

ASSESSMENT REPORT

AMCOR New Paper Mill Project (05_0120 MOD 3) Section 75W Modification

1. BACKGROUND

In July 2007, the then Minister for Planning approved a major project application submitted by Amcor Packaging (Australia) Pty Ltd (Amcor) for the construction and operation of a new paper mill at Amcor's Matraville plant in the Randwick Local Government Area (see Figure 1).

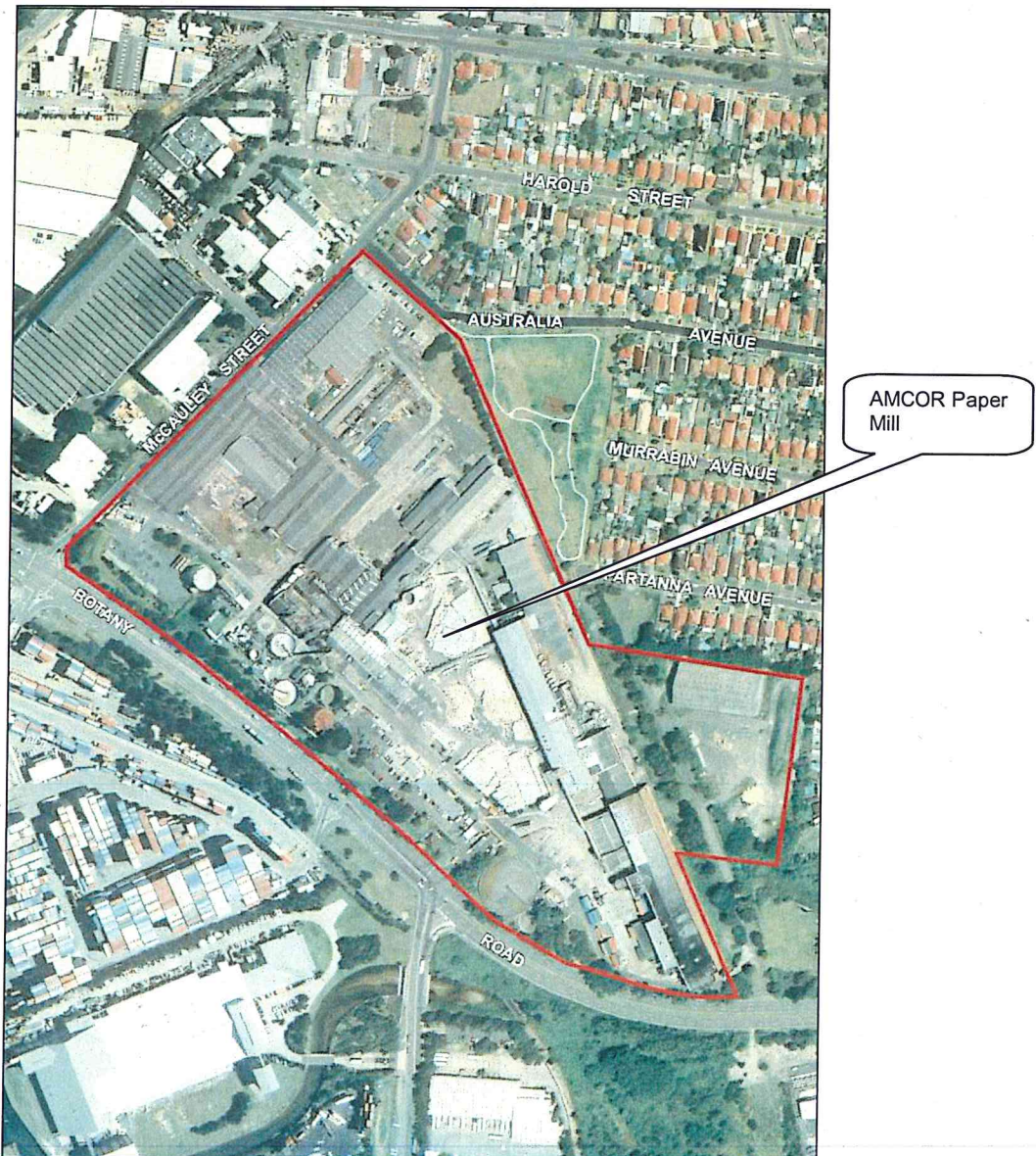


Figure 1: Site Location

Under the Minister's approval, Amcor were permitted to:

