow and salinity of any likely discharges be reported to it prior to the commencement of the discharge, and that the data of the actual discharge also be reported.

The EPA has reviewed the “depth-based draw-down rule”, as proposed, and has indicated to the Department that it has no major concerns with the method. The EPA did highlight the potential problem associated with adverse weather conditions causing the dam to spill between the review dates. The EPA requested that a mechanism be included to ensure an appropriate response in such a situation, including consultation with the EPA.

### **Department's Position**

The Department acknowledges that the vast majority of the works would take place within existing buildings, and at least on the existing foot print of the Mill and within the existing stormwater controls. Specifically, all stormwater is currently collected in retention ponds, where it can then be inspected for contamination prior to being released into Eight Mile Creek, which flows to the Murray River. The Department considers that during the construction period, due to the increased activity on-site, there should be routine monitoring of the retention basins, for pH and suspended solids, to ensure that stormwater, potentially contaminated by construction activities, is not discharged to the Creek. Any contaminated stormwater would be pumped to the wastewater treatment plant.

Regarding the increased generation of wastewater, the Department is satisfied that the proposed 50 ha for crop/pasture irrigation is sufficient to cope with the estimated increased volume. In relation to the “depth-based draw-down rule” the Department is generally satisfied that it meets the existing criteria and predictive limits of the 1992 EIS, while also providing for greater certainty that the dilution criteria would be met. The Department proposes the use of the new rule as the primary effluent discharge condition, and notes that it would supersede the existing condition prescribed in the operating 1992 consent. The conditions within the existing consent (and the Environment Protection Licence) relating to contingencies should the river dilution criteria be unable to be met would still apply, and have been incorporated into the recommended conditions to ensure that the suite of conditions are considered collectively. In addition the Department has provided for the EPA to be consulted prior to any likely over topping of the Dam, as a result of adverse weather conditions.

The Department is generally satisfied that the surface water impacts have been appropriately considered by the Applicant, and that the proposed development would not result in any additional environmental impacts to water quality. In particular, and in response to the concerns from the MDBC, the Department notes that due to the increased 50 ha under irrigation for the wastewater reuse scheme, and the proposed discharge rule change, there is unlikely to be any additional impact on the Murray River. In fact, due to the certainty of meeting the dilution criteria being increased the Department considers it more likely that the resultant impact on the Murray River would be reduced as a result of this proposed development. The Department further notes that there are sufficient existing reporting mechanisms within the 1992 development consent to ensure on-going monitoring. The Department would require that the proposed development be incorporated into the existing reporting and monitoring programs.

## **4.2 Impacts on Soil from Wastewater Application**

### **Applicant's Position**

The only part of the proposed development which would not take place within existing buildings, or on the existing foot print of the Mill, is the additional 50 ha land under irrigation for the expansion to the wastewater reuse scheme. The wastewater reuse scheme currently operates in the nearby Ettamogah forest and at two centre pivot irrigated pasture areas. The Applicant provides a report from the Forest Science Centre, which discusses the impacts from the effluent irrigation on the soils in the Ettamogah Forest. This report indicates that there have been significant changes in the pH, the salinity and the sodicity of the soil as a result of the effluent irrigation activities and that such changes cast serious doubt over the long-term sustainability of the effluent re-use scheme within the Forest.

A further report commissioned by the Applicant considers the effects on soil properties from the irrigation of pastures with treated wastewater which concludes that the use of effluent on pasture is appropriate, subject to appropriate monitoring and management, due to the increased ability for ameliorative treatment of soils. In this manner, the consultant recommends that the existing soil monitoring program be expanded to include the irrigated areas under pasture production (including the proposed additional 50 ha), including:

- pre-irrigation, and subsequently once every two years, monitoring to include, saturated hydraulic conductivity and bulk density of surface and subsurface soils within the area;
- annual monitoring of pH, EC, exchangeable cations, extractable phosphorous and sulfate, total carbon and nitrogen, slaking and sodicity; and
- regular monitoring of soil moisture.

The Applicant has also provides a report from John Sykes Rural Consulting which describes the applicability of different crops for the land and irrigation water parameters, indicating that lucerne or perennial ryegrass would be the most appropriate pastures.

The Applicant also notes the discussions which have been held with the EPA and the Murray Catchment Board regarding the potential for a salt off-set scheme, whereby the Mill would return wastewater to the Murray River, and undertake various salt extraction or mitigation measures elsewhere in the catchment to off-set this discharge.

### **Issues Raised in Submissions on the Environmental Impact Statement**

In its submission, the EPA indicated concern regarding the build-up of salts in the soils structure associated with the effluent re-use scheme, and possible impacts to the soil structure associated with this. The EPA notes that, at this stage, this is not having a significant impact due to the assimilative capacity of the soil and the management regime in place, although the long-term viability of the re-use area may be an issue. The EPA suggests that the concept of a salt offset scheme has merit and should be investigated in the context of establishing effluent re-use/ disposal for any further expansion to the Mill, beyond the scope of the current application.

