



# **Orora Paper Mill, Matraville**

State Significant  
Development  
Modification Assessment  
(SSD 05\_0120 MOD 8)



October 2018

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# Glossary

Abbreviation	Definition
Ambient Noise	Ambient noise encompasses all sound present in a given environment, being usually a composite of sounds from many sources near and far
Consent	Development Consent
Council	Randwick City Council
CDC	Complying Development Certificate
dB	Decibel
dB(A)	A unit of sound measurement which has frequency characteristics weighted so that it approximates the response of the human ear to sound waves
Department	Department of Planning and Environment
DPI	Department of Primary industries
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence
GSC	Greater Sydney Commission
L <sub>Aeq</sub>	Noise level that represents the energy average noise from the source during a specified time period, and is the equivalent continuous sound pressure level for a given period
LEP	Local Environmental Plan
Minister	Minister for Planning
OEH	Office of Environment and Heritage
RMS	Roads and Maritime Services
RTS	Response to Submissions
Planning Secretary	Planning Secretary of the Department of Planning and Environment
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
SSD	State Significant Development
Three Ports SEPP	State Environmental Planning Policy (Three Ports) 2013



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# 1. Introduction

This report provides an assessment of an application to modify the State significant development (SSD) consent for the Orora (formerly Amcor) Paper Mill (05\_0120). The project was originally approved under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and has now been transitioned to SSD.

The modification application seeks approval for the demolition of the B7 reel store building, extension of the existing shipping container noise barrier along the north-eastern boundary of the site and removal of condition 13C(a) which requires retention of the B7 reel store to provide for acoustic shielding.

The application was lodged on 5 June 2018 by Orora Limited (the Applicant) pursuant to section 4.55(1A) of the EP&A Act.

## 1.1 Background

The Applicant operates a paper mill at 1891 Botany Road, Matraville in the Randwick local government area (see **Figure 1**).



**Figure 1** | Site Location

A paper mill has operated at the site since 1902, when the Federal Paper Mills Company constructed and commissioned their No. 1 machine (B1). In the 1960s, two buildings were constructed on the eastern boundary of the site to house the B7 and B8 paper machines. These paper machines used wastepaper as source material to produce brown paper for boxes, cardboard and packaging.

The site contained a large central waste paper storage area, numerous tanks for fibre and water storage, a wastewater treatment plant, a substation and boiler house, chemical and engineering stores, and an administration office and car parking.

In the early 2000s, Amcor (the former site owner) identified that the operational lives of the B7 and B8 machines were coming to an end and planned for a new paper machine. This was the catalyst for the initial project application (05\_0120) and the approval of the B9 paper mill.

The B7 and B8 paper machines ceased operation in July 2012 and the B9 paper mill commenced full production in early 2013.

The disused B7 building was severely damaged by fire and was demolished in 2017. The adjacent B7 reel store building (see **Figure 1**) was previously used for storage and manufacturing purposes, however is no longer fully utilised and is in a dilapidated state. Two smaller buildings next to the B7 reel store include a demountable (former training room) and a smaller brick building (former credit union). These buildings are no longer used nor fit for purpose.

The site is zoned IN1 General Industrial under *State Environmental Planning Policy (Three Ports) 2013* (Three Ports SEPP). The site is surrounded by a mix of industrial, commercial, public recreation and residential land uses. The closest residence is located approximately 26 metres (m) east of the site boundary on Partanna Avenue. A variety of commercial and light industrial uses are located to the north, north east and north-west of the site along McCauley Street. Industry associated with the Port Botany container terminal is located to the south and south-west of the site, on the opposite side of Botany Road.

## 1.2 Approval History

On 20 July 2007, project approval was granted by the then Minister for Planning under the former Part 3A of the EP&A Act for the development of the Orora (formerly Amcor) Paper Mill (05\_0120). The project was transitioned to SSD by order, which took effect by publication in the NSW Government Gazette on 25 May 2018.

The 2007 project approval permits the following works:

- installation and operation of a new paper machine (B9) housed in a new industrial building;
- production of a maximum 380,763 tonnes of paper per year;
- decommissioning of two existing paper machines (Buildings B7 and B8);
- construction of a new finished product store building;
- development of covered loading areas, a new engineering store and workshop;
- expansion of the waste paper storage area; and
- demolition of some redundant buildings and infrastructure.

The project approval has been modified on 7 occasions (see **Table 1**).

**Table 1** | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 1	Approval for additional demolition works.	Minister	75W	25 July 2008
MOD 2	Approval for the subdivision of the site, changes to the site layout and access arrangements on McCauley Street, increased the permitted operational noise limits and allowed further noise mitigation works, including construction of a noise wall along the northern boundary and around the waste paper storage yard (see further discussion regarding MOD 2 below).	Minister	75W	12 July 2010

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 3	Approval for the operations of the new paper mill (B9) to commence before McCauley Street upgrade works have been completed.	Minister	75W	11 December 2012
MOD 4	Approval to continue operating new paper mill (B9) and use of B-Doubles before McCauley Street upgrade works have been completed.	Minister	75W	28 February 2013
MOD 5	Approval for the demolition of the fire damaged B7 building, a minor amendment to the approved subdivision layout, approval to construct a future noise wall and a minor relocation of the existing McCauley Street site access (see further discussion regarding MOD 5 below).	Minister	75W	25 September 2015
MOD 6	Approval to upgrade the existing primary wastewater treatment plant (WTP) to include a two-stage secondary treatment process involving both aerobic and anaerobic treatment.	Minister	75W	30 September 2016
MOD 7	Approval for an increase in annual paper production from 383,763 tonnes to 425,000 tonnes.	Minister	75W	25 November 2016

### **Modifications relevant to the current application**

#### **MOD 2**

During the assessment of MOD 2 it was determined that the proposed changes to the site layout and access arrangements would impact the Applicant's ability to meet the operational noise limits specified in the project approval. Subsequently, the operational noise limits were increased and conditions dealing with noise mitigation, the requirement for an operational noise management plan and a noise verification study were included in the modified project approval. MOD 2 introduced condition 13C(a) which requires the retention and redesign of the of the B7 reel store to provide acoustic shielding.

