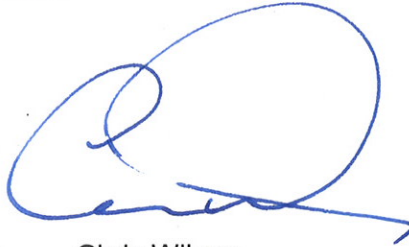


Notice of Modification

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

As delegate of the Minister for Planning, I modify the Project Approval referred to in Schedule 1, as set out in Schedule 2, Schedule 3 and Appendix A.



Chris Wilson
Executive Director

Sydney

12 July

2010

File No: S00/00481

SCHEDULE 1

Project Approval:	Granted by the Minister for Planning on 20 July 2007.
In respect of:	Project application 05_0120 made by Amcor Packaging (Australia) Pty Ltd, in relation to 1891 Botany Road, Matraville in the Randwick local government area.
For the following:	Changes to site layout and subdivision of land at the Amcor Paper Mill.

SCHEDULE 2

The project approval is modified by:

1. Replacing existing condition 2 with new condition 2 as follows:

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:
 - a) EA;
 - b) site plan contained in Appendix A;
 - c) submissions report;
 - d) statement of commitments;
 - e) Modification application 05_0120 Mod 2 with supporting documents titled *Environmental Assessment Report: B9 Project – New Paper Mill – Revised Modification # 2, Subdivision and Site Layout, 16 February 2010*, prepared by SKM and *Response to Submissions from Exhibition of Environmental Assessment Report, May 2010*, prepared by SKM; and
 - f) conditions of this approval.

SCHEDULE 3

NOISE

2. Replacing existing condition 10 with new condition 10 as follows:

Noise Limits

10. The Proponent shall ensure that noise from operation of the project does not exceed the noise limits presented in Table 1.

Table 1: Project Noise Limits

ID	Location	Day	Evening	Night	Night
		L _{Aeq} (15 minute) dB(A)	L _{Aeq} (15 minute) dB(A)	L _{Aeq} (15 minute) dB(A)	L _{Amax} dB(A)
R1	Cnr. McCauley St and Australia Ave	46	45	43	55
R2	Australia Avenue	45	45	43	55
R3	Murrabin Avenue	46	45	43	55
R4	Partanna Avenue	42	41	41	55
R5	Cnr. Partanna and Moorina Avenues	42	42	39	55
R6	Moorina Avenue	43	43	39	55

Notes:

- Noise from the premises is to be measured at any point within 1 metre of any residential boundary or other noise sensitive areas in the vicinity of the premises to determine compliance with the L_{Aeq}(15 minute) noise limits in the above table.
- L_{Amax} noise limits apply at one (1) metre from the residential building façade.
- Where it can be demonstrated that direct measurement of noise from the development is impractical, the Department and the DECC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy).
- The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.
- The noise limits identified in Table 1 apply under the following meteorological conditions:

- *wind speeds up to 3 m/s at 10 metres above the ground level; or*
- *temperature inversion conditions up to 3°C/100m and wind speeds up to 2 m/s at 10 metres above ground level.*

3. Inserting new conditions 10A immediately after condition 10:

Noise Mitigation

- 10A. Prior to the commencement of operations of the project, the Proponent shall prepare and implement a detailed Noise Barrier Design Plan. The Plan shall:
- a) be prepared in consultation with Council;
 - b) be prepared and implemented to the satisfaction of the Director-General;
 - c) demonstrate that the proposed noise barriers are designed with a material density of no less than 15kg/m², unless otherwise approved by the Director-General;
 - d) Include a detailed plan of the layout indicating how the noise barriers would traverse along the north-eastern perimeter of the Amcor site and around the waste paper storage yard; and
 - e) Include a detailed design of the barrier, outlining how it would be visually treated to reduce and mitigate any visual impacts, such as the provision of landscaping on its northern side.

4. Insert a new condition 13A immediately after condition 13:

Operational Noise Management Plan

- 13A. The Proponent shall prepare and implement an Operational Noise Management Plan for the project to the satisfaction of the Director-General. The plan shall be submitted to the Director-General prior to the commencement of operations, and must:
- a) identify all potentially affected sensitive receivers;
 - b) specify the relevant noise criteria;
 - c) describe management methods and procedures and specific noise mitigation treatments that will be implemented to control noise emissions,
 - d) detail a noise monitoring program to be prepared by a qualified acoustic consultant and implemented to monitor the effects of the project on the acoustic environment during operation, the effectiveness of all noise control devices and the noise barrier, and monitoring of road traffic noise, with details of procedures to be undertaken if any non-compliance is detected; and
 - e) detail procedures to receive, record and respond to complaints.

