

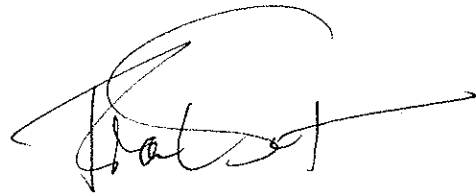
Project Approval

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

I approve the project referred to in Schedule 1, subject to the conditions in Schedules 2 to 4.

These conditions are required to:

- prevent, minimise and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.



Frank Sartor MP
Minister for Planning

Sydney

20th July 2007

SCHEDULE 1

Application No:	05_0120
Proponent:	Amcor Packaging (Australia) Pty Ltd
Approval Authority:	Minister for Planning
Land:	1891 Botany Road, Matraville
Project:	Construction of a new paper mill at Amcor's Matraville Plant (Project B9).

DEFINITIONS

BCA	Building Code of Australia
Construction	Excavation and building works
Council	Randwick City Council
Day	The period from 7am – 6pm Monday to Saturday, and 8am – 6pm Sunday and Public Holidays
DECC	Department of Environment and Climate Change
Demolition	Knocking down, removal and/or relocation of existing buildings and infrastructure
Department	Department of Planning
DWE	Department of Water and Energy
Director-General	Director-General of the Department (or delegate)
EA	<i>New Botany Paper Mill Project B9 Environmental Assessment Report</i> , SKM, December 2006
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environmental Protection Licence for the Project under the <i>Protection of the Environment Operations Act 1997</i>
Evening	The period from 6pm – 10pm Monday to Saturday
Minister	Minister for Planning
Night	The period from 10pm – 7am Monday to Saturday, and 10pm – 8am Sunday
Project	Construction of a new paper mill at Amcor's Matraville plant (Project B9)
Submissions Report	<i>New Botany Paper Mill Project B9, Response to Submissions from the Exhibition of the Environmental Assessment</i> , SKM, 8 April 2007
Proponent	Amcor Packaging (Australia) Pty Ltd
Site	Land to which application applies
Statement of Commitments	The Proponent's Revised Statement of Commitments contained in <i>New Botany Paper Mill Project B9, Response to Submissions from the Exhibition of the Environmental Assessment</i> , SKM, 8 April 2007.

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

1. The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction and/or operation of the project.

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; and
 - e) conditions of this approval.
3. If there is any inconsistency between the above, and the conditions of this approval, then the most recent documents shall prevail to the extent of the inconsistency.
4. The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
 - a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and
 - b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.

Limits on Production

5. The Proponent shall ensure that the project does not produce more than:
 - a) 383,763 tonnes per annum of paper; and
 - b) 275,000 tonnes per annum of paper during the transition period as described in the EA.

Management Plans/Monitoring Programs

6. With the approval of the Director-General, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.

Structural Adequacy

7. The Proponent shall ensure that all new buildings and structures on the site are constructed in accordance with the relevant requirements of the BCA.

Notes:

- Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.

Demolition

8. The Proponent shall ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601-2001: The Demolition of Structures*, or its latest version.
9. The Proponent shall ensure that demolition of buildings does not affect the integrity of the façade of the old finishing mill building, until Condition 15 - Heritage is satisfied.

Protection of Public Infrastructure

10. Prior to commencement of demolition, the Proponent shall:
 - a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters, footpaths, etc) in consultation with Council; and
 - b) submit a copy of this report to the Director-General.
11. The Proponent shall:
 - c) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - d) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

Compliance Audit

12. Prior to commissioning the new paper mill, the Proponent shall submit work as executed plans to the Department for all development associated with the project. These plans must be prepared by a suitably qualified and experienced expert, and must include plans showing the work as executed plans laid over the approved plans to demonstrate that the development has been carried out in accordance with the approved plans.

Operation of Plant and Equipment

13. The Proponent shall ensure that all plant and equipment used on the site is maintained and operated in an efficient manner, and in accordance with relevant Australian Standards.

SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS

ODOUR

1. The Proponent shall ensure that the project complies with Section 129 of the *Protection of the Environment Operations Act, 1997*.

Notes:

- Section 129 of the *Protection of the Environment Operations Act 1997*, provides that the Proponent must not cause or permit the emission of any offensive odour from the site, but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

AIR QUALITY

2. During the life of the project, the Proponent shall carry out all reasonable and feasible measures to minimise the dust generated by the project.