#### **MOD 5**

MOD 5 allowed for the demolition of the fire damaged B7 building along the north-eastern boundary of the site. As operational noise was effectively buffered by the B7 building, MOD 5 addressed noise mitigation through the introduction of conditions 10B and 10C which required the construction of a noise barrier to mitigate operational noise at sensitive receivers.

In 2017 the Applicant completed the demolition of the B7 building and installed a 146.4 m long, 12 m high noise barrier. The noise barrier was constructed using shipping containers stacked four high and installed along the north-eastern boundary of the site (see **Figures 2 & 3**).

The Department approved the existing shipping container noise barrier on 14 June 2017 following review of the Stage 2 Noise Barrier Plan, required by condition 10B. The Department's approval notes that the shipping container noise barrier is temporary, to be removed within five years (i.e. 14 June 2022) unless the Applicant receives approval from the Planning Secretary to continue its use.





**Figure 2** | Existing shipping container noise barrier viewed from the end of Partanna Avenue cul-de-sac



**Figure 3** | Existing shipping container noise barrier (in background) viewed from 5 Partanna Avenue

Following the removal of the B7 building and installation of the barrier, the Applicant carried out a noise verification study to monitor noise at the sensitive receivers most likely to be affected. This review confirms the noise barrier is effective in achieving compliance with noise limits in Orora's Environment Protection Licence (EPL) and project approval.





## 2. Proposed Modification

On 5 June 2018, the Applicant lodged a modification application under section 4.55(1A) of the EP&A Act to allow for the:

- staged demolition of the existing B7 reel store building and the two smaller adjacent buildings; and
- extension of the existing shipping container noise barrier along the north-eastern boundary of the site.

The Applicant is proposing to remove these buildings to allow for better use of the site area and improve access and manoeuvrability for operational vehicles.

Despite no longer serving a purpose relevant to the commercial operations of the paper mill, the B7 reel store acts as a noise barrier between the site's operational areas and surrounding residential properties. Therefore, to manage noise impacts associated with the removal of the reel store, the Applicant proposes to extend the existing noise barrier along the north-eastern boundary of the site (see **Figure 4**). An additional 98 m barrier comprising 32 shipping containers (stacked four high and eight long) will be installed, to provide a total barrier length of approximately 244 m.

Because of the restricted area between the B7 reel store and site boundary, which limits safe access for cranes, containers and personnel, the noise barrier cannot be installed prior to the demolition of the B7 reel store. The demolition of the B7 reel store and construction of the noise barrier is therefore proposed to occur over two stages (see **Figures 4 and 5**), with an estimated total duration of works of 6 to 8 weeks (see **Table 2**).

**Table 2** | Proposed staging of demolition and construction works

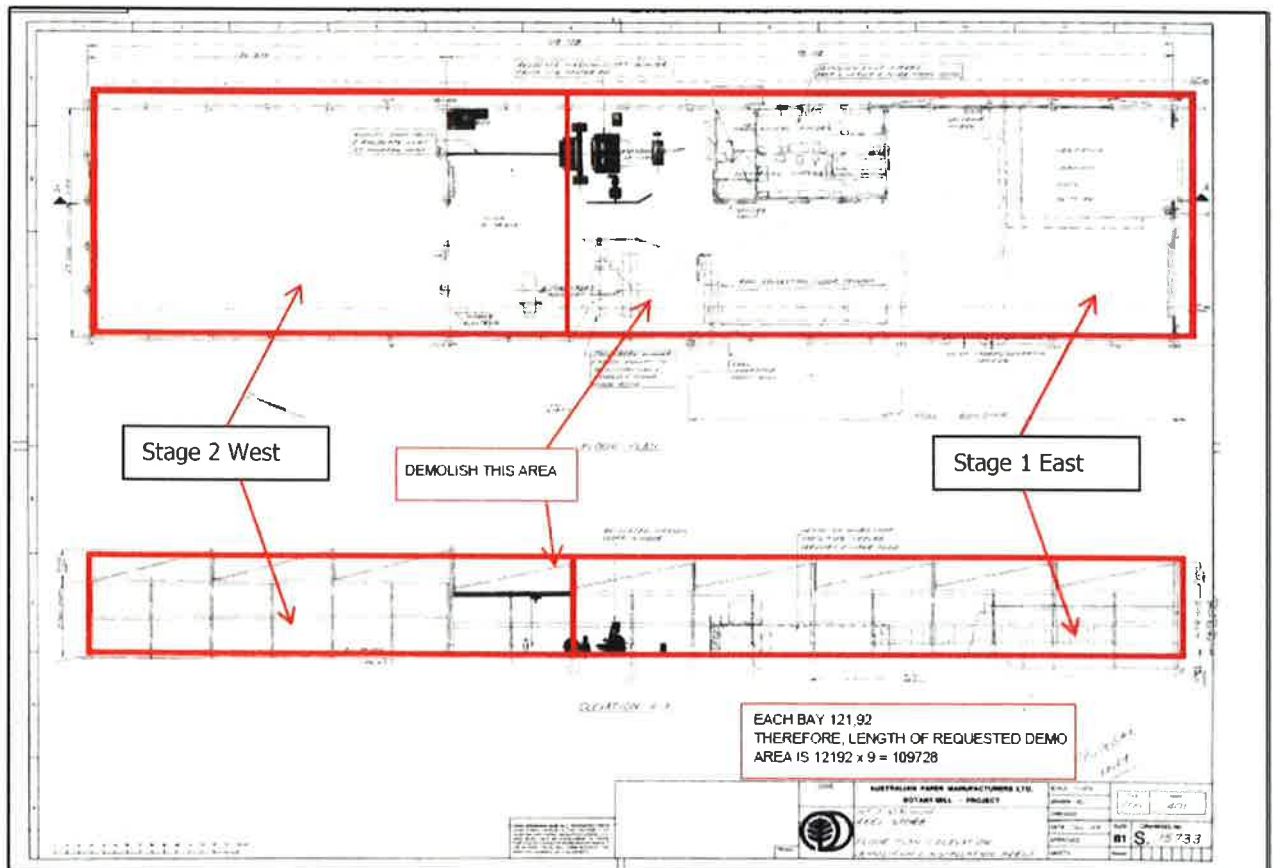
Stage	Activity	Duration (approx.)
Stage 1 Demolition	Demolition of the east end of the B7 reel store (5 bays)	2-3 weeks
Stage 1 Construction	Installation of extension 1 of the noise barrier to close the gap to the remaining part of the reel store	1 week
Stage 2 Demolition	Demolition of the remaining portion (west end) of the B7 reel store (4 bays) plus two smaller adjacent buildings	2-3 weeks
Stage 2 Construction	Installation of extension 2 of noise barrier to close the gap to the boundary fence	1 week
<b>TOTAL DURATION OF WORKS</b>		<b>6-8 weeks</b>