5. Insert a new condition 13B immediately after condition 13A:

- 13B. Prior to the commencement of operations, the Proponent shall ensure that all of the following noise mitigation controls are implemented:
- a) retention and redesign of the B7 reel store to provide acoustic shielding;
 - b) placement of ventilation fans on decks on the south side of the paper machine building;
 - c) engineering controls on fans and blowers to achieve 85dB(A) at 1m from the outlets;
 - d) ground floor level wall of the paper machine building facing residential areas to be constructed of concrete and a double clad metal system;
 - e) machine floor level wall of the paper machine building facing residential areas to be constructed of a double steel cladding system;
 - f) design of the internal road system and traffic flow to prevent sleep disturbance criteria being exceeded; and

- g) design of the finished product store to allow trucks to be loaded inside the building and to exit the site via a separate access on McCauley Street further from residential areas.

6. Replacing existing condition 14 with a new condition 14 as follows:

Noise Validation

- 14. Within 3 months of the commencement of operations, the Proponent shall submit a Noise Verification Study to the satisfaction of the Director-General to demonstrate compliance with the noise limits in Table 1. This Study shall:
 - (a) be undertaken by a suitably qualified acoustical expert and in accordance with the *NSW Industrial Noise Policy*;
 - (b) validate the predictions made in the EA;
 - (c) demonstrate compliance with the noise limits in Table 1; and
 - (d) describe the contingencies that would be implemented, and the timing for implementation, should non compliances be detected.

TRANSPORT

7. Replacing existing condition 20 with new condition 20 as follows:

Operating Conditions

- 20. The Proponent shall ensure that:
 - a) the internal road network and parking on site complies with Australian Standards AS 2890.1:2004 and AS 2890.2:2002;
 - b) site related vehicles do not queue on any public roads;
 - c) heavy vehicles are restricted from using McCauley Street north of Raymond Avenue; and
 - d) any changes to site access, including new access points and closure of existing access points are notified to the Director-General prior to commencement of operation.

8. Inserting new conditions 20A, 20B and 20C as follows:

McCauley Street Road Upgrade

- 20A. Prior to the commencement of operations of the project, the Proponent shall upgrade McCauley Street between Botany Road and Raymond Avenue, to the satisfaction of the Director-General. The Proponent shall:
 - a) submit detailed design of the road upgrade works to Council for approval;
 - b) fund the full cost of the upgrade works;
 - c) dedicate a strip of land adjacent to McCauley Street, up to 2 metres wide, to Council as a public road, excluding the heritage wall which is to be retained on Amcor owned land;
 - d) consult Council on design of the shared access on McCauley Street opposite Raymond Avenue;
 - e) consult Council on the most appropriate traffic management measures for limiting heavy vehicle movements north of Raymond Avenue; and
 - f) apply to the RTA for the southbound section of McCauley Street to be designated as a B-double route prior to operation.

- 20B. Prior to the commencement of operation of the project, the Proponent shall upgrade the intersection of McCauley Street and Botany Road, to the satisfaction of the Director-General. The Proponent shall:
- a) submit detailed design of the intersection upgrade works to the RTA for approval;
 - b) commission an independent Certified Auditor to undertake a Stage 3 Road Safety Audit of the intersection design;
 - c) fund the full cost of the upgrade works, including any utility adjustment or relocation works;
 - d) dedicate land at the intersection, if required, to the RTA as a public road; and
 - e) enter into a Works Authorisation Deed with the RTA for the upgrade works.
- 20C. Prior to the commencement of construction, the Proponent shall consult the RTA on design of the shared access on Botany Road, to the satisfaction of the Director-General.