SOIL AND WATER

Discharge Limits

3. Except as may be expressly provided in an EPL for the project, the Proponent shall comply with Section 120 of the *Protection of the Environment Operations Act 1997*.

Extraction

4. Prior to the commencement of operation, the Proponent shall ensure that all necessary licences are obtained for the extraction of groundwater for the facility in accordance with the requirements of the DWE.

Flooding

5. The Proponent shall undertake a detailed flood study of the site in consultation with Council and ensure that the project is designed to ensure that floor levels are a minimum of 300mm above the 1 in 100 year flood level. The study shall be submitted to the Director-General prior to commencement of construction of the paper machine building.

Bunding

6. All chemicals, fuels and oils shall be stored in appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund. The bund(s) shall be designed and installed in accordance with:
 - a) the requirements of all relevant Australian Standards; and
 - b) the DECC's *Environmental Protection Manual Technical Bulletin Bunding and Spill Management*.

Remediation

7. Prior to commencement of construction, the Proponent shall prepare a Remediation Action Plan (RAP) that has been approved by an accredited site auditor. Prior to construction on land identified in the RAP and the EA, as contaminated, the Proponent shall remediate the land in accordance with the requirements of the *Contaminated Land Management Act 1997* and the recommendations of the Remediation Action Plan.

Erosion and Sediment Control Plan

8. The Proponent shall prepare and implement an Erosion and Sediment Control Plan for the site, to the satisfaction of the Director-General. The Plan shall be submitted prior to commencement of demolition and construction and shall be prepared in accordance with Landcom's publication *Managing Urban Stormwater – Soils and Construction*.

Water Management Plan

9. The Proponent shall prepare and implement a Water Management Plan for the site to the satisfaction of the Director-General. The Plan shall:
 - a) be submitted to the Director-General for approval prior to commencement of operation;
 - b) include:

- a **Water Supply Strategy** for the site including a report on the sustainability of groundwater extraction from the Snape Park borefield and the impact on the Botany Sands Aquifer. The strategy should also assess options for alternative water supply, and should be undertaken in consultation with the DWE;
- a **Stormwater Management Scheme** for the site that has been prepared in accordance with the requirements of Sydney Water and Council, and generally in accordance with the *Managing Urban Stormwater: Council Handbook (DECC)*;
- a **Wastewater System** for the site prepared in accordance with the requirements of Sydney Water. The system should include details of discharge rates, wastewater quality and automated controls for monitoring discharges to the Southern and Western Sydney Ocean Outfall Sewer (SWSOOS).

NOISE

Noise Limits

- 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

Location	Day	Evening	Night
	L _{Aeq} (15 minute) dB(A)	L _{Aeq} (15 minute) dB(A)	L _{Aeq} (15 minute) dB(A)
Cnr. McCauley St and Australia Ave	46	39	39
Australia Avenue	47	40	40
Murrabin Avenue	45	39	38
Patranna Avenue	44	39	36
Moorina Avenue	35	35	35

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.
- 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.

Hours of Work

- Unless otherwise agreed with the Director-General, the Proponent shall comply with the demolition, construction and operation hours in Table 2.

Table 2: Construction and Operation Hours for the Project

Activity	Day	Time
Demolition and Construction	Monday – Friday	7:00am to 6:00pm
	Saturday	8:00am to 1:00pm
	Sunday and Public Holidays	Nil
Operation	All days	Any time

Notes:

- Construction activities may be conducted outside the hours in Table 2 provided that the activities are not audible at any residence beyond the boundary of the site.

Operating Conditions

- The Proponent shall ensure that noise from reversing alarms is minimised at all times.

Construction Noise Management

13. The Proponent shall prepare and implement a **Construction Noise Management Plan** for the project to the satisfaction of the Director-General. The plan shall be submitted to the Director-General prior to commencing demolition and construction, and must:
- identify specific activities to be carried out and the noise generation from these activities;
 - identify all potentially affected sensitive receivers;
 - identify all reasonable and feasible mitigation measures to comply with a construction noise limit of $LA_{10(15 \text{ minute})} 50\text{dB(A)}$ for demolition phases, earthworks and construction of the new paper machine building;
 - identify all reasonable and feasible mitigation measures to comply with the operational noise limits in Table 1 for periods of machine construction and commissioning/transition phases;
 - provide details of the length of the construction period to the Director-General;
 - assess the potential noise impacts against the noise objectives;
 - describe monitoring procedures to measure compliance with noise objectives;
 - describe procedures for implementing noise mitigation treatments and monitoring their effectiveness in meeting the noise objectives; and
 - include procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity, and procedures for managing complaints.