Following the completion of stage 1, a warehouse will be constructed under the Complying Development Certificate (CDC) planning pathway and is not under consideration as part of the subject modification. Engineering spares currently stored in the reel store would be relocated to an existing adjacent concrete slab while demolition is taking place and prior to the construction of the warehouse.

The modification is described in full in the Statement of Environmental Effects (SEE) included in **Appendix B** and the staged demolition and installation works are illustrated on **Figures 4 & 5**.



**Figure 4** | Proposed staged demolition and noise barrier extension



**Figure 5** | Plan and Long Section of proposed demolition of B7 reel store



### 3. Strategic Context

In March 2018, the Greater Sydney Commission (GSC) published the *Greater Sydney Region Plan* (the Region Plan) and the associated District Plans. The Region Plan replaces *A Plan for Growing Sydney* and outlines how Greater Sydney will manage growth and change and guide infrastructure delivery. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans. The site is located within the Eastern City District.

The site is located on land within the Port Botany precinct which is identified in the Region Plan as a strategically significant trade gateway. Port Botany is Australia's second largest container port and is forecast to grow significantly – with the container traffic projected to grow from 2.4 million to 8.4 million containers by 2050. The industrial-zoned land within the Port Botany precinct provides jobs predominantly in transport, postal and warehousing, manufacturing and wholesale trade sectors.

Productivity Objective 16 of the Region Plan seeks to ensure freight and logistics networks are competitive and efficient. Specifically, Strategy 16.1 seeks to manage the interfaces of industrial areas, trade gateways and intermodal facilities by:

- requiring sensitive development within the influence of port and airport operations to implement measures that reduce amenity impacts;
- providing buffer areas to nearby activities such as residential uses that are sensitive to emissions from 24-hour port and freight functions; and
- improving communication of current and future noise conditions around Port Botany, airports, surrounding road and rail networks, intermodal terminals and supporting private lands.

These objectives are further supported by the Actions set out in the Eastern City District Plan. For example, Action 37 - Protect and grow trade gateways by:

- retaining industrial zoned land in and near Port Botany precinct; and
- improving management of land use conflicts.

These measures are relevant to the subject modification, as the site is located within the Port Botany precinct at the interface of sensitive land uses. The modification is seeking to continue the site's industrial operations while minimising its impacts on neighbouring residential land uses.

Overall, the proposed modification is consistent with the strategic direction set out for Greater Sydney in the Region Plan and Eastern City District Plan.





## 4. Statutory Context

### 4.1 Scope of Modifications

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not significantly increase the environmental impacts of the project as approved;
- is substantially the same development as originally approved; and
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

### 4.2 Consent Authority

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 11 October 2017, the Director, Industry Assessments, may determine the application as Council does not object to the application and no public submissions were received.

The proposed modification meets the terms of this delegation.



## 5. Engagement

### 5.1 Department's Engagement

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to SSD. However due to the potential amenity impacts associated with the modification the Department notified the application from 12 June 2018 to 26 June 2018. Specifically, forty nearby land owners/occupiers (including previous submitters) were notified in writing and given two weeks to make a submission on the proposal. The application was made publicly available on the Department's website on 8 June 2018, and was referred to EPA, SafeWork NSW, RMS, Council, DPI, OEH and Water NSW for comment.

On 24 August 2018 two officers from the Department's Industry Assessments team visited the site to view the existing noise barrier, the B7 reel store and the location of the proposed noise barrier extension, from within the site and from Partanna Avenue.

### 5.2 Applicant's engagement

Elton Consulting, on behalf of the Applicant, consulted with stakeholder and community members prior to lodging the modification application with the Department. Community consultation included a newsletter drop to 1,150 surrounding properties and a door knock to 26 of the closest properties, to inform them of the proposed extension of the noise barrier and demolition works. An email address and 1800 number were established and included in the newsletter to receive any ongoing feedback.

The outcomes of the consultation indicate that nearby residents are generally comfortable with the proposed demolition of the B7 reel store and extension of the existing noise barrier.

The Applicant also consulted with Council and EPA. Consultation activities and outcomes are discussed in full in the SEE.

### 5.3 Summary of Submissions

During the notification period the Department received a total of eight submissions. No submissions were received from the public. All eight submissions received came from government agencies and Council. A summary of the submissions is provided below, and a full copy of the submissions is provided in **Appendix C**.

