



Mr Jean Yves Nouaze
Visy Pulp and Paper Pty LTd
PO Box 98
TUMUT NSW 2720

MP 06_0159 MOD 3

Dear Mr Nouaze

**Tumut Mill Expansion (MP 06_0159 MOD 3)
Request for Response to Submissions**

The notification of the environmental assessment (EA) for the modification request relating to the Tumut Mill Expansion ended on Monday 13 February 2017. All submissions received by the Department are provided at **Attachment 2** and are available on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8139

You are required to provide a response to the issues raised in a Response to Submissions (RTS) Report. You must also provide additional information in response to the Department's comments provided at **Attachment 1**.

Please note that the Department will provide separate comments to you concerning hazards and risks.

Should you have any enquiries in regards to this matter, please contact Bianca Thornton on the details above.

Yours sincerely

Chris Ritchie
Director

Industry Assessments

as delegate for the Secretary

23/2/17.

ATTACHMENT 1 Additional Comments

1. Waste

Please elaborate on how the additional 13,270 tonnes of waste per annum would be disposed/reused/recycled.

The Department notes the concerns raised by the EPA relating to waste management at the site. It is understood that the landfill at Burra Road, Gundagai is approaching capacity and is undergoing a closure process with the EPA. As current operations at the Tumut Mill site rely heavily on landfilling and given the EPA's concerns, Visy should provide further details on its future strategic direction for the management of waste from its site.

Visy should focus on priorities 1 and 2 of the Statement of Commitments, being the minimisation of resource consumption and the recovery of resources. Further, a more strategic approach to waste management should be established, including the development of mitigation measures.

Notwithstanding the above, the EPA has advised that the proposal cannot be assessed given the lack of information concerning landfilling arrangements.

2. Statement of Commitments

The Statement of Commitments, dated 18 April 2007, may need to be updated to reflect the waste management issues outlined in point 1 above. The Statement of Commitments should include measurable targets to reflect a strategic approach to waste management.

3. Air Quality and Odour

The Department notes that the site has a history of odour complaints. Please provide further information on how the proposed expansion would impact odour, and what mitigation measures are proposed. If there are no anticipated increase in odour impacts, please provide further information on how Visy came to that conclusion.

4. Transportation

Please provide clarification on how the increased frequency of chemical deliveries would impact traffic.

5. Need for Modification

Section 2.1 states that the modification is requested 'to meet service ongoing domestic and international demand requirements.' Please elaborate on this point.

6. Major Hazard Facility

Please confirm that the facility will not be a Major Hazard Facility based on Schedule 15 of the *Work Health and Safety Regulation 2011*.

ATTACHMENT 2
Agency Submissions



Our reference: EF13/ 3800 DOC17/86962-01
Contact: Mark Enright 02 6022 0603

The Team Leader
Industry Assessments
Planning and Environment
PO Box 39
SYDNEY NSW 2001

Attention: Bianca Thornton

Dear Ms Bakopanos

Re Visy Pulp and Paper Pty Ltd – section 75w Modification of Consent (MP 06_0159 Mod 3)

I refer to your electronic mail dated 30 January 2017 seeking a submission from the Environment Protection Authority (EPA) in relation to the proposed modification to the development consent for Visy Pulp and Paper Pty Ltd (Visy) Mill at Tumut (MP 06_0159 Mod 3).

The proposed modification is to permit an increase in production capacity from 700,000 tonnes per annum to 800,000 tonnes per annum.

The EPA has reviewed the Environmental Assessment (EA) report prepared by GHD dated January 2017 and as discussed with you on 10 February 2017 we make the following comments.

- Based on a review of the information presented in the EA, we consider the proposed increase in production will not cause a significant increase in air, water or noise emissions;
- The current Environment Protection Licence conditions are sufficient to regulate the proposed activity;
- We note there will be an increase in the volume of waste generated at the site for disposal should the modification be approved. We consider this to be an issue that the Department of Planning and Environment should seek further advice on. Similar issues were raised in our submission to the Department of Planning dated 5 March 2007 (Our reference DOC07/4108 - Your reference 9043050 copy attached) for Visy's Stage 2 expansion and we consider these issues to still be relevant.

This issue becomes even more important given the impending closure of the landfill at Burra Road Gundagai that has exclusively received up to 40 000 tonnes per annum of paper machine waste, grits, dregs and fly ash waste from Visy since August 2013. The operator is currently going through a closure process with the EPA as the landfill is expected to reach capacity during 2017.

We have detailed our issues and recommendations about the waste issue at Attachment A for your consideration.

If you have any further enquiries about this matter please contact Mark Enright by telephoning 02 6022 0603.

Yours sincerely

 14.2.2017

CRAIG BRETHERTON
Manager Regional Operations South West
Environment Protection Authority

Attachment A

Waste Management

The Environmental Assessment (EA) states the waste requiring off-site reuse or disposal is anticipated to increase from 71,245 tonnes per annum to 84,515 tonnes per annum based upon the requested increase in production capacity from 700 000 tonnes per annum (tpa) to 800 000 tpa.