- install a new paper machine housed in a new industrial building capable of producing around 380,000 tonnes of paper a year from waste paper;

- decommission two existing paper machines;
- build a new finished product store building;
- develop covered loading areas, a new engineering store and workshop;
- expand the waste paper storage area; and
- demolish some redundant buildings and infrastructure.

Amcor has modified the Minister's Project Approval on two occasions, namely:

1. In July 2008 - for additional demolition works to be undertaken on the site; and
2. In July 2010 - to allow for changes to the site layout, subdivision and changes to the access on McCauley Street (see Figure 3).

Historic Operations

Amcor has operated a paper mill at Botany Road, Matraville since 1901. The site previously comprised two large buildings on the eastern boundary containing two paper machines with a capacity to produce up to 275,000 tonnes of paper per annum.

The site contained a large waste paper storage area in the centre of the site, 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. Vehicular access to the site was originally provided from McCauley Street and Botany Road (see Figure 2).

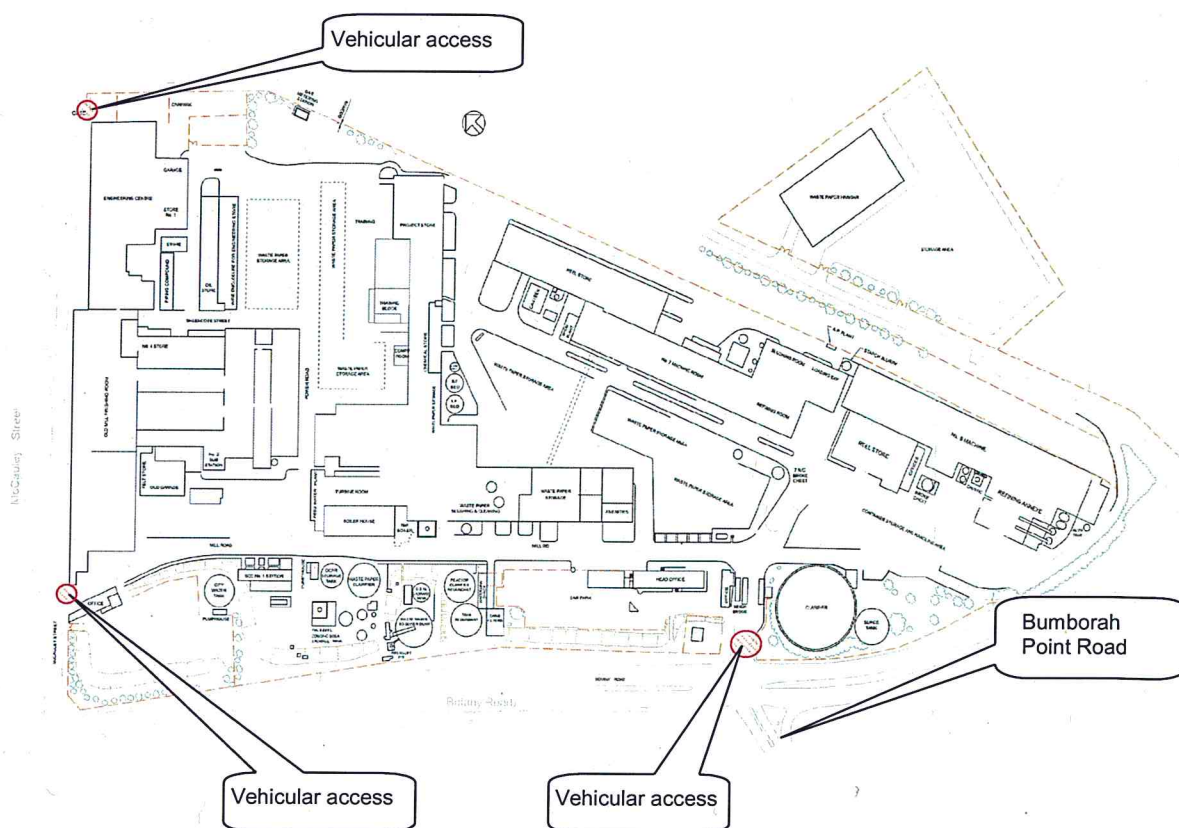
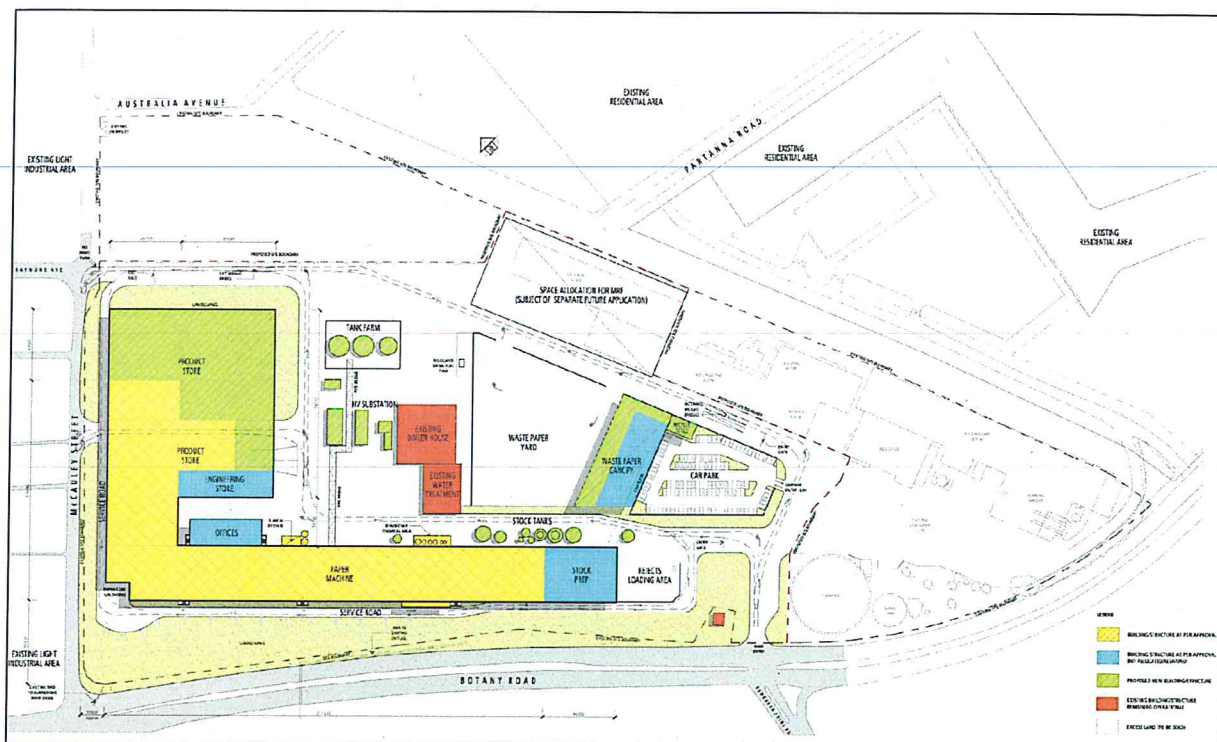


Figure 2: Original Site Layout

Heavy vehicles continue to access the site at the intersection of Botany Road and Bumborah Point Road.