### 5.4 Key Issues – Government Agencies

None of the government agencies object to the project, and the key issues raised by agencies have been addressed through the provision of additional information, or through the recommended conditions of consent.

**EPA** commented on the likely noise impacts and requested clarification regarding fill and waste materials. EPA noted that the removal of B7 reel store may result in short term noise exceedances at nearby sensitive receivers, however it advised that no complaints were received during the demolition of the B7 building and the proposed mitigation measures to be implemented by the Applicant are reasonable.

In addition, EPA requested additional information regarding the source of the 'crushed concrete' that will be used to backfill any exposed soils resulting from the demolition works. EPA also noted that the reuse of bricks and/or other materials generated during demolition would likely require crushing and grinding of materials, potentially triggering Clause 16 (crushing, grinding or separating) under Schedule 1 of the *Protection of the Environment Operations Act 1997*. More information was therefore requested regarding the quantity of

demolition materials to be reused. EPA also noted that given the former association with potential contaminants a validation assessment may be required for any recovered demolition materials proposed for reuse which may be included as a special condition under Orora's EPL.

The **NSW Heritage Council** in **OEH** noted that the site is not, nor in proximity to, a listed State Heritage item. NSW Heritage Council noted that the site contains the 'APM Building' (19 McCauley Street) which is listed as a local item in the Randwick LEP 1998 and raised concern that the SEE does not identify the heritage item on site.

Submissions from **RMS, OEH, Water NSW, SafeWork NSW** and **DPI** raised no objection to the proposal. See full submissions at **Appendix C**.

### 5.5 Key Issues – Council

Council does not object to the proposed modification however raised a number of concerns. Council noted that the shipping container noise barrier was intended to be a temporary measure to offset the loss of the noise screening afforded by the B7 building.

Council notes that while it supports the need to extend the existing temporary noise barrier, it believes that a permanent noise barrier should be in place prior to the demolition, per condition 10A. Council also questioned the justification for extending the noise barrier following the demolition of the B7 reel store and not before.

Further, Council advocated for the consideration of the cumulative noise impacts of the Orora site and the Hangar block site to the east, which is zoned for general industrial use and currently under assessment for subdivision.

Council also suggested that due to the complexity of the site and proximity to residential receivers, the acoustic reports and relevant data should be peer reviewed by a suitably qualified acoustic consultant and sleep disturbance criteria be validated to ensure compliance with relevant standards.

### 5.6 Response to Submissions

On 1 August 2018, the Applicant provided a Response to Submissions (RTS) Report to address the issues raised during the notification of the modification. The RTS Report was made publicly available on the Department's website and provided to key agencies to consider whether it adequately addressed the issues raised. The RTS also requested that Schedule 1 of the approval be updated to identify the legal description of the land to which the approval applies.

The RTS includes additional information regarding the use of and quantity of waste materials as requested by EPA. EPA reviewed the RTS and advised that while the information requested has not been provided in full, sufficient information has been provided for EPA to determine it has no further comments on the proposal at this stage.

The RTS notes that the 'APM Building' is no longer listed as a heritage item in the Randwick LEP and was removed from the site in 2012 with approval from the Department. OEH Heritage division advised it has no further comments regarding the modification.

The RTS provides a response to the key issues raised by Council, noting that the Applicant is not responsible for ameliorating noise or noise impacts from unrelated external sources such as the Port and hangar block land. It was also noted that the validation of sleep disturbance criteria was not considered necessary for MOD 5 which approved the demolition of the substantially larger B7 building.

Council sought clarification regarding the application of part 2 clause 20 of the Three Ports SEPP which prohibits development for the purposes of container depots on certain land in the IN1 General Industrial zone.



Specifically, the clause states that consent must not be granted for the repair, refitting or storage of shipping containers. Council highlighted that the 'Container Depots Prohibition Area' as identified on the relevant land zoning map appears to overlap with the site area where the containers are proposed to be stacked to form a noise barrier. Council requested clarification as to whether the proposed use of the shipping containers would constitute 'the storage of shipping containers' and hence be prohibited under the Three Ports SEPP. Council raised no other concerns or queries regarding the modification.

The Applicant provided a response stating that the proposed noise barrier is not for use as a 'container depot' as defined in part 2 clause 20 of the Three Ports SEPP. The Applicant also noted that the note to Clause 20 stipulates that the prohibition does not preclude consent where the use of the shipping containers is ancillary to the purpose for which consent was granted (i.e. acoustic barrier to mitigate operational noise from the paper mill).

The Department's Legal Branch advised that part 2 clause 20 of the Three Ports SEPP does not affect the permissibility of the subject modification because this provision applies to a development application seeking development consent for the prohibited purpose of a container depot on certain land. However, the application currently before the Department is not an application for development consent, rather it seeks approval to modify of an existing consent. Accordingly, the Department's view is that clause 20 does not impose a prohibition on approving the proposed modification. Council was provided this advice on 20 September 2018.



## 6. Assessment

The Department has assessed the merits of the proposed modification. During this assessment, the Department has considered the:

- the SEE and RTS provided to support the proposed modification (see **Appendix B**);
- the assessment report for the original development application and subsequent modification applications;
- submissions from State government authorities and Council (see **Appendix C**);
- relevant environmental planning instruments, policies and guidelines; and
- requirements of the EP&A Act, including the objects of the EP&A Act.

The Department considers the key assessment issues to be noise and visual amenity.

Noise impacts associated with the development are expected to increase at nearby sensitive residential receivers following demolition stages 1 and 2. However, following the completion of the noise barrier (installation stage 2) noise impacts are expected to return to normal/existing levels. Noise impacts are discussed further in section 6.1.

The modification would result in longer term visual impacts associated with the extension of the shipping container noise barrier in proximity to public recreation and residential land uses. Visual impacts are discussed further in section 6.2.