### **Department's Position**

The Department notes that the current proposal is for a relatively small area within the context of the entire re-use scheme (which has some 400 hectares of land under irrigation). Further, the Department notes the considerations of the consultants which identify the issues associated with the impacts to the soils at Ettamogah Forest, and the higher ability for irrigated pasture to be adaptively managed via application of fertilisers and treatments to the soil. In this regard, it is highlighted that the cumulative long-term impacts associated with the effluent re-use in the Forest soils, may not be reflected in pasture soils due to this increased ability to manage the soils. As such, the Department considers that the proposal to provide increased pasture for irrigation is appropriate for dealing with the additional process wastewater in the short to medium term. However, in light of the concerns raised by the impacts to the soil chemistry in the Forest soils, the Department considers it necessary to ensure that the soil monitoring program be expanded to include the new irrigation area, such that soil monitoring for this new area is consistent with the existing soil monitoring requirements at the effluent re-use scheme areas for the rest of the development.

Further to this, and in accordance with the EPA's suggestion, the Department recommends that the Applicant be required to provide an Effluent Re-use Management Report into the likely future potential impacts of the effluent re-use scheme on the effected soils and investigation of alternatives to the effluent re-use scheme. This would include consideration of the feasibility of a salinity offset scheme.

#### 4.3 Traffic and Transport Impacts

##### Applicant's Position

The Applicant has provided both directional and work-type correlated data regarding the source/ destination of vehicles accessing the Mill, per week (annual average). This is reproduced in Table 3, provided below. The total number of vehicle movements is thus approximately 4248 vehicles per week, once both directions are considered. The Applicant also provided data from an Albury City Council traffic count carried out between 5 and 12 August 2003, provided below in Table 4. The count includes traffic from the Mill and from the metal forging plant, of which the Applicant attributes 100-130 movements to the metal forging works. The Applicant notes that construction traffic will utilise the Olympic Way entrance to the site, as is the practice on large maintenance shut-downs.

**Table 3 – Applicant's Annually Averaged Traffic Counts**

| Type of Vehicle   | To/from north | To/from south | Total       |
|-------------------|---------------|---------------|-------------|
| B-Double          | 215           | 118           | 333         |
| Truck and trailer | 30            | 21            | 51          |
| Single truck      | 21            | 107           | 128         |
| Passenger vehicle | 110           | 990           | 1100        |
| Other             | 25            | 480           | 505         |
| Motor bikes       | 0             | 7             | 7           |
| <b>Total</b>      | <b>401</b>    | <b>1723</b>   | <b>2124</b> |

**Table 4 – Council's RW Henry Drive Traffic Counts (5 and 12 August 2003)**

| Time                                                      | Tue  | Wed | Thu  | Fri | Sat | Sun | 5 day average | 7 day average |
|-----------------------------------------------------------|------|-----|------|-----|-----|-----|---------------|---------------|
| 7am to 7pm                                                | 841  | 752 | 906  | 792 | 217 | 143 | 823           | 609           |
| Midnight to midnight                                      | 1034 | 983 | 1123 | 984 | 319 | 225 | 1031          | 778           |
| Am peak hour (7am to 8am)                                 | 172  | 169 | 183  | 154 | 37  | 34  |               |               |
| Pm peak hour (4pm to 5pm, Mon-Fri and 6pm to 7pm Sat-Sun) | 139  | 105 | 130  | 90  | 34  | 32  |               |               |

The Applicant calculates that the increase in heavy vehicles associated with the proposed upgrade will be from some 144 per day to approximately 190 per day (7-day average). The Applicant notes that while this is a 25% increase in heavy vehicles (in correlation with the increase in throughput at the Mill), it represents some 5% of total traffic use at the intersection of RW Henry Drive and the Hume Highway.

The Applicant identifies that the intersection of RW Henry Drive and the Hume Highway represents a potentially dangerous intersection since a vehicle travelling towards the intersection from the north must decelerate if a B-Double is departing the site at the same time. The Applicant notes that this represents an inherent safety issue for the intersection, however identifies that such an issue is broader in scope than this development application. The Applicant notes that several discussions have been held between the Applicant, the RTA and Albury City Council in relation to on-going management of this issue.

##### Issues Raised in Submissions on the Environmental Impact Statement

The RTA provided comment regarding the impact of the proposed development on the intersection of RW Henry Drive and the Hume Highway. Initially the RTA requested that the Applicant undertake significant intersection upgrades of this intersection. After discussions between the Applicant and the RTA, the RTA recommended the following:

- the Applicant be required to undertake a Traffic Impact Statement (TIS) in consultation with the RTA to determine the current and potential future situation at the intersection;

- the Applicant being required to undertake a Traffic Management Plan (TMP) to address any impacts identified in the TIS, to ensure that the safety and efficiency of the Hume Highway is maintained at the subject intersection; and
- the Applicant be required to implement the recommendations of the TMP prior to commencement of operations and to the satisfaction of the RTA.