The EA states –

“Approval of use of non-standard fuels in the multi-fuel boiler has not been obtained and Visy are investigating the implementation of numerous reuse or recycling options for the waste streams. Visy is also investigating potential resource recovery exemptions for dregs, grit and fly ash.”

The EPA can confirm for the Department of Planning and Environment that Visy have no current applications for resource recovery exemptions for using dregs, grit and fly ash from the Visy Tumut Mill. Carbon Mate Organic Recycling (Carbon Mate) at Wagga did have an exemption for the use of fly ash from the Visy Tumut Mill but this expired in August 2016.

To date, Carbon Mate has received 1 780 tonnes of Visy fly ash for land application as a constituent for a hardstand material under a resource recovery exemption. The EPA understands approximately 3,000 tonnes of fly ash are produced per year at the Visy Tumut Mill.

Carbon Mate has made application to the EPA for the same reuse proposal. The EPA is currently considering this application. Should the exemption be approved about 6,000 tonnes of Visy fly ash will be supplied to Carbon Mate over a two year period.

Other than a general statement in the EA that Visy will work with suppliers to reduce contamination in the waste paper bales and to investigate resource recovery opportunities, the proposed management of the increased volume of waste requiring off-site disposal is limited to the continuation of existing reuse and disposal practices.

The EPA has concerns about the lack of a strategic approach to the management of waste at this site together with the lack of clarity in the EA to the management of waste from the site.

It is worth noting that since 2013, 40 000 tonnes per annum of waste from the Visy Tumut Mill has been disposed of to the landfill at 303 Burra Road Gundagai. This landfill is expected to reach life time capacity shortly and is currently going through a closure process with the EPA. In 2016 an application by the operators of this landfill for a major expansion was rejected by the Southern Joint Region Planning Panel.

The EPA's concerns in relation to the limited information provided in the EA are as follows.

- The disposal of waste to landfill as detailed in the EA lacks a clear overall strategic and long term perspective;
- No specific details are provided on the five landfills Visy propose to use for the landfilling of their waste nor evidence of the arrangements between Visy and the landfills. As such the EPA is unable to determine if the landfills can lawfully accept and manage the waste types and quantities over the life of the project;
- In the absence of adequate details in regard to the landfill locations, the EPA also cannot assess if the disposal proposals will comply with the proximity principal in the *Protection of the Environment Operations (Waste) Regulation 2014* (the Waste Regulation);

We recommend that should the proposed increase in production capacity be approved the conditions of consent include the requirement for the development of both short term and long term waste management strategies.

These strategies should at a minimum include the following –

General

- How Visy intends to manage the waste in accordance with the waste hierarchy for the life of the Visy Tumut Mill project. The guiding principles of the waste hierarchy include waste avoidance, reuse and resource recovery, with the least preferable being waste disposal. Further advice on this can be found at <http://www.epa.nsw.gov.au/wastestrategy/waste-hierarchy.htm>.
- A detailed assessment of measures that can be implemented to reduce the level of contamination of the raw materials with comingled waste. The assessment should include clear objectives and targets with ongoing monitoring of performance.

Recycling and reuse

- A detailed investigation of reuse and recycling opportunities for the waste, including identifying any approvals that are required to undertake these activities;
- Commitments and timeframes for Visy to lodge applications for any approvals required for reuse of the waste;
- Timeframes for implementation of any approved reuse and recycling options;
- A commitment to report back to the Department of Planning and Environment once approval have been received and the reuse and recycling options have been implemented, including details of the volume of waste material to be captured by these activities.

Disposal to landfill

- Once the reuse and recycling options are implemented details of the volumes of waste to be disposed to landfill for the life of the project;
- An assessment of the capacity that exists for the ongoing disposal of waste generated from the facility including contingencies in the event that these disposal options reach capacity.

Your reference : 9043050
Our reference : DOC07/4108
File No : 240905A1/17

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.



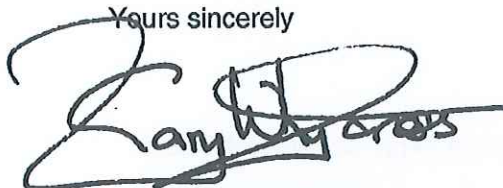
In assessing the proposal DEC has also identified a number of broader environmental and conservation issues that the DoP may wish to consider in its overall assessment of the application. These issues are discussed in Attachment 4 and include the following issues:

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.

* * * * *



13 February 2017

SWT17/00014
SF2017/026736
MM

The Manager
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Bianca Thorton

PROPOSED MODIFICATION TUMUT PAPER MILL, SNOWY MOUNTAINS, HIGHWAY TUMUT.

I refer to your correspondence regarding the subject Application which was referred to the Roads and Maritime Services for assessment and comment.