The modification would also result in a temporary increase in traffic, vibration and waste impacts associated with the demolition works and construction of the noise barrier. All other impacts associated with the modification are discussed in section 6.3

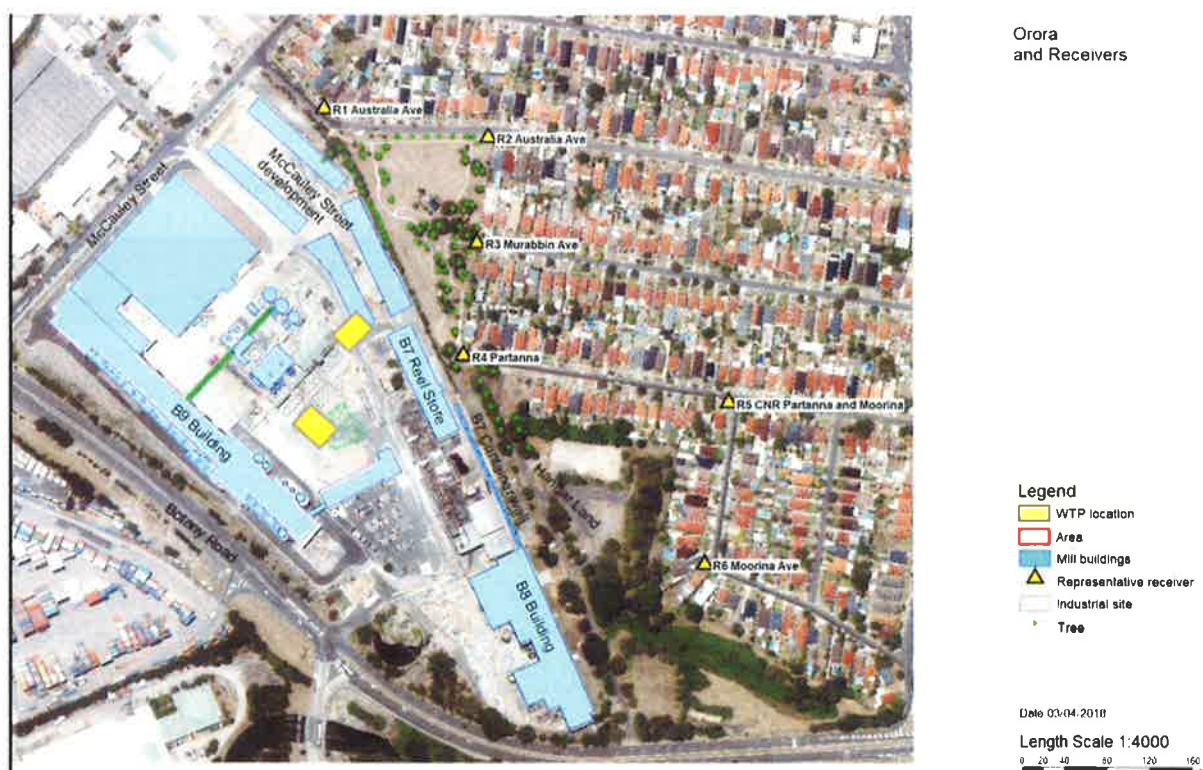
### 6.1 Noise

The proposed modification would result in increased noise impacts at nearby sensitive receivers, particularly while the noise barrier is being installed following the demolition of the B7 reel store building. The noise generated during demolition and construction works would also temporarily impact surrounding receivers.

The nearest sensitive receivers are north-east of the site and include residential properties along Partanna, Murrabin and Moorina Avenues. The representative receiver location likely to be most affected by the subject modification is R4, located at the west end of Partanna Avenue (see **Figure 6**).

Apart from the Orora paper mill, the surrounding noise environment is dominated by emissions from road traffic on Botany Road and McCauley Street, Port Botany container terminal (24-hour operations) and intermittent aircraft movements from Sydney Airport.

Noise levels adjacent to the site are regularly monitored as part of operational compliance requirements set out in the Applicant's EPL. Monitoring indicates that the noise levels in the area are not dominated by a specific site or activity but are a combination of surrounding noise influences. Modelling also indicates that exceedances of operational noise limits can occur both when the paper mill is operational and when it is shut down for maintenance.



**Figure 6 | Sensitive Receiver Locations**

The modification application includes a Noise Management Strategy (NMS) which investigates the potential worst case noise impacts associated with the removal of the B7 reel store as well as the likely noise environment following the installation of the noise barrier. The NMS model assesses the noise impacts from the combined (full) operations of the paper mill. Noise modelling was conducted for each of the different stages of proposed works.

The modelled scenarios include the combined operations of the activities within the Orora site but do not consider external noise influences from other noise generating sources such as Port Botany container terminal operations, external road traffic noise and nearby industrial and commercial operations (as requested by Council). This approach is consistent with Orora's EPL and project approval requirements, which relate specifically to noise emissions from the operations of the site.

The NMS concludes that the proposal is likely to result in temporary exceedances of operational noise limits at surrounding sensitive receivers. The predicted noise levels, as well as an estimate of the number of potentially impacted residents, are presented in **Table 3**.

The modelling predicts a maximum exceedance of approximately 9 dB(A) at R4 following stage one of demolition (prior to installation of the noise barrier extension stage one) and exceedances of approximately 1.9 dB(A) at R3 and 3.5 dB(A) at R4, following stage two of demolition (prior to installation of the noise barrier extension stage 2).

Impacts would be short-term with each stage of noise barrier installation works expected to take approximately one week. Following completion of the noise barrier installation, the NMS predicts that the noise levels at all compliance monitoring locations will be below or very close to the limits prescribed in the EPL and consistent with current noise levels.