### **Department's Position**

Council's traffic count shows that there are some 5,000 vehicle movements on RW Henry Drive over the subject week. The Applicant claims that 100-130 movements per day are likely to be attributable to the metal forging works, meaning some 4,400 vehicle movements would be attributable to the Applicant. This correlates reasonably well with the number of movements calculated by the Applicant, as shown in Table 3. As such, the Department is satisfied that the Applicant has adequately described the existing road traffic situation, and characterised the likely increase in traffic.

The Department notes that RW Henry Drive is used only for access to the Mill, and for access to the metal forging works. Further, once on the Hume Highway traffic is part of the regional network. As such, the Department notes that there are no issue as to whether the road network can support the increased traffic, as an increase of 5% accessing RW Henry Drive means that there would be substantially less impact on the Hume Highway itself. However, the Department notes that the issue is whether the use of the RW Henry Drive/ Hume Highway intersection causes an impact as to the effectiveness of the Hume Highway in that location. In this regard, the Department notes the Applicant's consideration of this issue, which highlights that such an issue is an existing and would be on-going irrespective of whether this development application is approved. The proposed upgrade would potentially, however, exacerbate the issue to some degree.

As such, the Department considers that the proposed method for management of this intersection, as proposed by the RTA, is an adequate strategy for determining the actual safety and efficiency of the intersection's operation and for implementing appropriate management plans prior to the upgraded development commencing operations. This will allow a broad and strategic framework to be established for on-going management of this intersection, to ensure that the Hume Highway operates at adequate efficiency.

## **4.4 Air Quality Impacts**

### **Applicant's Position**

The Applicant identifies the predominant air-flow patterns in the air shed surrounding the Mill as including a cold air drainage system which generally follows the course of Eight Mile Creek valley. It is this flow that occasionally carries odours from the Mill towards houses to the north-east and east of the site.

With regards to odour the Applicant notes that such odour is generally caused by the temporary retention of effluent for removal of solids and flow equalisation due to a build up of anaerobic microbes which produce reduced sulfur compounds. The Applicant details significant odour reduction investigations, undertaken in consultation with the EPA, resulting in improved odour management strategies. The proposed upgrade to the effluent treatment plant (part of this development application) would provide for reduced residence times in the aeration feed tank and improve the performance of the biological treatment system.

The Applicant has not undertaken any air emissions dispersion modelling, arguing that the increase in air emissions would be small, and that air emissions efficiency (per tonne of product) would be decreased due to the improved thermal efficiencies to be achieved. The Applicant provides data, incorporated in Table 2, comparing the EPA Licence limit and the actual operating emissions, over the last two years, for coarse particulates, fine particulates and oxides of nitrogen (NOx).

### **Issues Raised in Submissions on the Environmental Impact Statement**

No submissions raised air emissions, including odour, as an issue.

### Department's Position

Notwithstanding that effluent from the Mill will increase slightly, the Department considers that the proposed improvements to the WWTP are likely to reduce odour emissions from the Mill, and provide for an increased ability to process the required effluent volumes. This is likely to result in reduced residency times in the plant, resulting in a more consistent ability to control odours. The Department further notes the Applicant's ongoing efforts to control odour emission from the site, in consultation with the EPA, with odour emissions currently managed within the scope of the EPL including a Pollution Reduction Program between 1998 and 2000. The Department notes that the EPA has not provided comment on the proposal in relation to odour.

Regarding other air emissions the Department requested additional information regarding:

- changes in emissions in terms of concentrations and total loads; and
- previous monitoring data obtained for the 1995 development application (now lapsed).

The Applicant provided calculations indicating that the fuel mix in the boiler would not vary, and as such the concentrations of emissions would remain within the EPL limit and the *Clean Air (Plant and Equipment) Regulation 1997*. In addition to this the Applicant calculated the likely increase in air emissions by correlating this with the increased throughput at the Mill. The Applicant asserts that natural gas consumption would increase by some 6.6% and wood waste burnt would increase by 2.5%. This would result in an estimated increase in emissions by the respective ratios of 6.6% increase for NO<sub>x</sub> (correlated to natural gas consumption), and 2.5% increase for particulates (correlated to wood waste burning). The Department has provided the results of the Applicant's calculation (which predicted the increase over the 5 year average of emissions 199-2003, as well as the Department's calculation, which represents the predicted emissions over the 2002/2003 emissions).

**Table 2 – Comparison of EPA Limits, Historical Emissions and Predicted Emissions**

| Load                                            | Coarse Particulates (kg/yr) | Fine Particulates (kg/yr) | NO <sub>x</sub> (kg/yr) |
|-------------------------------------------------|-----------------------------|---------------------------|-------------------------|
| 2001/2002                                       | 4,972                       | 30,548                    | 162,628                 |
| 2002/2003                                       | 5,610                       | 37,654                    | 164,841                 |
| Average Emissions 1999-2003                     | 5,200                       | 34,100                    | 163,500                 |
| Predicted Emissions (above 5 year average)      | 5,330                       | 34,952                    | 174,000                 |
| Predicted Emissions (above 2002/2003 emissions) | 5,750                       | 38,595                    | 175,720                 |
| <b>EPA Limit</b>                                | <b>6,500</b>                | <b>45,000</b>             | <b>195,000</b>          |

The Department notes that in all cases, the predicted emissions are well below the existing EPA Licence load limit for the Mill.

