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Mr Ben Holmes
Environmental Planning Officer
Critical Infrastructure and Special Projects
GPO Box 39
SYDNEY NSW 2001

Ben

Dear Mr ~~Holmes~~

RE: Proposed expansion of the Visy Pulp and Paper Mill, Tumut (Application Reference: 06_0159)

I refer to the Project Application, Environmental Assessment, and accompanying information provided for the proposed expansion of the Visy Pulp and Paper Mill, Tumut received by the Department of Environment and Conservation (DEC) on 5 February 2007.

DEC has reviewed the information provided and has determined that it is able to support the proposal subject to the Department of Planning seeking the amendments to the draft Statement of Commitments, identified in Attachment 1. Attachment 2 contains DEC's assessment of the proposal, including justification for the amendments.

DEC notes that the draft Statement of Commitments is generally written in broad terms. It is therefore understood that at the time of implementation, the Statement of Commitments will be read and actioned with reference to the corresponding detailed commitments contained in the body of the Environmental Assessment.

Where a particular commitment will involve an addition or amendment to Visy's current licence issued under the Protection of the Environment Operations Act, DEC has detailed the proposed licence conditions in Attachment 3.

It is expected that DEC will be given an opportunity to review the draft Director-General's Environmental Assessment Report for this proposal. It would be preferable if DEC's amendments to the draft Statement of Commitments are included as presented. If this is not the case and Department of Planning (DoP) does not have the opportunity to discuss the variations with us then we will be recommending that they are included as Conditions of Approval, if approval is recommended by the DoP. It should be noted that these amendments are important for DEC's ongoing support of the proposal.



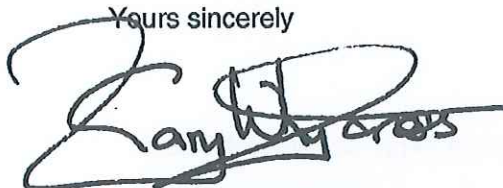
In assessing the proposal DEC has also identified a number of broader environmental and conservation issues that the DoP may wish to consider in its overall assessment of the application. These issues are discussed in Attachment 4 and include the following issues:

1. Waste Management, including local landfill capability;
2. Traffic noise assessment and recommendations.

DEC would also appreciate receiving a copy of the submissions received by the DoP (or a report summarising these submissions) in response to the exhibition of the Environmental Assessment. This is to assist DEC review of the draft Director-General's Report and to recommend conditions of approval, if required.

If you have any questions, or wish to discuss this matter further please contact Mr Brian Wild on (02) 6022 0600.

Yours sincerely



Gary Whytcross 5 March 2007.

GARY WHYTCROSS
Director South
Environment Protection and Regulation

Appendix 4

Broader Environmental Issues

Detailed below are several broader environmental issues that the Department of Planning may wish to consider in its overall assessment of the project.

Waste Management

Statement of Commitments

It is noted that there are no specific commitments given in the Statement of Commitment with regard to the management of the various solid and liquid waste streams (other than wastewater), or specific measures to reduce, reuse or recycle the various waste streams.

As the handling and processing of waste products is a core activity of the Tumut Mill, Visy should be requested to include appropriate commitments in accordance with the waste hierarchy and sound waste management.

Residue waste

Under Part 5 of the POEO (Waste) Regulation, fly ash and bottom ash is prohibited from application to land. DEC is prepared to consider any alternative and appropriate management options for this waste material and an application for an exemption from the prohibition for the land application of ash residue generated at the Tumut mill.

Local area landfill capacity

Visy have stated that Bellette's landfill at Gilmore, which currently has a 30,000 tonnes per annum capacity for inert waste, will likely be seeking to increase its capacity to 65,000 tonnes per annum in line with demand for additional local landfill space for the increased solid waste quantities generated at the Tumut Mill.

The DEC would like to see further detail on this issue, including ensuring that the landfill can obtain the appropriate planning consent and environment protection licences to increase its capacity to that stated. Additionally it will need to be demonstrated that it can lawfully accept and manage the increased waste types and quantities generated at the Tumut Mill over the life of the project.