While the modeled scenarios only consider Orora's noise impacts, the Applicant conducts quarterly noise monitoring at compliance locations which measure ambient noise levels. These measurements include all



background noise sources, including Port Botany and road noise which are significant contributors to the ambient noise environment. Based on this monitoring data the average ambient noise level at receiver R4 is 50.7 dB(A).

**Table 3** | Predicted night time noise levels against noise limits for each compliance location

Receiver	Night criterion dB(A)	Predicted LAeq, 15 minute noise level			
		Demolition Stage 1	Noise barrier extension 1	Demolition Stage 2	Noise barrier extension 2
R1 Australia Avenue	43	39.7	39.7	39.7	39.7
R2 Australia Avenue	43	41.4	41.3	41.8	41.6
R3 Murabbin Avenue	43	43.7	43.4	44.9	43.4
R4 Partanna Avenue	41	50.2	40.7	44.4	40.6
R5 CNR Partanna Avenue and Moorina Avenue	39	39.0	38.8	39.3	38.9
R6 Moorina Avenue	39	35.4	35.4	35.4	35.4
Number of potentially impacted residents		14	0	5	0

The SEE predicts that the proposed demolition activities would temporarily exceed noise management levels at nearby sensitive receivers despite mitigation measures being implemented. The exceedances would generally occur when the bays of the building are being demolished, with each demolition stage taking approximately 2- 3 weeks, and while the barrier is under construction, likely to take one week.

The demolition noise impacts were assessed further in an additional report provided within the RTS. The report concludes that based on the worst-case assumptions, compliance with the noise limits would be met under typical construction cycles where there is no use of a hydraulic breaker.

Key measures proposed to be implemented to mitigate demolition/construction noise impacts include:

- compliance with standard construction hours – 7 am – 6 pm (Monday-Friday), 8 am-1 pm (Saturday) and at no time Sundays and public holidays;
- notifying potentially affected residents of the works plan and expected levels of noise in advance of the works occurring and responding to resident's comments when planning noisy activities; and
- timetabling to minimise noise impacts - this may include time and duration restrictions and respite periods.

As noted above, the Applicant consulted the surrounding community and no concerns were raised regarding the potential noise impacts associated the proposed modification. One resident raised concern regarding noise generally and was satisfied to learn that the shipping container noise barrier would be extended.

The Department sought advice from its noise specialist who noted that the Orora mill is not a significant contributor to maximum noise level events in the area. The Department's noise specialist also advised that a broader assessment of noise impacts from the Port Botany area has been commissioned by the EPA, to better understand management of these impacts through the port's expansion to 2045. The outcome of this assessment may result in the development of a Port Botany wide noise management strategy.

Given the temporary and short-term nature of the noise exceedances, the expected performance of the barrier to attenuate noise to within the operational noise criteria and the lack of concerns from surrounding residents, the Department is satisfied the noise impacts are reasonable.

The removal of condition 13C(a) is considered acceptable given the installation of the noise barrier would provide noise attenuation equivalent to that currently provided by the B7 reel store. Additionally, the staged approach to the works is an appropriate option given the access constraints around the reel store and the boundary of the site. Staging the demolition and installation works will result in reduced noise impacts on nearby residents, as opposed to completing the demolition and then commencing the installation of the noise barrier.

Further, the proposed noise barrier would be a temporary noise mitigation measure, and should the Applicant seek to keep it in place beyond June 2022 reassessment of its merits, along with approval from the Planning Secretary, would be required.

Overall, the Department supports the Applicant's proposed measures to mitigate noise impacts associated with the modification, specifically the extension of the existing noise barrier. The Department has recommended conditions to address noise impacts arising from the proposed modification to ensure noise predictions are verified and impacts on surrounding residents are minimised. These include a requirement to:

- update the existing Construction Noise Management Plan to address the noise impacts associated with the proposed modification, including the noise mitigation measures outlined in the SEE and RTS and procedures for notifying nearby residents of construction activities;
- complete the construction of the noise barrier within two weeks of completing the demolition of the B7 reel store;
- update the detailed Noise Barrier Design Plan to include details of the proposed noise barrier extension;
- submit a Noise Verification Study (NVS) to the Planning Secretary within three months of completing the construction of the noise barrier to confirm the predictions that the project would meet its noise criteria. The NVS would need to describe the additional noise mitigation measures to be implemented where non-compliances are detected; and
- submit a Long-term Noise Barrier Plan to the Planning Secretary for approval by 30 June 2021.

The Department's assessment concludes that noise impacts associated with the modification would be appropriately managed via implementation of the existing and recommended conditions of consent.

## **6.2 Visual Amenity**

The proposed removal of the existing B7 reel store building and extension of the existing shipping container noise barrier would change the streetscape and visual amenity of the area. The visual impacts associated with the installation of the noise barrier would predominantly affect the southern end of Purcell Park and the west end of Partanna Avenue (see **Figures 7 & 8**).



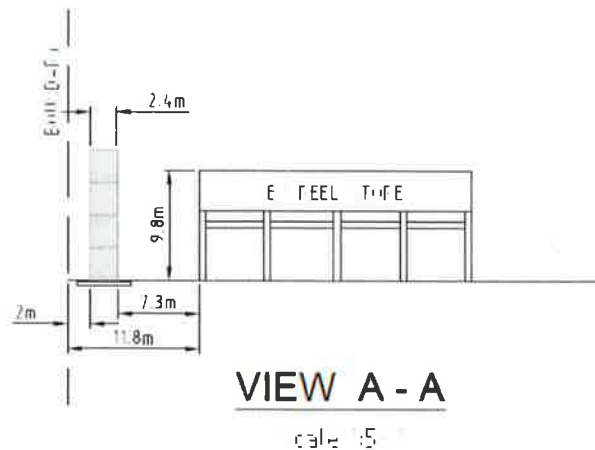
**Figure 7** | Existing view of B7 Reel Store from the west end of Partanna Avenue



**Figure 8** | Existing view of B7 Reel Store from the southern end of Purcell Park

The B7 reel store currently stands 9.8 m tall (at its highest point) and is located approximately 11.8 m from the site boundary. The proposed shipping container noise barrier would stand approximately 12 m tall and be located approximately 2 m from the site boundary (see **Figure 9**). There is a ground level difference of approximately 1.5-1.8 m between the site and the boundary therefore the proposed barrier would appear to stand approximately 10.5 m tall when viewed from Purcell Park.