Operational Noise Monitoring Program

14. The Proponent shall prepare and implement a Noise Monitoring Program for the project, to the satisfaction of the DECC and the Director-General. The Noise Monitoring Program shall be submitted to the Director-General prior to commencing operation, and must include a noise monitoring protocol for evaluating compliance with the project noise limits in Table 1.

HERITAGE

15. Within two months of the date of this approval, the Proponent shall prepare a Heritage Conservation Management Plan, in consultation with Randwick City Council and to the satisfaction of the Director-General. The Plan must:
- be prepared by a suitably qualified and experienced person who is to receive the prior approval of the Director-General;
 - include details of options for the conservation management of the façade of the old finishing mill, including:
 - opportunities for maintaining any aspects of the building; or
 - suggestions for integrating any elements of the heritage item with the new paper mill or the site, to recognise the old finishing mill building in the papermaking history of the site;
 - an interpretation strategy prepared in accordance with the NSW Heritage Office guidelines;
 - justification for selection of the preferred option;
 - details of full photographic and archival recording prior to any demolition works. The archival recording must be in accordance with current NSW Heritage Office guidelines/policies;
 - consideration of any other Heritage Office guidelines.

Once this plan is approved, the Proponent shall implement the plan to the satisfaction of the Director-General.

LANDSCAPE AND VISUAL

Building Design

16. The Proponent shall submit a detailed design plan for the facility that must be approved by the Director-General prior to the commencement of construction of the paper machine building. The plan shall include details of the final design of the paper mill building including colour, signage, external materials and other architectural treatments designed to minimise the visual impact of the bulk and continuous façades along Botany Road and McCauley Street.
17. Prior to the commencement of construction, the Proponent shall provide evidence to the satisfaction of the Director-General, that the Sydney Airports Corporation Limited is satisfied with the proposed height of all temporary and permanent structures associated with the new paper mill and requiring approval under the *Civil Aviation (Buildings Control) Regulations*.

Lighting

18. The Proponent shall ensure that the lighting associated with the project:
- complies with the latest version of Australian Standard AS 4282(INT) - *Control of Obtrusive Effects of Outdoor Lighting*; and
 - is mounted, screen and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Landscaping

19. The Proponent shall prepare and submit to the Director-General prior to commencement of construction of the paper machine building, a landscape plan, providing details of screening trees to be planted along the site boundaries, other landscape treatments within the site and details of a footpath to be provided along the McCauley Street and Botany Road frontages. The plan shall be prepared in consultation with Council and shall include a program for implementation.

TRANSPORT

Operating Conditions

20. The Proponent shall ensure that:
- the internal road network and parking on site complies with Australian Standards AS 2890.1:2004 and AS 2890.2:2002;
 - site related vehicles do not queue on any public roads;
 - there is no increase in operational vehicle movements entering/exiting the site via the McCauley Street access near Australia Avenue; and
 - 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.

Construction Traffic Management Plan

21. The Proponent shall prepare and implement a **Construction Traffic Management Plan**, to the satisfaction of the Director-General and in consultation with the RTA, Council and Sydney Ports Corporation. The Plan shall be submitted to the Director-General prior to demolition and construction commencing and must include:
- a description of the access and parking arrangements for the site during construction;
 - measures to ensure that the McCauley Street access near Australia Avenue is not utilised by construction vehicles;
 - measures to control traffic movements from the McCauley Street access near Botany Road;
 - procedures for notifying residents of construction traffic routes and potential disruptions to routes and access; and
 - detailed analysis of the impact on the road network, where temporary road closures are required.