Modifications

As part of the 2010 modification approval (see Figure 3), Amcor are required to ensure that any site related vehicles do not queue on any public roads and restrict heavy vehicles from using McCauley Street north of Raymond Avenue (ie undertake a left hand turn out of the site).



Furthermore, the modified approval required Amcor to upgrade McCauley Street and the intersection of McCauley Street with Botany Road prior to the commencement of operation of the new mill.

The road upgrade works are shown on Figure 4. It should be noted that the upgrade works to McCauley Street have been completed and two lanes for traffic are available. The intersection at McCauley Street and Botany Road is only partially completed with a scheduled completion date by 31 December 2012.

However, Amcor has advised that the new paper mill is scheduled to be operational by early December 2012.

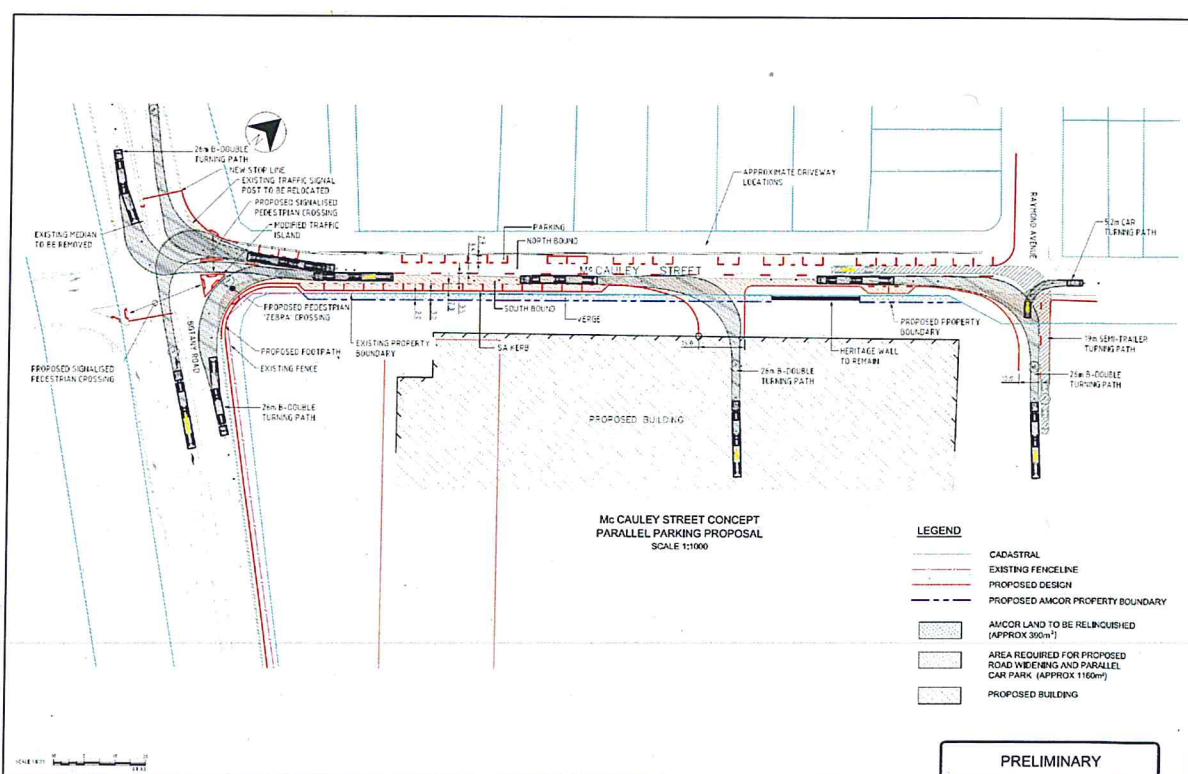


Figure 4: Road upgrade works

2. PROPOSED MODIFICATION

Amcor has requested that the new paper mill commence operation prior to completion of the road upgrade works to McCauley Street and the intersection of McCauley Street and Botany Road.

