

Notice of Modification

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation dated 16 February 2015, I modify the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin
Acting Director
Regional Assessments

Sydney 25 SEPTEMBER 2015

SCHEDULE 1

Development Approval: MP 06_0159 granted by the Minister for Planning on 1 May 2007

For the following: Visy Pulp and Paper Tumut Mill expansion

Applicant: Visy Pulp and Paper Pty Ltd

Consent Authority: Minister for Planning

The Land: Lots 5, 12, 14, 19, 42, 57, 61, 62, 63, 64, 76, 84, 91, 92, 93, 94, 103, 105, 106, 107, 115, 116, 117, 118, 119, 138 in DP No. 757228; Lots 211, 219, 220, 221, 222, 223, 224, 229, 230 and 235 in DP No. 757252; Lot 1 in DP No. 832090; Lot 4 in DP No. 1004478; Lot 1 in DP No. 1082770; Lots 102 and 103 in DP No. 1035564; Lot 7002 in DP No. 96829 and Lot 1 DP 27482; 436 Gadara Road, Tumut

Modification: MP 06_0159 MOD2: the modification includes:

- construction of new storage buildings and new coating kitchen facility.

SCHEDULE 2

The above approval is modified as follows:

- (a) Administrative Conditions – Condition 1.1 and 1.2 Terms of Approval is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck through~~ words / numbers as follows:

1. ADMINISTRATIVE CONDITIONS

Terms of Approval

1.1 The Proponent shall carry out the project generally in accordance with the:

- a) Major Projects Application 06_0159;
- b) *Visy Pulp and Paper Proposed Mill Expansion, Tumut NSW, Final Environmental Assessment*, prepared by Visy Pulp and Paper Pty Ltd and dated January 2007;
- c) *Visy Pulp & Paper Proposed Mill Expansion, Tumut NSW, Submissions Report*, prepared by Visy Pulp and Paper Pty Ltd and dated March 2007;
- d) the concept approval granted with respect to the Visy Tumut Mill Expansion (06_0159);
- e) the *Statement of Commitments* prepared by Visy Pulp and Paper Pty Ltd dated 18 April 2007;
- f) *Tumut Mill Expansion – Project Component Phasing Changes*, prepared by Visy Pulp and Paper Pty Ltd and dated 19th June 2007;
- g) **Visy Tumut Mill Buildings & Storage s75W Modification Environmental Assessment prepared by GHD dated August 2015;**
- h) **Visy Tumut Mill Buildings & Storage s75W Modification Supplementary Information and Response to submissions dated September 2015;** and
- i) the conditions of this approval.

1.2 In the event of an inconsistency between:

- a) the conditions of this approval and any document listed from condition 1.1a) and 1.1-g i) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
- b) any document listed from condition 1.1a) and 1.1-g i) inclusive, and any other document listed from condition 1.1a) and 1.1g i) inclusive, the most recent document shall prevail to the extent of the inconsistency.

- (b) Specific Environmental Conditions – Condition 2.32 Pre Construction Hazard Studies is amended by the insertion of the **bold and underlined** words / numbers as follows:

Pre-Construction Hazards Studies

2.32 At least one month prior to the commencement of construction of the project, the Proponent shall prepare and submit for the approval of the Director-General, the following studies:

- a) an updated **Fire Safety Study** for the mill site including the expansion project, covering all aspects detailed in the Department's publication *Hazardous Industry Planning Advisory Paper No. 2 - Fire Safety Guidelines* and the New South Wales Government's *Best Practice Guidelines for Contaminated Water Retention and Treatment Systems*. The Study shall include a strict maintenance schedule for essential services and other safety measures. The Study shall be submitted for approval to the Commissioner of the NSW Rural Fire Service prior to submission to the Director-General; and

- b) a **Construction Safety Study** for the project, prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 7 - Construction Safety Study Guidelines*. Specific consideration must be given to the interaction of construction work with existing plant and operations. The commissioning portion of the Study may be submitted two months prior to commissioning the project.

At least one month prior to the commencement of construction of the works approved by Modification 2 the above Fire Safety Study shall be updated to incorporate any changes due to the modification. This study shall cover the relevant aspects of the Department of Planning's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's 'Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'. The study shall also be submitted for approval, to the NSW Fire Brigades.

- (c) Specific Environmental Conditions – Condition 2.33 Pre Commissioning Hazard Studies is amended by the insertion of the **bold and underlined** words / numbers as follows:

Pre-Commissioning Hazards Studies

2.33 At least two months prior to the commencement of commissioning of the project the Proponent shall prepare and submit for the approval of the Director-General the following studies:

- a) an updated **Emergency Plan** for mill operations including the expansion project. The Plan shall be prepared in accordance with the Department's publication *Hazardous Industry Planning Advisory Paper No. 1 - Industry Emergency Planning Guidelines*. The plan shall include detailed procedures for the safety of all people outside of the development who may be at risk from the project; and
- b) an updated **Safety Management System**, covering all operations at the site including the expansion project and any associated transport activities involving hazardous materials. The System shall clearly specify all safety-related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to safety procedures. The System shall be developed in accordance with the Department's publication *Hazardous Industry Planning Advisory Paper No. 9 - Safety Management*.

At least two months prior to the commissioning or operations approved by Modification 2, the above Emergency Plan and detailed emergency procedures shall be updated to incorporate any changes due to the modification. This plan shall include detailed procedures for the safety of all people outside of the development who may be at risk from the development. The plan shall be in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1, 'Industry Emergency Planning Guidelines'.

End of Modification