HAZARDS

Construction Hazard Plan

22. The Proponent shall prepare and implement a Construction Safety Study to the satisfaction of the Director-General. The plan must:
- be prepared by a suitably qualified independent person approved by the Director-General;
 - be submitted for approval prior to the commencement of demolition; and
 - be prepared in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 7 – Construction Safety Guidelines*.
23. The Proponent shall prepare and implement a Construction Hazard Plan to the satisfaction of the Director-General. The plan must:
- be prepared by a suitably qualified independent person approved by the Director-General;
 - be submitted for approval prior to the commencement of construction of the paper machine building; and
 - include a:
 - **Fire Safety Study** that has been prepared in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 2 – Fire Safety Study Guidelines* and the NSW Government's *Best Practice Guidelines for Contaminated Water Retention and Treatment Systems* and approved by the Commissioner of the NSW Fire Brigades;

- **Hazard and Operability Study** for the paper mill that has been prepared in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 8 – HAZOP Guidelines*;
- **Final Hazard Analysis** prepared in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis*; and

Operation Hazard Plan

24. The Proponent shall prepare and implement an Operational Hazard Plan for the site to the satisfaction of the Director-General. This plan must:
- a) be prepared by a suitably qualified independent person approved by the Director-General;
 - b) be submitted for approval prior to the commencement of commissioning; and
 - c) include a:
 - **Emergency Plan** that has been prepared in accordance with Department of Planning's *Hazardous Industry Planning Advisory Paper No. 1 – Industry Emergency Planning Guidelines*; and
 - **Safety Management System** covering all on-site operations and associated transport activities involving hazardous materials. The Safety Management System shall be developed in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 9 – Safety Management*.

WASTE

25. The Proponent shall ensure that all waste generated on the site during demolition, construction and operation of the project is classified in accordance with the DECC's *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes* and disposed of to a facility that may lawfully accept the waste.
26. The Proponent shall prepare and submit to the Director-General prior to commencement of demolition and construction, a **Waste Management Plan** including:
- a) Details of the type and quantity of waste to be generated by demolition, construction, transition and operational phases of the project;
 - b) Detail materials to be reused or recycled, either on or off site; and
 - c) Procedures for handling, storage, collection of recycling and disposal of waste.
27. For the life of the project, the Proponent shall:
- a) Monitor the amount of waste generated by the project;
 - b) Investigate ways to minimise waste generated by the project; and
 - c) Implement reasonable and feasible measures to minimise waste generated by the project.
- to the satisfaction of the Director-General.

GREENHOUSE GAS

Energy Savings Action Plan

28. The Proponent shall prepare and implement an Energy Savings Action Plan for the project to the satisfaction of the Director-General. This plan must be prepared in accordance with the requirements of the DWE and the *Guidelines for Energy Savings Action Plans, DEUS 2005*, and be submitted to the Director-General for approval.

SCHEDULE 4 ENVIRONMENTAL MANAGEMENT AND MONITORING

ENVIRONMENTAL MANAGEMENT STRATEGY

29. The Proponent shall prepare and implement an Environmental Management Strategy for the project, to the satisfaction of the Director-General. This strategy shall be submitted to the Director-General prior to demolition commencing. The plan shall be updated as required throughout construction and must:
- a) provide the strategic context for environmental management of the project;
 - b) identify the statutory and other obligations that apply to the project;
 - c) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the project; and
 - d) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the construction, operation and environmental performance of the project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the project;
 - respond to any non-compliance;
 - report on monitoring results; and
 - respond to emergencies.

INDEPENDENT ENVIRONMENTAL AUDIT

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 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*.
31. Within two months of completing this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, with a response to any recommendations contained in the audit report.
32. Within three months of submitting the audit report to the Director-General, the Proponent shall review and if necessary revise the strategies/plans/programs required under this approval.

INCIDENT REPORTING

33. Within seven days of detecting an exceedance of the limits/performance criteria in this approval, or an incident causing (or threatening to cause) material harm to the environment, the Proponent shall report the exceedance/incident to the Department, and any relevant agency. The report must:
- a) describe the date, time, and nature of the exceedance/incident;
 - b) identify the cause (or likely cause) of the exceedance/incident;
 - c) describe what action has been taken to date; and
 - d) describe the proposed measures to address the exceedance/incident.