As outlined, the majority of the upgrade works have been undertaken, however Amcor has indicated that the works will not be completed prior to the new paper mill becoming operational due to:

- Encountering a number of utilities and services which have required a long time period for relocation approval and construction by service managers;
- The complexity and extensive time to complete the full reconstruction of the western side of McCauley Street; and
- Difficult weather conditions in 2012 which have delayed construction and the subject road upgrade works.

Amcor has satisfied all other pre-operation conditions and is ready to commence operation in early December 2012. Amcor expects to complete the road upgrade works by the end of December 2012. Therefore, Condition No.'s 20A and 20B are required to be modified as detailed in Table 1.

Table 1 – Proposed Modification

Figure Ref.	Condition No.	Approved	Proposed
4	20A	Road upgrade works to McCauley Street between Botany Road and Raymond Avenue are to be completed prior to the commencement of operations of the project.	Road upgrade works are to be completed prior to 31 December 2012.
4	20B	Road upgrade works to the intersection of McCauley Street and Botany Road are to be completed prior to the commencement of operations of the project.	Road upgrade works are to be completed prior to 31 December 2012.

3. STATUTORY CONSIDERATION

Section 75W

In accordance with Clause 12 of Schedule 6A of the EP&A Act, section 75W of the Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

Under Section 75W of the EP&A Act, the Minister is obliged to be satisfied that what is proposed is indeed a modification of the original proposal, rather than being a new project in its own right.

The Department notes that:

- the primary function and purpose of the approved project would not change as a result of the proposed modification; and
- any potential environmental impacts would be minimal and appropriately managed through the existing or modified conditions of consent.

Therefore, it is considered that the proposed modification is within the scope of section 75W of the EP&A Act. Consequently, the Department considers that the application should be assessed and determined under Section 75W of the EP&A Act rather than requiring a new development or project application to be lodged.

Approval Authority

The Minister was the approval authority for the original project approval, and is consequently the approval authority for this application.

The Executive Director, Major Projects Assessment, may determine this application on behalf of the Minister in accordance with the Minister's delegation dated 14 September 2011, subject to the following:

- where the relevant local Council/s has not made an objection;
- where a political donations disclosure statement has not been made; and
- there are less than 25 public submissions in the nature of objections.

The Department is satisfied that the application meets the terms of the delegation and that the Executive Director may determine the application under delegated authority.

Consultation

Under Section 75W of the EP&A Act, the Minister is required to make the application publicly available on the Department's website. Upon receipt, the application was placed on the Department's website and following a review of the application, the Department did not believe formal public notification of the application was necessary. Notwithstanding, the Department sought comments from Randwick City Council (Council) and Roads and Maritime Services (RMS).

Council raised no concern with the proposed modification.

While the RMS raised no objection to the modification, the RMS requested that:

- B-Doubles not be permitted to use McCauley Street until such time as the B-double route along McCauley Street is approved by the RMS;
- The intersection of McCauley Street and Botany Road is monitored regularly with appropriate traffic control measures;
- Should any congestion or safety issues arise, access for the operation of new paper mill should be restricted to the access at Botany Road and Bumborah Point Road; and
- The upgrade to McCauley Street and Botany Road intersection shall be completed by the end of December 2012.

Consultation with other neighbouring sites was considered unnecessary, as the environmental impacts of the proposal would essentially remain unchanged from the approved project.

4. ASSESSMENT

In assessing the merits of the modification the Department reviewed:

- the EA for the original project and project approval 05_0120;
- the EA for the modification (see Appendix A);
- relevant environmental planning instruments, policies and guidelines; and
- relevant provisions of the EP&A Act, including the objects of the Act.