From the information provided, including the Environmental Assessment prepared by GHD dated January 2017, it is understood that the proposal represents a modification to the current approval for the Visy Pulp and Paper Mill to increase the production capacity of the existing plant from 700,000 tpa to 800,000 tpa. The subject site has frontage and access to the Snowy Mountains Highway within a 100 km/h speed zone.

From the information provided it is noted that the increased production capacity will be achieved through efficiency gains within the production process and increases in the volume of recycled wastepaper and purchased pulp in the feedstock for the process. The documentation claims that with ongoing improvements in the proportion of backloading that the proposed expanded production capacity will not significantly change the resultant traffic volumes compared the predicted volumes for the currently approved development. The modification does not represent any changes to the current access arrangements to the development site.

Currently the proponent is investigating, with Roads and Maritime Services, the potential for the operation of "A-Double" heavy vehicles for the movement of material via Gocup Road. If approved this would also represent a further reduction in the volumes of heavy vehicles on the transportation route as such vehicles accommodate a larger volume of material than the currently used B-Double vehicles. The assessment of the potential use of such vehicles is a separate process to the proposed modification under the Environmental Planning & Assessment Act but if approved will be generally consistent with the intent of Condition 2.36 of the Project Approval dated 2007.

Condition 5.4(d) of the Project Approval for the operation of the Visy Mill Expansion dated 2007 requires the preparation of an updated Traffic Management Plan as part of the Operation Environmental Management Plan. It is considered appropriate that any consent for the modification as proposed require that this Traffic Management Plan be revised and updated to address the changes to traffic as a result of the proposed modification to the operation of the Mill.

Roads and Maritime Services has assessed the Application based on the documentation provided and would raise no objection to the proposal subject to the Consent Authority giving consideration to the issues outlined above.

Any enquiries regarding this correspondence may be referred to the Manager, Land Use for Roads and Maritime Services (South West Region), Maurice Morgan, phone (02) 6923 6611.

Yours faithfully



Per:
Mr Lindsay Tanner
Regional Manager
South West Region

Bianca Thornton

From: Fernando, Sohan <Sohan.Fernando@safework.nsw.gov.au>
Sent: Wednesday, 15 February 2017 10:38 AM
To: Bianca Thornton
Subject: RE: Request for Input - Visy Pulp and Paper Mill (MP 06_0159 Mod 3)

Follow Up Flag: Follow up
Flag Status: Flagged

Security Classification:UNCLASSIFIED

Hi Bianca,

Apologies for the late E mail. I returned from leave on Monday 13th. Tried calling you but no luck. Hence this e mail. I had a look at the document attached with your e mail and it is unclear if the facility will become an MHF if the maximum quantities of chemicals on site increase. The facility at present is not an MHF. It is noted that the facility uses some MHF chemicals such as the biocides and liquid oxygen. Appendix A only gives the expected annual usage for each chemical. In the MHF legislation, the trigger is the maximum quantity held on site. E.g if the max quantity or capacity of the oxygen storage is greater than 2000 tonnes, then the facility will be an MHF. For the biocides, the threshold depends on the level of toxicity. 20T for very toxic and 200 T for Toxic. Therefore I suggest that you request Visy to provide the following information. This does not need to be a COC. You may obtain this via correspondence prior to approval.

Suggested words are set out below.

“Visy to confirm that the facility will not be a Major Hazard Facility based on Schedule 15 of the Work Health and Safety Regulation 2011. “

Visy may call or e mail me if they wish to discuss or require further information.

Regards

Sohan Fernando
Senior Safety Analyst
Major Hazard Facilities Team
SafeWork NSW
2 Burbank Place
Baulkham Hills NSW 2153
Tel: 8867 2747

From: Bianca Thornton [mailto:Bianca.Thornton@planning.nsw.gov.au]
Sent: Monday, 30 January 2017 4:57 PM
To: admin@snowyvalleys.nsw.gov.au; EPA Planning Matters Mailbox; development.south.west@rms.nsw.gov.au; Fernando, Sohan
Cc: pamela.morales@planning.nsw.gov.au
Subject: Request for Input - Visy Pulp and Paper Mill (MP 06_0159 Mod 3)

Good Afternoon

The Department has received a modification request from Visy Pulp and Paper Pty Ltd (Visy) in respect of the Visy Pulp and Paper Mill in Tumut.

The modification request seeks to increase the production capacity of the site from 700,000 tonnes per annum (tpa) to 800,000 tpa. The modification application has been made under section 75W of the *Environmental Planning and Assessment Act 1979*.

The Department would like to invite your comments on the modification application by **Monday 13 February 2017**.

Regards

Bianca Thornton

Planning Officer

Industry Assessments

320 Pitt Street | GPO Box 39 | Sydney NSW 2001

T 02 8217 2040 E bianca.thornton@planning.nsw.gov.au



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