9. Replacing existing condition 21 with new condition 21 as follows:

Traffic Management Plan

21. The Proponent shall prepare and implement a Traffic Management Plan, to the satisfaction of the Director-General and in consultation with the RTA, Sydney Ports Corporation and Council. The Plan shall be submitted to the Director-General prior to the commencement of construction and must include:
- a) a Driver Code of Conduct and training to ensure that noisy practices are not unnecessarily undertaken on site or near sensitive receivers
 - b) details of construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic controls;
 - c) procedures for notifying residents of construction traffic routes and potential disruptions to routes and access
 - d) a description of the parking arrangements during construction;
 - e) detailed analysis of the impact on the road network, where temporary road closures are required;
 - f) procedures to minimise the use of reversing alarms;
 - g) movement scheduling where practicable to reduce impacts during sensitive times of the day; and
 - h) procedures for preventative and corrective action, including disciplinary action for breaches of noise minimisation procedures.

10. Inserting new condition 28A – 28D immediately after condition 28:

Subdivision and Easements

- 28A. The Proponent shall carry out the subdivision in accordance with the Plans of Subdivision included in Appendix A.
- 28B. Prior to the issuing of the subdivision certificate, the Proponent shall ensure that each lot is connected to services, drainage and utilities and provide documentary evidence of the proposed easements to the accredited certifier or Council.
- 28C. Easements for services, drainage, maintenance or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision, must be created over those lots pursuant to the *Conveyancing Act, 1919*.

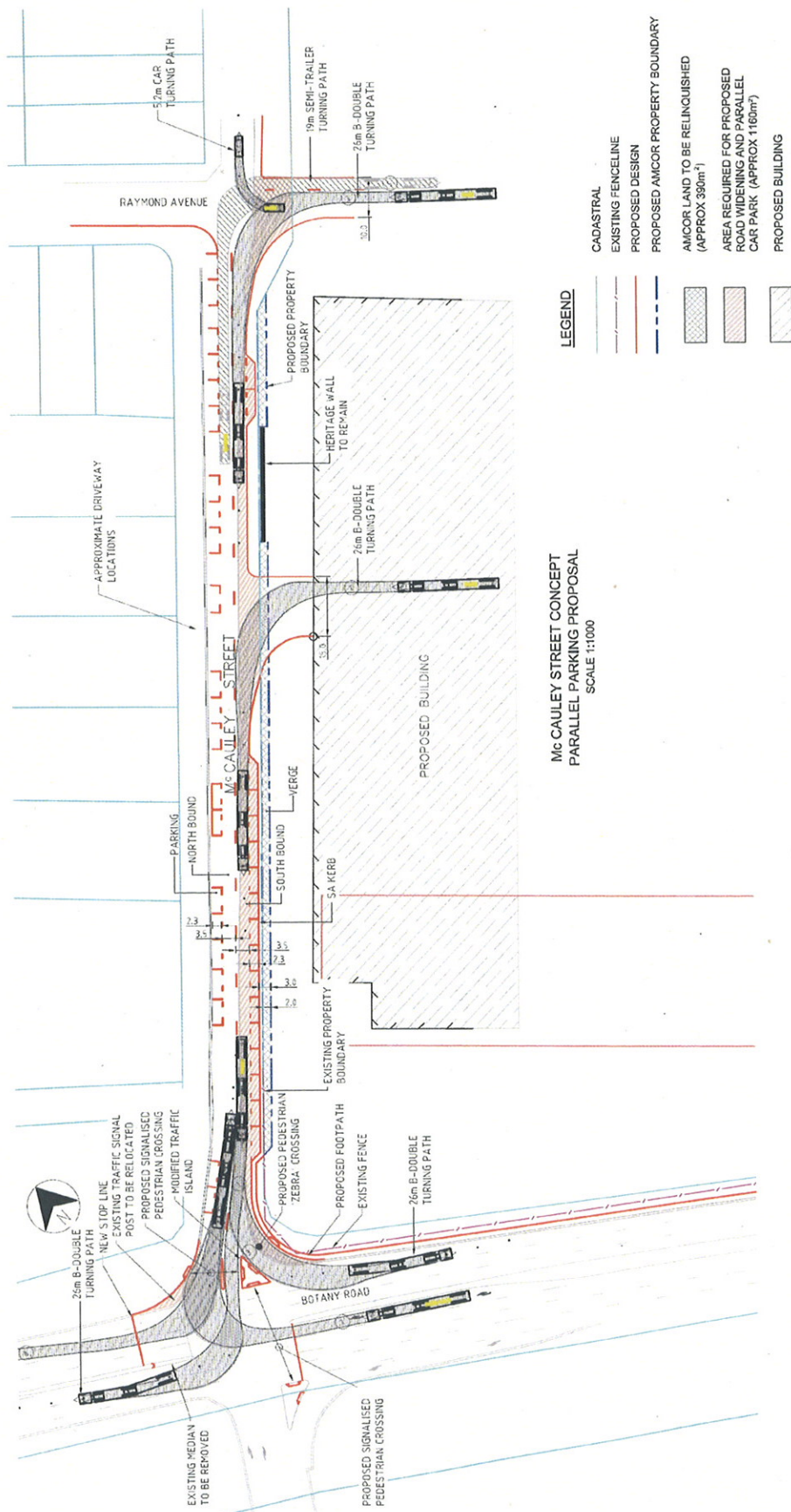
Note: Any easements in the subdivision plan must nominate Randwick City Council as the authority to release, vary or modify the easement. The form of the easement must be in accordance with Council's standard recitals for terms of easements, or the standard form for easements accepted by the Department of Lands.

