

ASSESSMENT REPORT

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

1. BACKGROUND

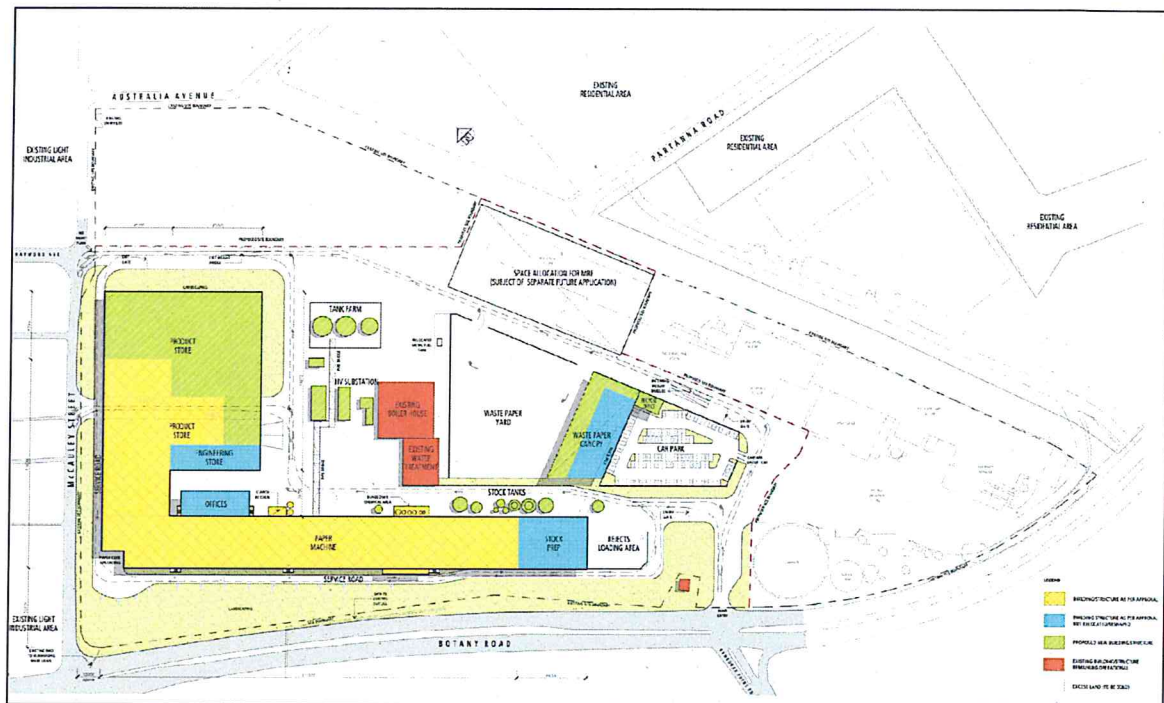
In July 2007, the then Minister for Planning approved a major project application submitted by Amcor Packaging (Australia) Pty Ltd (Amcor) for the construction and operation of a new paper mill at Amcor's Matraville plant in the Randwick Local Government Area (see Figure 1).



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;



In late 2012, Amcor requested an extension of time to complete the upgrade works and to commence operations prior to the road works being complete. The 2012 modification permitted Amcor to commence operations subject to the road upgrade works being completed by 31 December 2012.

The majority of the upgrade works have been undertaken. However, Amcor has indicated that the works were not completed by 31 December 2012 as required due to Sydney Water requesting a design change for the relocation of a water main along McCauley Street. Further, a redundant Ausgrid High Voltage (HV) cable was encountered during construction and Ausgrid were unable to remove the redundant HV cable until 16 January 2013, thereby delaying the completion of the water main and subsequently, the road upgrade works.

The Proponent has indicated that the intersection at McCauley Street and Botany Road is only partially completed and that all road and intersection works are scheduled for completion by 31 March 2013.

