

Environmental Assessment S75W Modification (MP 08_0157 MOD 4)

Amendment to Increase Inbound Delivery of Grains
by Road to the Joe White Maltings Plant, Minto

600330



Prepared for
Joe White Maltings Pty Ltd

2 September 2016

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- Appendix 1 - Original s75W letter**
- Appendix 2 – Copy of the Original Consent and MOD 1**
- Appendix 3 – Environmental Assessment Requirements**
- Appendix 4 – Traffic Impact Report**
- Appendix 5 – Acoustic Report**
- Appendix 6 – Consultation correspondence**

1 Introduction

1.1 Purpose of the Environmental Assessment

On the 10 May 2016 a Section 75W Modification letter was submitted to the Department of Planning and Environment (DP&E) requesting the delivery of additional quantities of barley and grain by road to the Joe White Maltings (JWM) plant at 11 Stonny Batter Road in Minto . Refer to **Appendix 1** for a copy of the letter. In assessing the request the Department prepared a formal response dated the 1 June 2016 requesting additional information.

In response to the Departments letter the scope of the original request has been reviewed by the applicant (from an original estimate of 156,000 tonnes of grain to be delivered by road to 103,000 tonnes of grains to be delivered by road). The purpose of this Environmental Assessment (EA) is to respond to the Department and to assess the traffic and acoustic impact associated with bringing additional barley and grain by road,(103,000 tonnes) to the subject site.

1.2 Justification of the Modification

In May 2009, approval was granted to Joe White Maltings Pty Ltd (JWM) to construct a malt manufacturing and grain packing plant in Minto (reference DA 08_0157). The plant was subsequently constructed and is now operational. The original development consent was granted under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP & A Act). This Section 75W Modification Application refers to the development consent granted for the original development (a copy of which is contained in **Appendix 2**).

Currently, the majority of inbound barley and grains supplied to the subject site is via rail, which is received by a third party entity, the Macarthur Intermodal Shipping Terminal (MIST) identified commercially as Qube. Therefore the initial supply and operational handling and management of the barley and grains is, in effect under the jurisdiction of a third party.

Whilst it is JWM's intent that this relationship continue and that rail continue to be the primary mode of transport for deliveries and dispatch, a prudent commercial risk review by JWM has identified that their continued operations are dependent upon the goodwill of a third party (Qube) and on an ongoing acceptable commercial arrangement between the two entities.

In order to secure their future operations and access to barley and grains JWM considers it prudent to be able to run their operations independently. It is to this end that the EA is prepared to assess the impact associated with a request to modify Clause 7 of DA 08_0157 to allow for additional, inbound delivery of barley and grains (in tonnes) to be delivered by road in order to safeguard the long term operation and success of the business.

This EA aims to demonstrate that the proposed modification is of a minor nature and there are no environmental constraints or likely adverse impacts which would prevent the proposed development from commencing.

1.3 Environmental Assessment Requirements (EARs)

On the 1 June 2016 the Department of Planning and Environment (DP&A) issued a letter requesting that the following matters be clarified and addressed in an EA report. A copy of the EARs in enclosed in **Appendix 2** and a summary of the issues to be responded to is summarised below.

Table 1-1 Environmental Assessment Requirements

Requirement	Where Addressed in this Report
Description of the Modification	Section 3
Justification for the Modification	Section 1.2
Traffic and Transport: <ul style="list-style-type: none"> > Details of the proposed routes to and from the site to the Hume Motorway (M31) > Daily and Peak Traffic Movements 	Appendix 4 Traffic Impact Study prepared by Cardno and Section 6.1

<ul style="list-style-type: none"> > Consideration of the need for upgrading or road improvements > An assessment of cumulative traffic impacts > Details of management and mitigation measures 	
<p>Amenity:</p> <ul style="list-style-type: none"> > Road traffic noise > Air quality impacts > Noise impacts associated with the Stonny Batter Road / Pembroke Road roundabout 	<p>Refer to Appendix 5 Acoustic Report prepared by RKA and Section 6.2</p>

1.4 Overview of Proponent

At the time of the original approval, JWM was a fully owned subsidiary of ABB Grain. ABB Grain was the parent company of Joe White Maltings following a merger between ABB and JWM’s former owner, AusBulk in 2004.

Since the plant has been constructed, JWM has again been sold, being purchased by Cargill in November 2013 (see www.cargill.com.au).