- 28D. All costs associated with the preparation and registration of any covenant or restriction on title, whether directly or indirectly, will be borne solely by the Proponent.
11. Replacing existing condition 30 with new condition 30 as follows
30. Within one year of the commencement of operations, and every three years thereafter, unless the Director-General directs otherwise, the Proponent shall commission an Independent Environmental Audit of the project. This audit must:
- a) be carried out by a suitably qualified, experienced and independent audit team, that contains an odour specialist, noise expert and wastewater specialist, whose appointment has been endorsed by the Director-General;
 - b) assess the environmental performance of the project;
 - c) assess whether the project is complying with the conditions of both this approval and the EPL for the project;
 - d) review the adequacy of any strategy/plan/programme required under this approval, and if necessary, recommend measures or actions to improve the environmental performance, and or any strategy/plan/programme required under this approval; and
 - e) include a Hazard Audit in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 5 – Hazard Audit Guidelines*.
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APPENDIX A

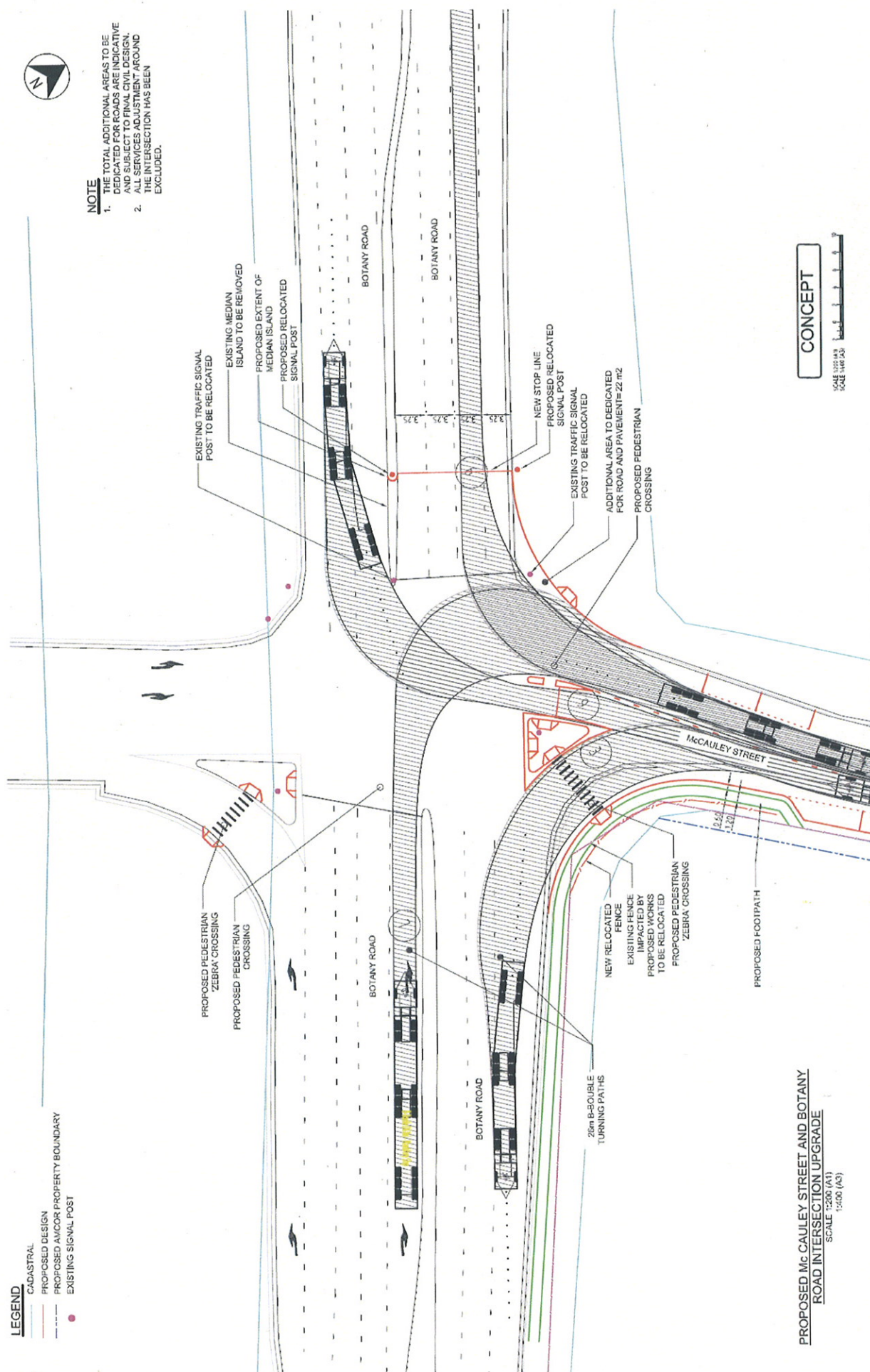
12. Replacing existing Figure 1 with a new Site Layout Plan.
13. Inserting new Figure 3: McCauley Street Upgrade.
14. Inserting new Figure 4: McCauley Street and Botany Road Intersection Upgrade.
15. Inserting new Figure 5: Subdivision Plan.