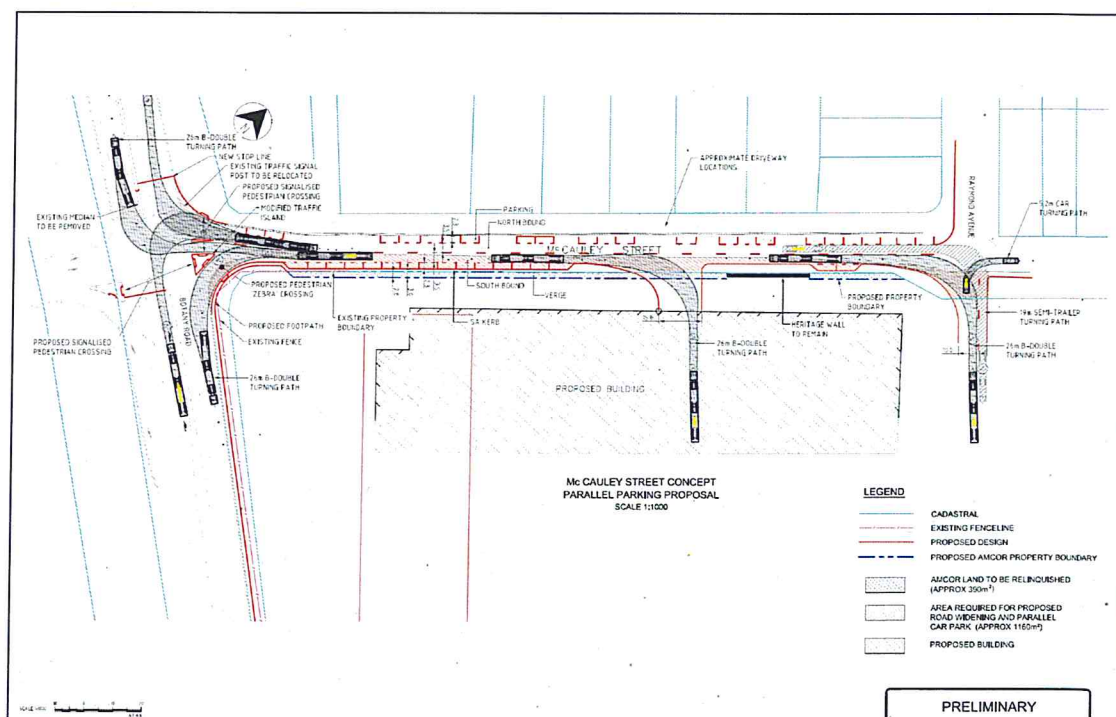


Figure 4: Road upgrade works

2. PROPOSED MODIFICATION

Amcor has requested that the New Paper Mill continue operation and that B-Double trucks be permitted to utilise McCauley Street prior to the completion of the road upgrade works.

As outlined, unforeseen circumstances outside of Amcor's control have delayed the road upgrade works which are now anticipated for completion by the end of March 2013.

Amcor has satisfied all other pre-operation conditions and commenced operation in December 2012. As the New Paper Mill has now reached full daily production, the use of semi-trailer trucks for finished product dispatch is not viable given their inefficiency in comparison with B-Doubles. This has resulted in the finished product storage areas reaching full capacity. The Proponent has indicated that production will soon be required to cease should B-Doubles not be permitted for use.

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 by 31 December 2012.	Road upgrade works to McCauley Street between Botany Road and Raymond Avenue are to be completed by 31 March 2013.
4	20B	Road upgrade works to the intersection of McCauley Street and Botany Road are to be completed by 31 December 2012.	Road upgrade works to the intersection of McCauley Street and Botany Road are to be completed by 31 March 2013.

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, Development Assessment Systems and Approvals, may determine this application on behalf of the Minister in accordance with the Minister's delegation dated 27 February 2013, 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.

4. 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:

- The proposed upgrade to Botany Road and McCauley Street intersection be fully completed no later than 31 March 2013;
- The operation of Botany Road and McCauley Street intersection should be monitored on a fortnightly basis. Mitigation measures shall be provided if the use of the intersection for the operation of the Amcor Paper Mill results in any adverse impact on the intersection;
- A trial for B-Doubles should be undertaken at the intersection of Botany Road and McCauley Street once the intersection works are completed; and
- All works associated with the proposed development shall be at no cost to the RMS.

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

5. ASSESSMENT

In assessing the merits of the modification the Department reviewed:

- the EA for the original project and project approval 05_0120 and subsequent modifications;
- 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.

5.1 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 – Traffic Impacts

<i>Issue</i>	<i>Assessment</i>	<i>Recommendation</i>
Traffic and Access	<ul style="list-style-type: none">• For the period up until the end of March 2013, finished 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 would remain in place until the road upgrade works are complete.• The Proponent has undertaken a road safety assessment in relation to the operation of B-Double truck movements from the subject site. The Assessment included a swept path analysis which concluded that the layout can accommodate B-Double turning paths from the subject site.• Further, the southbound section of McCauley Street was gazetted as a B-Double route on 25 January 2013.• Both the RMS and Randwick Council raised no concerns with the proposed modification.• However, the RMS recommended a number of	The Department has incorporated RMS' request and recommend the amendment of Conditions 20A and 20B to require the road upgrade works to be complete by 31 March 2013.

Issue	Assessment	Recommendation
	<p>conditions relating to the management of traffic during the interim period while the road works are being finalised.</p> <ul style="list-style-type: none"> Existing conditions require 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. In addition, existing conditions require Amcor to implement a detailed Traffic Management Plan, which includes provisions relating to a 'Driver Code of Conduct'. 	

6. 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.

7. RECOMMENDATION

Under delegation of the Minister, it is RECOMMENDED that the Executive Director, Development Assessment Systems and Approvals:

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



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28/2/13



Chris Wilson
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28.2.13

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