The Applicant also provided a copy of the air emissions impact assessment report for the 1995 development application for the second paper machine (this consent has now lapsed). This assessment provided ground level concentrations of nitrogen dioxide (NO<sub>2</sub>) in 1995 and the predicted ground level concentrations as a result of the 1995 proposal, which included an additional chemical recovery boiler, and new gas fired boiler. The modelling indicated that the maximum ground level concentration for the 1995 background concentration was 25 µg/m<sup>3</sup> and predicted concentration was 50 µg/m<sup>3</sup> (one-hour average). The Department notes that the current proposal represents a significantly lower increase than was proposed by the 1995 application, since there are no new boilers proposed and the 1995 proposal resulted in annual production up to 500,000 tpa as compared with the current proposal increasing annual capacity up to 265,000 tonnes. The Department highlights that the 1995 proposal would meet the existing criteria of 246 µg/m<sup>3</sup> (one-hour average) and 62 µg/m<sup>3</sup> (annual average), and as such considers that it would be likely that the current proposal would meet that criteria.

The Department notes that the EPA has not commented on the air emissions from the proposed upgrade, and concludes that increased air emissions within the existing load based limits, as prescribed within the EPA Licence, are unlikely to result in significant air quality impacts.

## 4.5 Noise Impacts

### Applicant's Position

With regards to construction noise impacts the Applicant identifies that the paper machine rebuild will occur during a 20-25 day shut down period, during which time construction works will take place 24 hours per day, and operating machinery (including the woodmill) would be shut down. In light of the operating machinery being shut down, the Applicant argues that noise emissions from the mill would be lower during the paper machine rebuild.

The Applicant asserts that new equipment would be installed within buildings, and would not result in any additional noise at the site boundary. Further, the Applicant proposes to install steam recovery equipment, reducing the amount of steam passing through the silencers, and resulting in likely decrease in related noise emissions. There are no proposals to alter the existing use of the woodmill, which is the part of the Mill which generates the most noise.

The Applicant has not undertaken a noise assessment in accordance with the EPA's *Industrial Noise Policy* (INP). The Applicant asserts that in the absence of a clearly defined "nearest receiver" noise measurements were taken at the boundary. These measurements are provided in Table 1 below, and are compared with the amenity criteria for the urban/industrial interface. This comparison indicates that the Mill is compliant with such criteria, and as such generally compliant with the INP. The Applicant notes that the existing Mill operations cannot meet the intrusiveness criteria, estimated to be 40 – 45 dB(A) due to the low existing background noise.

**Table 1 – Comparison of Amenity Noise Criteria and Existing Noise Calculations**

| Time of day | Amenity criteria for urban industrial interface: $L_{Aeq}(15 \text{ minute}), \text{ dB(A)}$ | Nine Mile Hill $L_{Aeq} - \text{dB(A)}$ | Olympic Way Entrance $L_{Aeq} - \text{dB(A)}$ | RW Henry Drive Entrance $L_{Aeq} - \text{dB(A)}$ | Kenilworth front gate $L_{Aeq} - \text{dB(A)}$ |
|-------------|----------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|--------------------------------------------------|------------------------------------------------|
| Daytime     | 65 (recommended maximum 70)                                                                  | 50-52                                   | 52-57                                         | 56-58                                            | 45-60                                          |
| Night       | 50 (recommended maximum 55)                                                                  | 47-49                                   | 49-53                                         | 53-55                                            | 48-51                                          |

### Issues Raised in Submissions on the Environmental Impact Statement

There were no submissions which raised noise emissions as an issue.

### Department's Position

With regards to the paper machine construction and rebuild phase (the 20-25 day shut down period), the Department considers that any construction noise would be likely to be below existing operational noise emissions, given that the woodmill would not be operational during this time. The Department notes that some minor construction activities would be carried out prior to this shut-down period and would not be subject to the same noise reduction conditions. Notwithstanding this, the Department considers that such construction activities would be of a relatively minor nature (not including any major earthworks) and would take place well within the mill's existing footprint, meaning that any increase in noise emissions due to construction would not be significant nor of an extended duration.

Regarding operational noise impacts, the Department notes the Applicant's arguments regarding its general inability to meet the intrusiveness criteria at the boundary of the mill site, and has considered the Applicant's assessment of the current Mill operations with regards to amenity criteria. The Department does not consider that the assessment is compliant with the Industrial Noise Policy, and as such, cannot agree with the Applicant that the existing operations are generally compliant with the Policy. In particular, the Department notes that there is no evidence that noise monitoring was undertaken in accordance with the INP and that the use of the urban/ industrial interface criteria has not been justified.