**Figure 9** | B7 Reel Store and Proposed Noise Barrier - Relationship with site boundary

The appearance of the noise barrier would be consistent with the colouring and texture of the existing noise barrier (see **Figures 2 & 3**). The SEE states that the noise barrier will be inspected annually to ensure structural integrity and appearance is maintained and any sign of rust, vandalism or associated damage will be repaired appropriately. It is recommended the Applicant includes details of the noise barrier inspection and maintenance strategy within the updated Noise Barrier Design Plan to be submitted prior to the commencement of works.

The SEE states that the existing canopy trees which align along the boundary will effectively screen the barrier from the public domain and neighbouring properties. However, given the proposed height of the barrier it is likely that it would be visible above the existing vegetation/tree canopy which currently provides some screening from the B7 reel store (see **Figures 7 & 8**).

The noise barrier would not cast any shadow onto residential properties based on the shadow modelling conducted for the existing noise barrier (see **Figure 10**). There would potentially be some shadow impacts affecting the boundary of Purcell Park however they are not of significance given this area is predominantly shaded by existing vegetation.



**Figure 10** | Shadows cast by existing noise barrier at 3pm mid-winter

During the preliminary consultation stage, Council raised concern regarding visual impacts associated with the proposed noise barrier. Specifically, Council noted that in the past residents have contacted Council to discuss concerns regarding visual impacts caused by the installation of acoustic walls on the premises. Specifically, the concerns have been in relation to the diminishing surrounding view and the impact on the outlook from bordering properties which may result in financial impact on the market value of affected properties. Council also recommended that given the height of the wall, and the potential impact on surrounding residents, the Applicant should liaise with nearby residents to discuss and resolve any concerns regarding visual impact.

As discussed above, Elton consulting conducted preliminary community consultation on behalf of the Applicant informing nearby residents of the proposed works. No concerns were raised regarding the visual impacts associated with the extension of the noise barrier. Additionally, it is noted that Council's submission to the Department did not raise any specific concerns regarding the visual impact of the proposal.

It is considered that the installation of the noise barrier would impact the existing streetscape and visual amenity of the locality resulting in a diminished vista, particularly affecting users of Purcell Park and residents at the western end of Partanna Avenue. While the visual impacts are acknowledged, they are not unreasonable in the context of the location, being an interface between industrial and residential land uses.

Furthermore, the proposed extension of the noise barrier is consistent with Strategy 16.1 of the Region Plan which seeks to manage the interfaces of industrial areas, trade gateways and intermodal facilities by requiring sensitive development within the influence of port operations to implement measures that reduce amenity impacts.

While the installation of the shipping container noise barrier would change the vistas from the surrounding area, the visual impact is justified given the noise attenuation associated with the installation of the barrier and the context of the area. Additionally, the Department notes that no submissions were received from nearby residents regarding visual impacts. It is also noted that the proposed noise barrier would be a temporary measure and if the Applicant wanted to keep it in place beyond 2022 it would need to seek permission from the Planning Secretary, in which case visual impacts would be reassessed.

As noted above, it is recommended the Applicant prepare a Long-term Noise Barrier Plan. This Plan would need to address any visual amenity impacts associated with the proposed long-term noise barrier solution.

The Department's assessment concludes that visual impacts associated with the modification would be appropriately managed via implementation of the existing and recommended conditions of consent.

### 6.3 Other Issues

**Table 2** | Assessment of other issues raised

Issue	Findings	Recommended Condition
Traffic	<ul style="list-style-type: none"> <li>The proposed demolition and construction works would likely result in a temporary increase in traffic impacts.</li> <li>The proposed demolition activities would result in a peak of 20 additional truck movements per day associated with the removal of demolition waste.</li> <li>The 32 shipping containers proposed to be used for the construction of the noise barrier would be brought on site via side loaders – requiring a total of 62 truck movements.</li> </ul>	<ul style="list-style-type: none"> <li>Require the Applicant to: update the existing traffic management plan to include the proposed works associated with the modification.</li> </ul>

- Council and RMS did not raise any concerns regarding the traffic impacts associated with the proposal.
- The traffic impacts would be short term and are considered to be negligible given the existing traffic volumes on Botany Road and McCauley Street.
- The Department's assessment concludes that traffic impacts associated with the modification would be appropriately managed via implementation of the existing and recommended conditions of consent.

#### Waste

- The work associated with the modification, specifically the demolition of the reel store, would generate waste material predominately consisting of bricks, concrete and metals.
  - All metals would be recycled, and bricks and concrete would be sent to an appropriately licensed landfill.
  - EPA requested further information regarding the reuse of waste material including crushed concrete for which was provided by the Applicant in the RTS.
  - The RTS advised that waste materials would be pre-sorted on site to facilitate the further processing into re-useable materials off site.
  - The total amount of materials available for re-use is expected to be less than 2,000 tonnes.
  - EPA advised that the potential importing of recycled materials on site to fill/cap would need to comply with the Recovered Aggregate Order 2014 under the POEO (Waste) Regulation 2014.
  - Asbestos identification, handling and removal would be undertaken in accordance with appropriate guidelines, standards and legislation by an appropriately licensed contractor.
  - EPA advised that sufficient information has been provided for it to determine it has no further comments.
  - The Department's assessment concludes that waste impacts associated with the modification would be appropriately managed via implementation of the existing and recommended conditions of consent.
- Require the Applicant to:
    - update the waste management plan for the site to include the proposed demolition works, including procedures to ensure the removal, handling and disposal of asbestos would be undertaken in accordance with the relevant guidelines, standards and legislation.