NSW Government
Department of Planning



PRELIMINARY

Figure 3: McCauley Street Upgrade

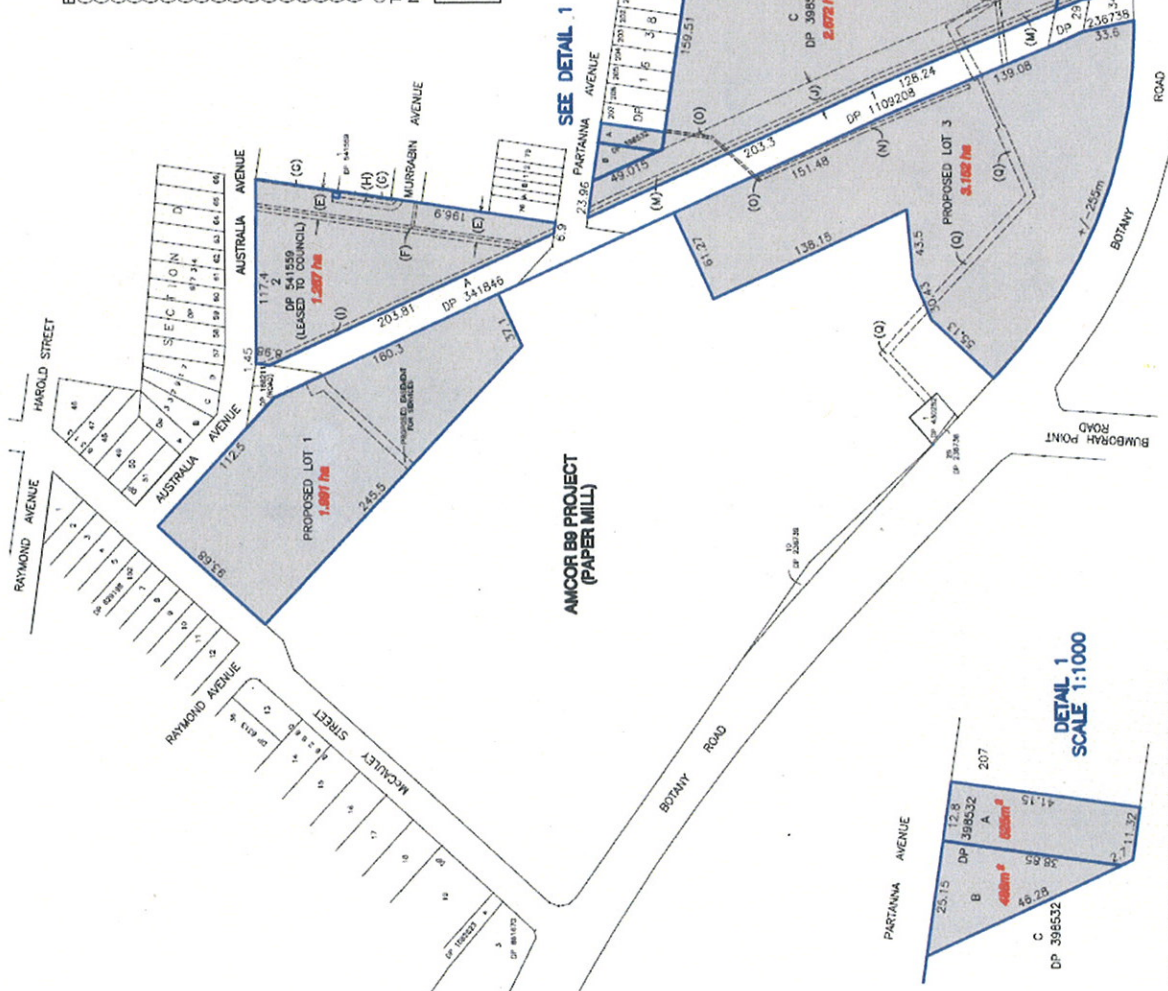


- EASEMENT DETAILS**
- (A) Easement for sewerage purposes 3.05 & variable width (K4978 - DP 211266)
 - (B) Easement for sewerage purposes 3.05 wide (Q113408 - DP549172)
 - (C) Easement for underground cables 3 wide (S529552)
 - (D) Easement for underground cables 3 wide (R457457)
 - (E) Right of way 20.115 wide (G508173)
 - (F) Easement for electricity purposes 1.83 wide
 - (G) Easement for electricity purposes 0.915 & 1.065 wide (L850212)
 - (H) Right of way 3.66 & 3.05 wide (R457457)
 - (I) Easement for underground cables 3 wide (R457457)
 - (J) Right of way 20.115 wide (G508173-DP398532)
 - (K) Easement for sewerage purposes 5.18 & variable width (Q113406-DP531099)