Notwithstanding this, the Department identifies that the proposed development will result in very little change to the operations of existing equipment. In particular, the paper machine will be upgraded by incorporating technological advances such that throughput can be improved to allow it to operate at a slightly high speed. This does not represent a potential increase in noise,

as the machine will remain substantially as is within the existing building. The new winder will be placed in an annex to the existing building adjacent to the existing winder. These changes, including those to the WWTP, are of a nature and scale which are minor in relation to the existing Mill. Most importantly, the Department notes that there is no proposal for amendment to the woodmill's operation. The woodmill is the most noise intensive component of the Mill, and was the result of the one and only noise complaint over the 2003/2003 period. Since there will be no modification to the operations of the woodmill, the Department is satisfied that the proposed upgraded development would not result in any significant increase to noise generation over and above that from the existing development. Further, the Department notes that the EPA has not raised noise emissions as an issue of concern, and that the EPL does not place noise limits on the existing development.

The Department considers that any proposal which is likely to result in an increase in noise emission from the Mill, or would result in amended operations of the woodmill, would require more detailed assessment and consideration of the Industrial Noise Policy.

#### **4.6 Hazards and Risk Impacts**

##### **Applicant's Position**

The Applicant asserts that while usage of chemicals at the site will increase, there will be no increase in on-site storage capacity. The Applicant provides details of the increase of chemical usage, identifying that consumption of most chemicals would be increased by between 14% and 30%. The Applicant therefore asserts, that since the Mill last upgraded in 1992 (and subsequently in the lapsed 1996 consent) there has been no change in the quantity of dangerous goods stored or the location of those materials on site. The Applicant further states that since this time the use of anhydrous ammonia has been discontinued and replaced with urea.

With regards to the transportation of dangerous goods, the Applicant provides that the number of trucks delivering these goods will increase from 16 to 19 per week. The Applicant further states that the 1991 report into this matter concluded that chemical transportation associated with the Mill represented an insignificant risk compared to the total amount of chemicals transported on the Hume Highway.

##### **Issues Raised in Submissions on the Environmental Impact Statement**

No submissions raised hazard and risk impacts as issues.

##### **Department's Position**

The Department requested additional information, noting that it was not clear whether the risk assessment undertaken in 1992 was performed to satisfy the requirements of SEPP 33 or whether it predated the SEPP.

The Applicant provided a response, indicating that while the 1992 development application predated SEPP 33, the 1995 development application for the second paper machine (now lapsed) included a Preliminary Hazard Analysis (PHA). The PHA was required by virtue of the quantities of anhydrous ammonia and liquefied chlorine exceeding the screening threshold quantities. The Applicant indicates that the one in a million per annum (residential land use criterion) risk contours determined at that time did not extend beyond the site boundary. The Applicant notes that anhydrous ammonia has been discontinued at the Mill, and urea (not a hazardous material) is now being utilised, while use of sodium dithionite is also now being used. The Applicant argues that because the hazards associated with the ammonia are greater than for sodium dithionite, the overall risk profile of the site has decreased.

The Department requested additional information regarding the impacts associated with the sodium dithionite, in particular justification that the hazards associated with the sodium dithionite were below those associated with ammonia. The Applicant provided a PHA undertaken in 1999 for the use of the sodium dithionite. This report concluded that the level of risk was low and should be considered as acceptable.

The Department further notes that the Applicant has developed and implemented a Safety Management System (SMS) at the development. The Department requires the Applicant to demonstrate that this SMS is consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 9 – Safety Management*. The Department subsequently recommends that the Applicant provide external audits of the System after 12 months, and then every three years.

#### **4.7 Impacts on Waste Production and Management**

##### **Applicant's Position**

The impacts associated with additional wastewater have been addressed above in section 4.1 Surface Water Impacts.

The Applicant notes that the quantity of biosolids generated by the mill, as a result of increased throughput at the wastewater treatment plant and the RCF solid waste (ink and fibre), will increase by some 15% from 78,700 tpa to 90,900 tpa. The Applicant currently undertakes land application of biosolids in accordance with the Solid Waste Management Plan prescribed within the current Ministerial consent issued in 1992. The Applicant provides data comparing the contaminants within the biosolids with the EPA guidelines, which indicate that in all cases the biosolids from the mill are well below the category of being inert waste, and Grade A biosolids, in most cases being below the detection limit for the contaminants.

The Applicant proposes to utilise the land application of biosolids for the increased biosolids quantity. In this regard, the Applicant identifies that for an expected application rate of 80 tonnes per hectare an additional 150 ha per annum would be required to cope with the increase. The Applicant asserts that such land would be obtained from its residual land bank of some 16,800 hectares. The 1992 consent would still apply to any additional land used for biosolids application, and as such monitoring at the additional application sites would need to be undertaken by the Applicant in accordance with the existing consent.

The Applicant asserts that an increase of some 14% of other solid waste would be expected, increasing waste to Albury Landfill from 1,670 tpa to some 2,000 tpa. There would be no increase in kitchen waste.

##### **Issues Raised in Submissions on the Environmental Impact Statement**

There were no submissions which raised waste management as an issue.