Cargill has a company philosophy of operating in a sustainable responsible manner. The following statement is derived from the Corporate Responsibility statement found on the company’s website:

When Cargill began in 1865, our business was founded on the belief that “our word is our bond.” Today, as a diversified global company still grounded in a culture of trust and respect, this remains the standard by which we do business. We operate with integrity and accountability. We are committed to feeding the world in a responsible way; reducing our environmental impact; and improving the communities where we live and work. We are passionate about our goal to be the global leader in nourishing people and operating responsibly across the agricultural, food, industrial and financial markets we serve.

Cargill serves the country’s large grain export industry and operates in several agricultural and industrial areas. These include oilseed and meat processing, grain and oilseed storage, and flour milling. Cargill Australia’s headquarters are located in Melbourne.

JWM is a subsidiary of Cargill and continues to produce malt and to specialise in packaging wheat, barley, legumes and pulses from country storages into containers for export.

A production capacity of 500,000 tonnes makes Joe White Maltings Australia’s largest malting company. JWM malting plants are strategically positioned in all six Australian states close to international ports and transport links or to Australia’s premium barley growing areas. The grain packaging business approved on site is now part of Cargill’s operations.

JWM has malting plants in Tamworth, Perth, Port Adelaide, Devonport and Minto. The company produces product for export and domestic use. From the outset the plant has been operating at full capacity to meet demand. The malt manufacturing involves processing barley into malt for use in the brewing process and JWM manages the malt manufacturing. The grain packing facility also operating on site receives barley for JWM and dispatches the malt. The Minto site has been in successful operation since being commissioned.

2 Site Details

2.1 Site Location

The site is located at 11 Stonny Batter Road in Minto, approximately 5km north of Campbelltown in Sydney's south western suburbs (refer to **Figure 2-1**).