#### Soil and Water

- The works associated with the modification would potentially result in soil and water quality impacts. Specifically, exposed soils during demolition works would pose a potential risk of runoff containing demolition contaminates.
  - Surface water will enter the existing B9 stormwater system then pass through the Gross Pollutant Traps on the site and eventually travel to Botany Bay via Bunnerong Creek.
- Require the Applicant to:
    - update the Surface Water Management Plan to outlines the measures to be implemented to minimise water entering the demolition area and the treatment of any runoff.

- An updated Surface Water Management Plan would be prepared for the demolition and waste management area which would aim to minimise the volume of water entering the demolition area.
- Water NSW raised no concern regarding the proposal.
- DPI noted that the proponent's commitments in relation to soil and water are adequate to address matters of regulatory interest.
- The Department's assessment concludes that soil and water impacts associated with the modification would be appropriately managed via implementation of the existing and recommended conditions of consent.

#### **Vibration**

- The proposed demolition/construction works would likely result in the intermittent generation of vibration from falling debris.
- Equipment and appropriate vibration management methodology selected for the work would aim to minimise any vibration impacts to the surrounding properties.
- The activities to be undertaken to facilitate the demolition and noise barrier works would not require extensive earthworks and thus would likely have minimal impact in terms of generating adverse vibration impacts to nearby residential properties.
- The Department's assessment concludes that vibration impacts associated with the modification would be appropriately managed via implementation of the existing and recommended conditions of consent.
- Require the Applicant to: update the Construction Noise Management Plan to address vibration impacts associated with the modification.

#### **Air Quality**

- The proposed works would potentially result in air quality impacts due to increased dust generation. Additionally, there would likely be impacts associated with exhaust emissions from the vehicles used for the works.
- Mitigation measures would include notifying the surrounding residents when demolition activities are to occur, ensuring that truck loads are covered, the use of water sprays and the cessation of demolition works during high winds.
- The Department's assessment concludes that air quality impacts from the development would be appropriately managed via implementation of the existing and recommended conditions of approval.
- Require the Applicant to: update the Construction and Demolition Environmental Management Plan to address impacts associated with the modification.





## 7. Evaluation

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act. The Department's assessment of the proposed modification concludes the following:

- the key impacts associated with the modification would be noise and visual amenity;
- despite the implementation of mitigation measures the modification would likely result in temporary exceedances in noise levels at nearby residential sensitive receivers, after the demolition of the B7 reel store and before completion of the noise barrier installation;
- the proposed modification would likely result in impacts on the streetscape and visual amenity of the area, particularly affecting the southern end of Purcell Park and Partanna Avenue;
- potentially affected residents would be informed prior to works occurring and works would be completed as efficiently as possible.

The Department considers the proposed modification is appropriate on the basis that:

- it would result in minimal environmental impacts beyond those generated by the approved facility;
- the noise impacts associated with the modification would be temporary;
- the visual impacts associated with the installation of the noise barrier are considered to be acceptable given the noise attenuation that would be provided and the context of the area;
- community consultation undertaken to date, as well as to be undertaken prior to works, is considered to be sufficient in informing potentially affected residents of the works and the potential impacts;
- no public submissions were received from nearby residents regarding the modification;
- it is consistent with the strategic direction set out in the Region Plan and Eastern City District Plan; and
- it would enable a more efficient use of space and improve vehicle access and maneuverability on the site.

Overall, the Department is satisfied that the impacts arising from the proposed modification can be appropriately managed through the Applicant's proposed mitigation measures and the Department's recommended modifying conditions. It therefore recommended that the modification should be approved, subject to conditions.



## 8. Recommendation

It is recommended that the Director, Industry Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report; and
- **determines** that the application to modify the consent for the Orora (formerly Amcor) Paper Mill (05\_0120) falls within the scope of section 4.55(1A) of the EP&A Act;
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application;
- **agrees** with the key reasons for approval listed in the draft notice of decision;
- **modify** the consent 05\_0120; and
- **signs** the attached approval of the modification (Attachment A).

Recommended by:

*Olivia Hirst* 29.10.18.

**Olivia Hirst**

Planning Officer

Industry Assessments

Recommended by:

*Kane Winwood* 29.10.18

**Kane Winwood**

A/Team Leader

Industry Assessments



## 9. Determination

The recommendation is **Adopted** / Not adopted by:

**Chris Ritchie**

Director

Industry Assessments

29/10/18



# Appendices

## Appendix A – List of Documents

Statement of Environmental Effects and associated documents entitled 'Orora Paper Mill – Botany, Statement of Environmental Effects – B7 Reel Store Demolition & Extension of Noise Barrier' prepared by Elton Consulting dated 4 June 2018 (Appendix B)

Submissions listed in Appendix C

Response to Submissions document entitled 'B7 Reel Store Demolition & Extension of Noise Barrier Response to DPE Request for Information' prepared by Elton Consulting dated 1 August 2018 (Appendix B)

Documentation related to MP 05\_0120 MOD 5 - Demolition of the B7 Building, including the Noise Verification Study submitted in accordance with condition 14A of 05\_0120

Email correspondence from Bronwyn Englaro, Acting Coordinator, Strategic Planning at Randwick City Council dated 21 August 2018, 12 October 2018

Correspondence from the EPA dated 8 August 2018 and 5 October 2018

Project Approval 05\_0120 as modified



## Appendix B – Statement of Environmental Effects and Response to Submissions

See link: [http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=9395](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9395)

## Appendix C – Submissions

See link: [http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=9395](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9395)

## Appendix D – Notice of Modification