The key issue associated with the modification is traffic which is considered in Table 2.

4.1 Key Issues

The Department has reviewed the proposed modification and considers that the key issue is traffic and access. Consideration of traffic impacts is provided in Table 2.

Table 2 – Assessment of key issues

Issue	Potential Impacts	Conclusion and Recommendation
Traffic and Access	<ul style="list-style-type: none"> • For the period up until the end of December 2012, finished product dispatch vehicles will enter the site via the Botany Road access and exit the site via McCauley Street. All other vehicle movements will enter and exit the site via the Botany Road access only, similar to the operations under the old paper mill. • The above interim traffic control measures will remain in place until the road upgrade works are complete. • Traffic modelling submitted by the Proponent for vehicles entering and exiting the site via the Botany Road access concludes that the primary 	<ul style="list-style-type: none"> • Condition 20C restricts heavy vehicles from using McCauley Street north of Raymond Avenue and will remain unaltered to minimise any adverse impacts upon the residences north-east of the subject site. • It should be noted that a B-Double application for the southbound section of McCauley Street has been lodged with RMS in accordance with Condition 20A(f). • The new weighbridges on site have been relocated adjacent to the waste paper storage yard, approximately 150 metres further north from the original weighbridges previously located at the entrance to the site. Therefore, there is additional queuing space on site to cater for peak delivery periods, avoiding any queuing on Botany Road.

Issue	Potential Impacts	Conclusion and Recommendation
	<p>contributor to the overall traffic volumes is the existing background traffic.</p> <ul style="list-style-type: none"> The traffic generated by the development represents less than 4.5% of the overall volume of traffic on Botany Road and Bumborah Point Road. The estimated heavy vehicle movements are therefore considered minor in the context of traffic in the Botany industrial area. 	<ul style="list-style-type: none"> Both the RMS and Randwick Council raised no concerns with the proposed modification. However, the RMS recommended a number of conditions relating to the management of traffic during the interim period while the road works are being finalised and to restrict B-Double use to the Botany Road access. A Condition has been recommended requiring the Proponent to engage traffic controllers at the McCauley Street site entrance and at the intersection of McCauley Street and Botany Road until the road upgrade works are complete to ensure the efficient and safe movement of vehicles and pedestrians. Notwithstanding, existing conditions requiring that site related vehicles do not queue on any public roads and the restricted use of McCauley Street north of Raymond Avenue by heavy vehicles will remain unaltered to minimise any adverse impacts of the site operations upon the local surrounding road network. In addition, existing conditions require Amcor to implement a detailed Traffic Management Plan, which includes provisions relating to a 'Driver Code of Conduct'. The Department is satisfied that the traffic impacts from the modification would be minor, of limited duration and unlikely to lead to unacceptable traffic impacts.

5. CONCLUSION

The Department has assessed the proposed modification in accordance with the requirements in Clause 8B of the EP&A Regulation. This assessment has found that the proposed modification would have negligible environmental impacts. Consequently, the Department is satisfied that the modification should be approved.

The Department considers that the proposed modification is minor, particularly given the interim arrangements would only be for a short period of time. Furthermore, the Department is satisfied that the recommended conditions would adequately manage any traffic and safety issues during this period, until the road upgrade works are completed.

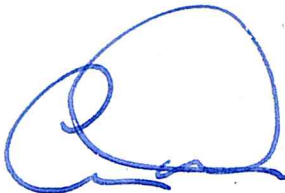
6. RECOMMENDATION

Under delegation of the Minister, it is RECOMMENDED that the Executive Director, Major Projects Assessment:

- approve the proposed modification under Section 75W of the EP&A Act; and
- sign the attached instrument (tagged A).


Chris Ritchie
Manager - Industry
Major Project Assessment

11/12/12



Chris Wilson
Executive Director
Major Project Assessment

11/12/12

Ashley Cheong
Major Project Assessment