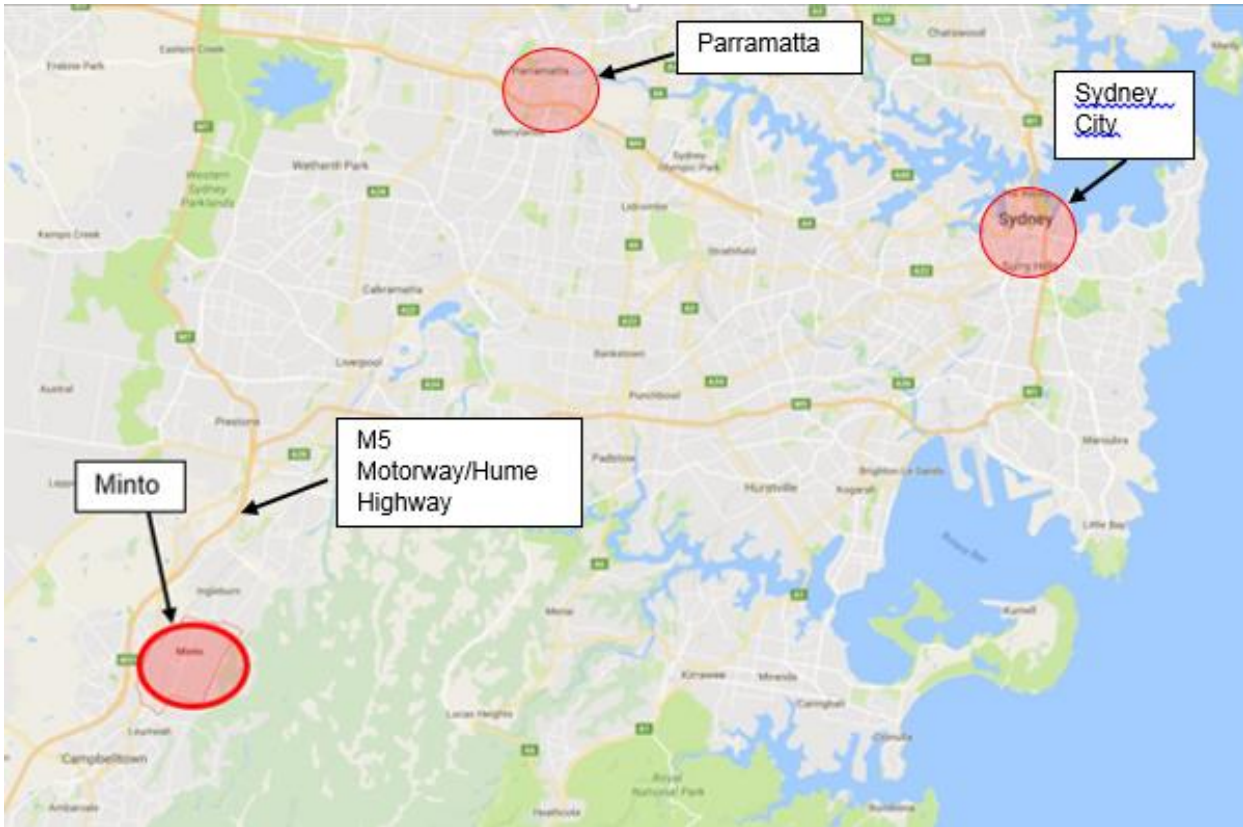


Figure 2-1 Suburb of Minto in a Sydney-wide context

Source: Google Maps

This location is approximately 50km from the port of Port Botany and has access to the main Sydney to Melbourne railway line via an approved rail siding connecting through the adjoining Macarthur Intermodal Shipping Terminal (MIST) site. The site has access to the Hume Highway / F5 Freeway, which is located approximately 7km away. The links to the highway are predominately via industrial areas and along arterial status roads.

The legal description of the site is Lot 21 DP 1137825. It was formerly known as the old "Hudson Site". It is situated within the Minto Industrial Area and is joined by industrial uses and the railway line, which runs along the western boundary (refer to **Figure 2-2**).

Immediately adjacent to the site to the north is the Macarthur Intermodal Shipping Terminal (MIST). The site fronts Stonny Batter Road, which is accessed off Pembroke Road. All access to the site is via secured gates accessed from Stonny Batter Road.



Figure 2-2 The subject site within its local context

Source: Google Maps



Figure 2-3 The Subject Site

Source: Google Maps

2.2 Existing Site Conditions

The existing site comprises a state of the art malt and grain packing facility. Development on site comprises 4 germination vessels, a kiln, 28 silos (of which 10 are large and 6 are smaller and of the size of the 12 proposed), 4 analysis bins, covered automated overhead conveyors, a plant room, a water treatment plant, water tanks, effluent tanks, grain transfer station, ancillary facilities and an administration office, maintenance shed and car park.

The plant operates 24 hours per day, 7 days a week. The modern exterior of the industrial development of the site contributes to the positive urban renewal of the Minto industrial area.

2.3 Existing Approvals

This modification is the fourth modification to the original approval as summarised below.

Table 2-1 Existing Approvals

Date of Submission	Description of Approval
May 2009	The Minister granted Part 3A approval for demolition of existing buildings, and for construction and operation of a malting plant and grain distribution centre (ref: 08_0157)
April 2012	A Section 75W Modification Application was approved to allow 20% grain and barley to be transported via road rail rather than just by rail.
June 2014	A Section 75W Modification Application was approved to allow an additional 12 storage silos
June 2015	A Section 75W Modification Application was approved for office expansion

3 Description of the Modification

3.1 Previous Relevant Approvals

Based on estimated delivery and dispatch requirements the original Consent, dated 12 May 2009 and approved by the Department of Planning and Infrastructure stated that:

Clause 6 *"The Proponent shall not:*

- (a) import more than 270,000 tonnes of malting barley or grain a year onto the site;*
- (b) produce more than 130,000 tonnes of malt a year on site; and*
- (c) export more than 140,000 tonnes of grain and 130,000 tonnes of malt a year from the site.*

Clause 7 *7. The Proponent shall ensure that all the grain and barley imported onto the site, and all the malt and grain exported from the site, occurs via the adjoining rail siding to the Main Southern Railway. However, in exceptional circumstances, the Proponent may ignore these restrictions for short periods with the written approval of the Director-General".*

On the 20th April 2009, (MOD 1) a modification was approved by the Department of Planning and Environment to permit 20% of the grain and barley to be delivered by road and reads as follows:

"Clause 7 'The proponent shall ensure that the Project:

- > does not import more than 54,000 tonnes per annum of grain and barley by road;*
- > does not export more than 25,000 tonnes per annum of malt and grain by road; and*
- > imports/exports all remaining grain and malting barley via the rail siding to the Main Southern Railway.*

However, in exceptional circumstances, the Proponent may be exempt from these restrictions for short periods with the written approval of the Director-General".