##### **Department's Position**

The Department notes that the 1992 consent would still apply to any additional land used for biosolids application, and as such monitoring at the additional application sites would need to be undertaken by the Applicant in accordance with the existing consent. The Department notes that there would be a relatively small increase in land application rates of the biosolids materials and considers that the proposal is appropriate in accordance with the current and existing management and monitoring regime in place.

#### **4.8 Impacts on Visual Amenities**

##### **Applicant's Position**

The Applicant has not undertaken a detailed visual assessment of the proposed development, however identifies that for the most part the works will take place within the existing paper machine building, or the existing water treatment plant. The new winder building, to be built as an annex to the existing paper machine building would not be visible from any external or public access point.

##### **Issues Raised in Submissions on the Environmental Impact Statement**

No submissions raised visual issues of the proposed development.

### **Department's Position**

The Department considers that the works on the mill footprint (for water treatment plant and new annex to the paper machine building) for the proposed development would not have any significant visual impacts.

The Department notes that the visual impact of the additional 50 ha of irrigated pasture has not been considered, however further notes that the proposed site for the irrigated pasture is on land which is currently largely cleared pasture at present, and as such would not represent a significant change to the current landscape.

## **4.9 Impacts on Flora and Fauna and Heritage Items**

### **Applicant's Position**

The Applicant provides details of the fauna surveys undertaken in the effluent re-use area, in Ettamogah Forest, an area not part of the proposed development application. None of the studies relate to any area the subject of this development application.

Regarding potential heritage impacts, the Applicant notes that the Mill site was surveyed at the time of the original consent in 1977. There was no substantive evidence of any aboriginal or other historic heritage items, and none were unearthed during construction.

### **Issues Raised in Submissions on the Environmental Impact Statement**

No submissions raised flora, fauna or heritage impacts as an issue.

### **Department's Position**

The Department considers that the proposed development does not represent the potential for any fauna, flora or heritage impacts. The proposed works at the Mill site are entirely within the Mill's existing footprint, and in many cases within existing structures/buildings.

Regarding the additional area for effluent irrigation the Department notes that this land has been cleared and significantly disturbed, both prior to commencement of Mill operations in 1981, and since then. The Applicant would be required under the *National Parks and Wildlife Act 1974* to stop any works, and seek the appropriate approvals, should a heritage item be discovered.

## **4.10 Socio-Economic Impacts**

### **Applicant's Position**

The proposed development will not result in any increase in employment at the site. However, the Applicant argues that the upgrade at the Mill will provide increased certainty for the existing employees. The Applicant further identifies that there will be additional jobs created in the supply chain for additional wood, recovered paper, and the distribution of finished product. The Mill currently employs 260 people on a full time basis.

Further, the Applicant highlights that the proposed development will require capital investment of some \$110 million, of which \$25 million will be injected into the local community via local labour and purchase of local materials. The Applicant further argues that the Mill is a major contributor to the local economy via expenditure of wages (\$25 million per annum), maintenance and service requirements (\$10 million per annum) for local contractors and transportation of raw materials and products (\$18 million per annum).

The Applicant identifies that the proposed upgrade will allow the Mill to compete with imported newsprint, and may reduce the amount of recovered paper currently being exported. The Applicant also notes that the proposed upgrades will enhance the prospects of attracting major new investment in a new paper machine in the region, which have the potential to significantly increase the productivity at Albury, should the Albury Paper Mill be able to attract that investment.

### **Issues Raised in Submissions on the Environmental Impact Statement**

No submissions raised social or economic impacts associated with the development.

### **Department's Position**

The Department considers that the proposed upgrade is unlikely to have any significant socio-economic impacts to the local community. In particular, the Department notes that the bulk of construction works will take place during a concentrated one month period.

The Department notes the importance to the existing Mill in terms of providing significant employment and investment in the Albury region, as well as the significance of ensuring the local paper recycling industry is able to compete with imported recycled paper.

## **5. ENVIRONMENTAL MANAGEMENT**

The Department recommends the following measures to ensure the upgraded development is appropriately managed:

- preparation of a Construction Stormwater Management Plan to ensure adequate measures are deployed to ensure erosion and sediment impacts are prevented;
- a review all management and monitoring programs at the existing development, to be provided to the Department, with relevant management and monitoring programs to include the updated development, including the additional effluent re-use land;
- changes to the effluent discharge criteria into the Murray River, which will result in discharges more likely to satisfy the dilution criteria, as they would take place during periods of traditionally high flow;
- provision of a Traffic Impact Study and implementation of a Traffic Management Plan to ensure an on-going and strategic framework for appropriately managing the issues associated with the RW Henry Drive and Hume Highway;
- provision of an Effluent Re-use Management Report, requiring the Applicant to investigate the impacts on the land attributable to the effluent re-use program, and to consider alternatives to this program;
- general auditing of the upgraded development and auditing of the safety management system.

## **6. CONCLUSIONS**

The Department considers that the proposed development can be operated within acceptable environmental limits, and will not result in any significant impacts to the local environment.

The proposed upgrade will allow the Mill to operate with increased efficiency in terms of energy used per tonne of product, in terms of water usage and in terms of wastewater generated.