ANNUAL REPORTING

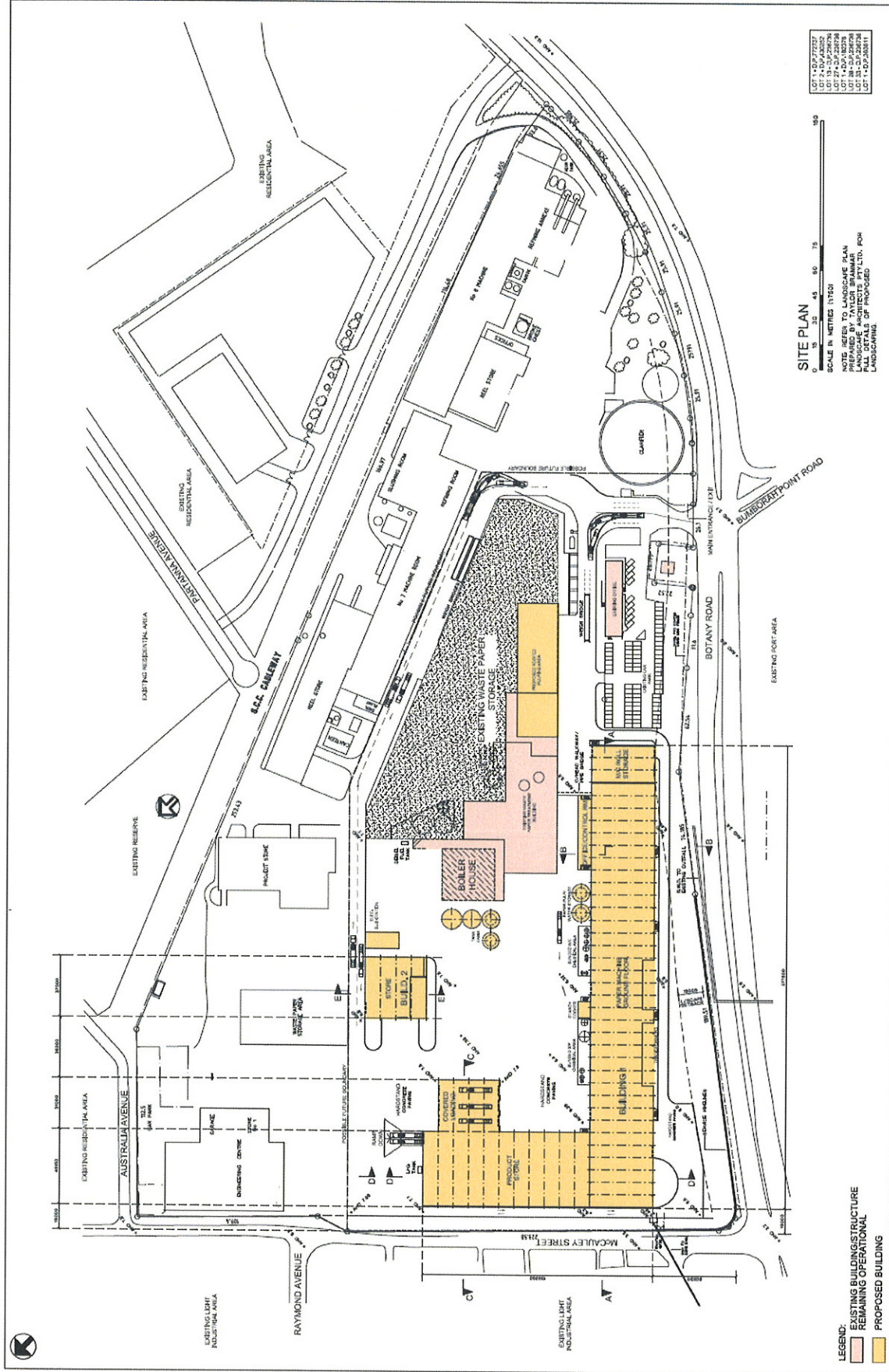
34. Within 12 months of this approval, and annually thereafter, the Proponent shall submit an Annual Environmental Monitoring Report (AEMR) to the Director-General and relevant agencies. This report must:
- (a) identify the standards and performance measures that apply to the project;
 - (b) describe the works carried out in the last 12 months;
 - (c) describe the works that will be carried out in the next 12 months;
 - (d) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;
 - (e) include a summary of the monitoring results for the project during the past year;
 - (f) include an analysis of these monitoring results against the relevant:

- impact assessment criteria/limits;
 - monitoring results from previous years; and
 - predictions in the EA;
- (g) identify any trends in the monitoring results over the life of the project;
- (h) identify any non-compliance during the previous year; and
- (i) describe what actions were, or are being, taken to ensure compliance.