 - (L) Easement for sewerage purposes 5.18 & variable width (R457457-DP452264)
 - (M) Easement for underground cables 3 wide (H888950)
 - (N) Easement for drainage 2.44 wide (D5105)
 - (O) Easement variable width (Q517371-DP187547)
 - (P) Easement for sewerage purposes 2.44, 5.18 & variable width (Q113407-DP531099)

Only easements that are affecting the subject land have been plotted. The currency of such easements have been taken from the certificates of titles for each lot. No appurtenant easements (i.e. benefiting) have been shown.

NOTES:

1. LOT AREAS AND DIMENSIONS ARE ONLY APPROXIMATE AND SUBJECT TO FIELD VERIFICATION.
2. EASEMENTS & CONVEYANTS (EXISTING & PROPOSED) MAY NOT BE SHOWN ON THIS PLAN



REV.1 -ADDED LOT AREAS TO PLAN (29/01/2008 -DL)

Figure 5: Subdivision Plan

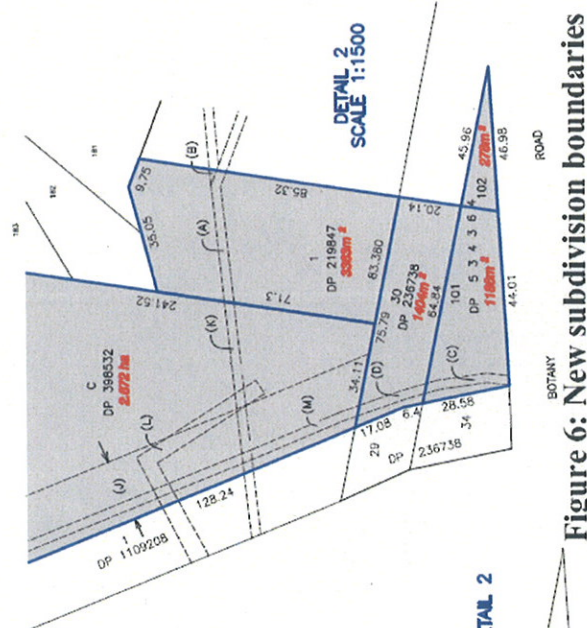


Figure 6: New subdivision boundaries