It should also be noted that under Part 2, Clause 5 of the POEO (Waste) Regulation, the Waste and Environment Levy is due on any process by-products that are derived from waste that has been generated in the Regulated Area, regardless of whether those wastes are disposed of within or outside the Regulated area.

Traffic Noise Assessment

Applicable criteria

The traffic noise impact assessment (TNIA) has correctly adopted the criteria from the EPA Environmental Criteria for Road Traffic Noise (ECRTN) for 'Land use developments with the

potential to create additional traffic on existing freeways / arterials' (.i.e. $L_{Aeq,15hours}$ 60dB(A) and $L_{Aeq,9hours}$ 55dB(A)).

The criteria in the ECRTN is generally applied in three ways;

1. Where existing traffic noise levels are more than 2dB below the criteria, the actual criteria itself becomes the level that should be sought to not be exceeded using feasible and reasonable measures,
2. Where existing traffic noise levels are below the criteria but within 2dB, an increase of not more than 2dB is acceptable,
3. Where the criteria are already exceeded, all feasible and reasonable mitigation should be applied to seek to reduce noise levels to the criteria, and in all cases traffic arising from the development should not lead to an increase of more than 2dB.

Assessment and Recommendations

Traffic noise levels have been assessed for nine residential receiver locations stated to be indicative of typical affected residential receivers located on the Snowy Mountains Highway, Gocup Road and Wondalga / Batlow Road.

The traffic assessment generally indicates the following:

- Existing traffic noise levels are currently exceeded at only one residence, that being 'Beale' with a daytime level of 62.8dB(A) and a night time level of 58.3dB(A).
 - Combined existing traffic levels and Visy Phase 2 exceeds the ECRTN criteria at 'Sullivan' (Adelong), 'Steunkal' & 'Beale' (Snowy Mountains Highway west of Batlow Road), and 'Michael' (western edge of Tumut).
1. The exceedance at Adelong is minimal, at less than 1dB(A) and it is noted that a curfew currently exists for Adelong.
 2. The exceedances at 'Michael' (representing western edge of Tumut) are marginal to significant with daytime levels of $L_{Aeq,15hours}$ 63.3dB(A) and $L_{Aeq,9hours}$ 58.4dB(A).

Recommendation: A truck management strategy is proposed to mitigate truck noise levels at the western edge of Tumut, however it needs to be acknowledged that it will not cause the exceedances to be fully mitigated.

3. The exceedances at Steunkal are extremely minor during the day ($L_{Aeq,15hours}$ 60.1 dB(A)) and marginal at night ($L_{Aeq,9hours}$ 56.8dB(A)), however the increases due to Visy traffic are significant with an increase of 3.3dB(A) during the day and 4.8dB(A) during the night.

At Beale, the existing noise levels already exceed the criteria. Whilst the predicted increases are not more than 2dB, the ECRTN requires that feasible and reasonable mitigation be considered.

Recommendation: That feasible and reasonable traffic noise mitigation measures should be considered by the proponent at the Steunkal and Beale residences.

Traffic Noise Management Strategy

It is recommended that a Traffic Noise Management Strategy (TNMS) be developed by the proponent to ensure that feasible and reasonable noise management strategies for vehicle movements associated with the facility are identified and applied. A TNMS should include but not necessarily limited to the following:

- driver training to ensure that noisy practices such as the use of compression engine brakes are not unnecessarily used near sensitive receivers;
- best noise practice in the selection and maintenance of vehicle fleets;
- movement scheduling where practicable to reduce impacts during sensitive times of the day;
- communication and management strategies for non-Visy owned and operated vehicles to ensure the provision of the TNMS are implemented;
- a system of audited management practices that identifies non conformances, initiates and monitors corrective and preventative action (including disciplinary action for breaches of noise minimization procedures) and assesses the implementation and improvement of the TNMS;
- specific procedures to minimize impacts at identified sensitive areas;
- clauses in conditions of employment, or in contracts, of drivers that require adherence to the noise minimization procedures and facilitate effective implementation of the disciplinary actions for breaches of the procedures.

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