3.2 The Proposed Modification

In the last four years, deliveries to the plant have continued to largely utilise rail rather than road. As mentioned in Section 1.1 above the road transportation arrangements are dependent on the operational partnership with Qube, which is a major intermodal hub located adjacent to the subject site.

Whilst it is JWM's intent to maintain this operational relationship with Qube, a prudent risk has been determined by JWM that their entire operation will be solely dependent on the continued operation of a third party – Qube. On this basis, JWM are seeking a modification to the previous approval to increase the volumes of grain that can be delivered to the site by road rather than rail and allow them to be an independent operator if desired or required, and not have their deliveries dependent on the future operation of Qube or rail arrangements.

In order to keep the plant operating, the JWM needs to bring in approximately 157, 000 tonnes of barley and grain per annum. Given the previous MOD1 allowed up to 54,000 tonnes of grain and barley to be transported by road, **the proposed modification seeks to transport an additional 103,000 tonnes of barley and grain by road instead of rail.**

This modification seeks to amend Clause 7 of DA 08_0157 (MOD1) to read as follows:

'The proponent shall ensure that the Project:

- > does not import more than **157,000 tonnes** ~~54,000-tonnes~~ per annum of grain and barley by road;*
- > does not export more than 25,000 tonnes per annum of malt and grain by road; and*
- > ~~Imports/exports~~ all remaining grain and malting barley via the rail siding to the Main Southern Railway.*

4 Regulatory Framework

4.1 Planning Approach

Assessment of the project in accordance with the provisions of the *Environmental Planning & Assessment (EP&A) Act 1979*.

The Department of Planning and Environment (DP&E) confirms that an Environmental Assessment (EA) for a section 75W modification of a consent issued under Part 3A of the EP&A Act is required. The Minister will be the consent authority for the proposed development.

Other legislation, guidance and policies are applicable to the JWM expansion proposal based on the nature of the work, environmental factors and geographical location. A discussion of the relevant regulatory framework is below.

4.2 Federal Legislation

4.2.1 *Environmental Protection and Biodiversity Conservation Act 1999*

There are no aspects of this modification which trigger considerations under this legislation.

4.3 NSW Legislation

4.3.1 *Environmental Planning and Assessment Act 1979*

The *Environmental Planning and Assessment Act 1979* (EP&A Act) legislates the Town Planning process for all developments in NSW. Where projects are approved by the Minister under Part 3A of the Act, as the JWM facility was, there is a requirement for any modification to that consent under section 75W of the Act, to also be determined by the Minister on advice from

The EP&A Act defines numerous objectives. The objectives considered relevant to the original malting plant and packing facility proposal were to encourage:

- > The proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment
- > The promotion and co-ordination of the orderly and economic use and development of land
- > The protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats
- > Ecologically sustainable development
- > The sharing of the responsibility for environmental planning between the different levels of government in the State.

The malting plant and packaging facility was approved and now operates under these objectives. The proposed modifications ensure the plant continues to operate efficiently and will ensure the consistent supply of grain and barley without any adverse environmental, social or economic implications.

4.4 State Environmental Planning Policies

4.4.1 *State Environmental Planning Policy (Major Projects) 2005*

Schedule 1 sub-clause 3 of the Major Projects SEPP identifies the following use as a major project:

3 Agricultural produce industries and food and beverage processing Development that employs 100 or more people or has a capital investment value of more than \$30 million for any of the following purposes:

- > *abattoirs or meat packing, boning or products plants; milk or butter factories; fish packing, processing, canning or marketing facilities; animal or pet feed; gelatine plants; tanneries; wool scouring or topping; rendering plants, or*
- > *cotton gins; cotton seed mills; sugar mills; sugar refineries; grain mills or silo complexes; edible or essential oils processing; breweries; distilleries; ethanol plants; soft drink manufacture; fruit juice works; canning or bottling works; bakeries; small goods manufacture, **cereal processing** or margarine manufacturing; wineries, or*
- > *organic fertiliser plants or composting facilities or works, or*
- > *any purpose that the Minister considers constitutes an agricultural produce industry or food and beverage processing.*

The modification is consistent with the original intent of the SEPP as a cereal processing operation.