## **7. RECOMMENDATIONS**

It is recommended that the Minister:

- (1) consider the contents of this report prior to determining the Development Application;
- (2) consider that the proposed development can be constructed and operated within acceptable environmental limits, subject to the conditions recommended by the Department; and
- (3) grant development consent, subject to conditions, for development application DA-389-8-2003-i, in accordance with Section 80 of the *Environmental Planning and Assessment Act 1979*, by signing the attached instrument of consent (tagged "A").

## APPENDIX A – CONSIDERATION UNDER SECTION 79C

Section 79C requires that the consent authority, when determining a development application, takes into consideration the following matters.

### ***The provisions of:***

#### ***(i) any environmental planning instrument;***

In relation to the proposed development the only environmental planning instrument that applies is the *Albury Local Environmental Plan 2000*. Consideration of the provisions of this instrument, in the context of the proposed development is outlined in section 3.4 and in Attachment B of this report. The Department considers that the proposed upgrade satisfies the objectives of Employment Area Zone, is consistent with the other relevant provisions of the LEP, and is therefore permissible with development consent.

#### ***(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority;***

There are no draft environmental planning instruments which apply to the site.

#### ***(iii) any development control plan;***

There are no development control plans which apply to the site.

#### ***(iv) any matters prescribed by the regulations that apply to the land to which the development application relates;***

Clause 92 of the *Environmental Planning and Assessment Regulation 2000* requires the following matters to be taken into consideration by a consent authority in determining an application:

- ***The Government Coastal Policy (where relevant);***  
Not relevant
- ***In the case of a DA for the demolition of a building, the provisions of Australian Standard AS 2601-1991: The demolition of structures, as in force 1 July 1993;***  
No buildings will be demolished for the proposed development.

#### ***(v) the likely impacts of that development, including environmental impacts on the natural and built environments, and social and economic impacts in the locality;***

Section 4 considers the environmental impacts of the proposed development in detail. The Department considers that the proposed development can be operated within acceptable environmental limits, and will not result in any significant impacts to the local environment.

#### ***(vi) the suitability of the site for the development;***

The proposal is for an upgrade to an existing Mill. The site is thus considered suitable for such a development.

#### ***(vii) any submissions made in accordance with this Act or the regulations;***

The Department received three submissions, from the RTA, the MDBC and the EPA. The Department has considered these submissions and made recommendations in accordance with these submissions, where appropriate.

#### ***(viii) the public interest;***

The Department considers that the proposed development can be operated within acceptable environmental limits, and will not result in any significant impacts to the local environment. The proposed upgrade will allow the Mill to operate with increased efficiency in terms of energy used per tonne of product, in terms of water usage and in terms of wastewater generated.

## APPENDIX B – PROVISIONS OF ENVIRONMENTAL PLANNING INSTRUMENTS

Following is the relevant objectives and provisions of the *Albury Local Environmental Plan 2000*.

### ALBURY LOCAL ENVIRONMENTAL PLAN 2000

#### 8 Zone objectives

- (1) The objectives of each zone are set out in Part 3.**
- (2) The consent authority must not grant consent to the carrying out of development on land that is within a zone unless the consent authority is of the view that the development is consistent with the objectives of the zone.**
- (3) However, the consent authority may grant consent to development on land within a zone that is inconsistent with one or more of the objectives of the zone if, in the circumstances of the case:**
  - (a) there is a perceived inconsistency between objectives, or**
  - (b) the nature and setting of the development makes it unreasonable to comply with one or more of the objectives, or**
  - (c) the development is required in connection with a public utility undertaking or any purpose ancillary to such an undertaking, and non-compliance with the objective would not result in any significant adverse social, economic or environmental effect.**

The Department's consideration of the consistency of the proposal with the Zone objectives is provided under clause 24

#### 9 Matters for consideration

**The consent authority must have regard to any provisions of a development control plan that specify development standards and matters for consideration when assessing a particular development application.**

There are no development control plans which apply to the site.

#### 24 What are the zone objectives of the Employment Area Zone?

- (1) The principal objective of the Employment Area Zone is to identify land for industrial and related land uses.**

The proposed development is to upgrade an existing and currently operating industrial development. It includes a proposal for managing wastewater produced at the industrial development by irrigating crops, a land use related directly to the industrial development. The Department considers that the proposal satisfies this principal objective of the Employment Area Zone.

- (2) The particular objectives of the Employment Area Zone are as follows:**

**(a) to promote employment opportunities by providing for a wide range of industrial, service industrial, highway business, wholesale trades, materials recycling, warehousing, scientific, computer and other related uses,**

The proposed development will secure existing employment at the Albury Mill, as well as providing ancillary employment opportunities in transportation and maintenance/ industrial services sectors.

**(b) to provide for industrial development that will do any one or more of the following:**

**(i) expand the local employment base,**

The proposed upgrade will secure the existing employment at the Mill, as well as providing ancillary employment opportunities in transportation and maintenance/ industrial services sectors. The upgrade may also provide the incentive for additional investment at the Mill, by way of a second paper machine, resulting in significantly increased employment opportunities.