ACCESS TO INFORMATION

35. Subject to confidentiality, the Proponent shall make all documents required under this approval available on a web site.

APPENDIX A: SITE PLANS



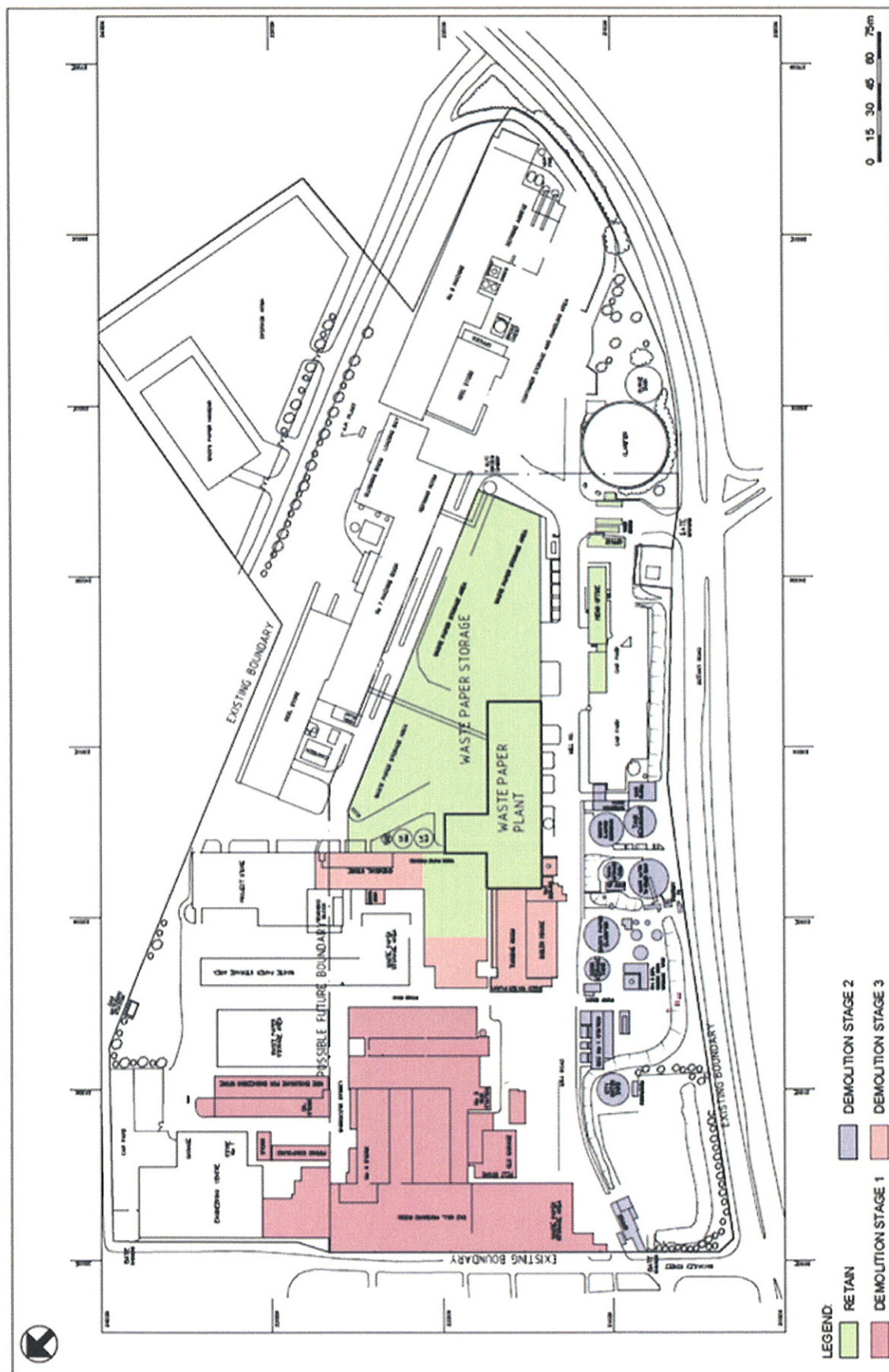


Figure 2: Proposed Demolition at the Facility