4.4.2 State Environmental Planning Policy No. 55 – Remediation of Land

Land contamination studies were undertaken with the original EA. There were no records indicating site contamination. No further assessment needs to be undertaken with this Section 75W Application.

4.5 Regional Environmental Plans

4.5.1 Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment

This proposed development has no further impact on Regional Environmental Plan (deemed SEPP) than the overall development of the site which was approved in May 2009.

4.6 Local Planning Controls

4.6.1 Campbelltown Local Environmental Plan 2015

The subject site is zoned IN1 General Industrial under the Campbelltown LEP 2015.

4.6.2 Development Control Plans

The original EA was assessed against the *Campbelltown (Sustainable Cities) DCP 2007* which has now been superseded. *Campbelltown (Sustainable Cities) DCP 2015* now applies. There are however no controls within this DCP which affect the proposed modification.

5 Consultation

5.1 Statutory Bodies

Cardno, on behalf of JWM, has consulted with the following Government bodies prior to the preparation of the EA.

5.1.1 Department of Planning and Environment

Consultation with the Department of Planning and Environment (DP&E) confirmed that the proposed development would need to be approved as a Section 75W Modification to the original Part 3A approval. The DP&E requested that the EARs requirements be addressed, copy of which is enclosed in **Appendix 6**. In addition the scope of the work to be covered was discussed with a Senior Planner within the Industry Assessments Team on the 10th August 2016 and again on the 11 August 2016.

5.1.2 Campbelltown City Council

An email was sent to the relevant Planning Officer on the 10th August 2016 requesting a return call. A follow up call and email sent on the 15 August 2016. On the 15 August an email was received which identified a number of issues to be resolved. On the 16th August a conversation took place between the author of this EA and the Planning Officer and a number of issues clarified, principally that the total volume of tonnes to be transported by road has been reduced (in comparison to the original letter lodged by Cardno). Refer to **Appendix 6** for a copy of the correspondence.

5.1.3 Road and Maritime Service (RMS)

A call and follow up email was sent to the RMS on the 30 June 2016 to discuss the scope of the traffic and transport Report. On the 7 July 2016 the RMS responded. A copy of the email correspondence is enclosed in **Appendix 6**.

5.2 Community

The proposal does not involve any change to the operational capacity of the plant. The site is located more than 400 m from any residential properties and is amidst an established industrial development site. The number of additional vehicles on the road is 18 truck movements during the week and 12 truck movements during the weekend, this is considered very minor. A detailed Traffic Impact Study has been undertaken and is enclosed in **Appendix 3**. There have been no complaints from the community about its operations since it commenced operations.

6 Environmental Assessment

6.1 Traffic and Transport

A detailed Traffic Impact Study has been undertaken by Cardno. Refer to **Appendix 4** for a copy of the Report.

The key issues are that the proposed modification seeks to deliver an additional 103,000 tonnes of barley and grains on top of the previously approved 54,000 tonnes of barley and grain by road (MOD 1). The analysis presented in the Traffic Impact Study is based on the following equation.

$$\text{Total Peak Hour Truck Movements} = 2 \times \frac{V_{Import}}{L \times (D_w \times H_w + D_s \times H_s)}$$

V_{Import} = Nett grain and barley import volumes. (103,000 tonnes)

L = Load capacity (45 tonnes per truck).

D_w = Number of working weekdays per annum (249 days).

D_s = Number of Saturdays per annum (52 days).

H_w = Hours of operation on a typical weekday (12 hours).

Based on the above calculation, the proposed modification will yield a traffic generation potential of:

- 2 truck movements during the AM and PM peak hour (i.e. an additional 1 truck arriving and departing the site in the same hour),
- 18 truck movements on a typical weekday (i.e. an additional 9 trucks arriving and departing on the same weekday), and
- 12 truck movements on a Saturday (i.e. an additional 6 trucks arriving and departing on the same Saturday).

Further to the above, in order to account for the cumulative traffic impacts associated with the modification and other nearby existing and proposed developments, a linear growth rate of 1.5% per annum over a 10 year horizon has been applied to the road network as agreed with RMS.