**(ii) support the functions of the main business centres,**

The proposed upgrade will provide employment opportunities in the maintenance/ industrial services sectors.

**(iii) allow the display and sale of bulky goods,**

**(iv) contribute to improvements to the built environment,**

**(v) improve traffic access and safety conditions,**

- (vi) protect the amenity of the public domain and of residential areas in the vicinity,**
- (c) to promote the coincidence of place of living and place of work by accommodating, in appropriate areas, industrial development with residential opportunities,**  
It may not necessarily be appropriate for residential development to occur in the proximity of the Mill
- (d) to create innovative areas that are pleasant to work in and safe and efficient in terms of transportation, land use and service distribution,**  
The Mill has operated continuously since 1981, providing direct access to the regional traffic network via the Hume Highway. The Albury Paper Mill incorporates a Safety Management System, and provides parking for employees.
- (e) to seek to achieve improvements in the visual environment from the viewpoint of motorists, pedestrians and occupants of buildings,**  
The proposed upgrade will not impact significantly on the visual environment, as there is currently an operating Mill.
- (f) to maintain adequate operating performance on the Hume Highway,**  
The Department concurs with the RTA's recommendations regarding the Hume highway/ RW Henry Drive intersection that a on-going framework is necessary to manage the safety and efficiency of this intersection. The measures highlighted in the Traffic Management Plan will be implemented prior to the commencement of operations of the upgraded Mill.
- (g) to encourage development layout design and functioning that minimises impact on activities in other zones,**  
The Mill upgrade will not impact on other zones.
- (h) to encourage an equitable distribution, and a high standard of appearance, of advertisements,**  
The proposal does not include advertisements.
- (i) to provide suitable areas of land for a range of special industries and uses that, by the nature of the processes involved and the scale or type of use or the materials used and produced, require separation from other land uses and need large areas of land,**  
The Albury Paper Mill constitutes a special industry and exists on a suitable area of land.
- (j) to utilise a Development Control Plan to provide more detailed industrial development guidelines, particularly in relation to light industry.**  
The site is not subject to any development control plans.

## **25 Development on land in the Employment Area Zone**

**A person must not carry out development on land in the Employment Area Zone without the consent of the consent authority.**

The Applicant has lodged a development application with the consent authority for permission carry out development in the Employment Area Zone.

## **26 Restrictions on shops and services in the Employment Area Zone**

This clause does not apply since the proposed development is not for shops or services within the Employment Area Zone.

## **55 Tree preservation**

- (1) A person must not poison, ringbark, cut down, lop, chop, injure or wilfully destroy a tree on any land to which this plan applies if the tree:**
  - (a) is greater than 4.5 metres high, and**
  - (b) has a branch spread greater than 3 metres,****without the consent of the consent authority.**

The Applicant has not indicated that the proposed development will require any destruction of a tree which satisfies these provisions.

**56 Hazardous or offensive development**

- (1) The consent authority must not grant consent to a development application allowing development for the purpose of a hazardous or offensive industry or storage establishment unless the consent authority:**
- (a) has had regard to the current circulars and guidelines published by the Department of Urban Affairs and Planning relating to hazardous or offensive development, and**
  - (b) has given consideration to a preliminary hazard analysis in relation to the development.**

The Department has considered the proposal against the provisions of SEPP 33. In doing so, the Department considered two risk assessments undertaken in 1995 and 1999 for various components of the approved (and lapsed) development and the existing development. The Department is satisfied that the proposed development is not hazardous or offensive development.

**57 Contaminated land**

- (1) This clause applies to land that is contaminated or that is potentially contaminated.**

There is no indication that the land the subject of the development application is contaminated or potentially contaminated.

**Conclusion**

The Department considers that the proposed upgrade satisfies the objectives of Employment Area Zone, is consistent with the other relevant provisions of the LEP, and in accordance with clauses 8 and 25, is therefore permissible with development consent.

## APPENDIX C – SUBMISSIONS SUMMARY

| Submitter                        | Position   | Details                                                                                                                                                                                                      |
|----------------------------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Environment Protection Authority | Not Stated | Provided general terms of approval for the development requiring the Applicant to establish the proposed amount of irrigation area for effluent re-use.                                                      |
|                                  |            | Discussed the long-term viability of the effluent re-use scheme, and requested further investigations in that regard.                                                                                        |
| Murray Darling Basin Commission  | Not Stated | The MDBC requested additional information regarding the discharges into the river for modelling of impacts. The Applicant provided the required information.                                                 |
|                                  |            | The MDBC subsequently provided comment that the upgraded development would not exceed its threshold impact. Requested that the Applicant provide it details on likely discharges, and actual discharge data. |
| Roads and Traffic Authority      | Not Stated | Requested additional road works at the intersection of RW Henry Drive and the Hume Highway.                                                                                                                  |
|                                  |            | After discussions with the Applicant the RTA requested that the Applicant undertake a Traffic Impact Study, and a Traffic Management Plan for the intersection.                                              |