Accordingly, the impacts of the traffic generated by the proposed modification on the key intersections in the vicinity of the subject site have been analysed and the SIDRA results are as follows:

Pembroke Road/Stonny Batter Road Intersection

The additional traffic generated by the proposed modification has negligible impact on the operation of the Pembroke Road / Stonny Batter Road intersection, where it will continue to operate at a satisfactory Level of Service (LoS).

The Rose Payten Drive/Pembroke Road/Smiths Creek Bypass

The Rose Payten Drive / Pembroke Road / Smiths Creek Bypass intersection currently operates at a satisfactory LoS C, and is expected to deteriorate to LoS D and F during the AM and PM peak hours with background traffic growth. Notwithstanding, the assessment shows that the additional traffic generated by the proposed development contributes to an increase of less than 0.1% traffic at this intersection, and is clearly not the primary contributing factor to the deterioration of the service levels of the intersection.

The Rose Payten Drive/Airds Road Intersection

The additional traffic generated by the proposed modification has negligible impact on the operation of the Rose Payten Drive / Airds Road intersection, where it will continue to operate at a satisfactory LoS A with background traffic growth and also the additional truck movements during the AM and PM peak hours.

The Rose Payten Drive/Campbelltown Road Intersection

The Rose Payten Drive / Campbelltown Road intersection currently operates at a satisfactory LoS B, and is expected to deteriorate to LoS C and F during the AM and PM peak hours with background traffic growth. Notwithstanding, the assessment shows that the additional traffic generated by the proposed development contributes to an increase of less than 0.1% traffic at this intersection, and is clearly not the primary contributing factor to the deterioration of the service levels of the intersection.

Based on the above, the traffic impact is considered to be minor and there are no traffic and transport considerations that would preclude the proposed modification to bring in an additional 103,000 tonnes of barley by road per annum.

6.2 Acoustic Amenity

An Acoustic Report has been prepared by RKA Acoustic Consultants. The consultants visited the site and identified the nearest noise sensitive receivers which have potential for noise impact as follows:

1. Residential properties along Pembroke Road.
2. Properties on Stonny Batter Road are commercial/industrial units. No residences along Stonny Batter Road.

Based on the Traffic Report finding which establishes the additional truck movements to be 18/day or 2 trucks during AM or PM peak hour, the Acoustic Report notes that the noise increase will be 0.2 dBA. This increase is within the 12 dBA relative noise increase limit for sub-arterial roads and 2 dBA limit for the local roads.

For truck movements on Saturdays, the relative noise increase and effects will be approximately the same therefore the existing level of amenity will not be changed.

The Acoustic Report concludes that the generated traffic being a small proportion of the existing traffic volume will cause a marginal increase in noise level which is not perceptible by human ears and will not change the existing amenity level at the nearby residential properties close to Pembroke Road roundabout.

A detailed assessment of the noise amenity associated with the modification is enclosed in the Acoustic Report as located in **Appendix 5**.

6.3 Other

The following factors were assessed under the original EA:

- > External Lighting
- > Signage
- > Landscaping
- > Odour or Air Quality
- > Water / Wastewater Usage
- > Flooding
- > Trade Waste
- > Heritage, flora or fauna
- > Energy Use
- > Health Risks
- > Vermin
- > Fire Hazard
- > Climatic Conditions
- > Natural Hazards

No change to levels of impact will occur with regard to each of these factors as a result of the current modification proposal. The commitments made and conditions imposed on the development and operation of the overall facility in the original approval will continue to apply notwithstanding the modifications proposed to the storage capacity of the site under this Section 75W application.

7 Conclusion

The request to transport an additional 103,000 tonnes of barley and grain via road access will ensure that JWM have a regular and reliable supply of barley and grains which will guarantee the long term viability of their business.

The proposed modification has been demonstrated to result in a minimal additional number of truck movements in the local road network. Impacts on the road network and acoustic impacts of the associated modification have been assessed and both have been found to be well within acceptable limits. The JWM malting plant at Minto continues to add value to the NSW agricultural industry and the proposed amendments to the delivery of grain will assist in ensuring a quality downstream product (malt) from NSW agricultural produce (barley and grains).

The malting plant and grain packing facility will continue to operate in accordance with the current approval under Part 3A and approved modifications. Apart from the proposal to amend Clause 7, as described in this Environmental Assessment, no other changes to the adopted conditions of consent are sought.

This EA concludes that there are no adverse impacts associated with the proposed modification. With respect to urban planning matters, the proposal is considered worthy of approval.