

# Modification of Development Consent

## Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 9 March 2022, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Chris Ritchie  
**Director**  
**Industry Assessments**

Sydney

28 April 2022

### SCHEDULE 1

#### Development Consent

**Application Number:** MP06\_0228 granted by the Minister for Planning on 28 January 2009

**For the following:** Shoalhaven Starches Ethanol Expansion Project

#### Modification 23

**Modification Application:** MP06\_0228-Mod-23 (MOD 23)

Modification to construct and operate a 60 megawatt gas fired co-generation plant to replace two approved, but not constructed, co-generation plants.

**Applicant:** Shoalhaven Starches Pty Ltd

**Consent Authority:** Minister for Planning

**The Land:** 160 Bolong Road, Bomaderry

### SCHEDULE 2

This consent is modified as follows:

#### In the Definitions List:

1. Delete the words "and MOD 24" in the definition of "Development" and replace with the words " , MOD 23 and MOD 24".

#### In Schedule 2: Administrative Conditions

2. Inserting new Condition 2w) after Condition 2v) as follows:  
  
w) modification application MP06\_0228-Mod-23 (MOD 23), accompanying Statement of Environmental Effects dated September 2021, prepared by Cowman Stoddart Pty Ltd and plans dated 8 April 2022 (see Appendix 2V).
3. Inserting new Condition 6A after Condition 6 as follows:

- 6A. The Applicant shall not construct or operate the 40 MW gas-fired co-generation plant approved under 06\_0228 or the 15 MW coal-fired co-generation plant approved under 06\_0228 MOD 16.

### **In Schedule 3: Specific Environmental Conditions**

#### **Air Quality**

4. Inserting new Condition 8A after Condition 8 as follows:
- 8A. The Applicant shall only operate one other gas fired boiler (either boiler 1, 2, 3, 4, 7 or 8) in conjunction with boiler 5/6 during periods where one or more of the co-generation plant gas turbines is not operating.
5. Inserting new Condition 9CA after Condition 9C as follows:
- 9CA. Within six months of commissioning the fuel change to the boilers, as described in MOD 23, the Applicant shall submit a written report to the Planning Secretary and the EPA detailing the results of post-commissioning monitoring. The report shall:
- a) compare the results of monitoring undertaken in accordance with the EPL, with:
    - i. the emission limits in the EPL;
    - ii. the prescribed limits in the Protection of the Environment Operations (Clean Air Regulation) 2021;
    - iii. the emission rates in the Air Quality Assessment dated 19 January 2022, prepared by GHD;
  - b) assess compliance with the limits in the EPL, the prescribed limits in the Protection of the Environment Operations (Clean Air Regulation) 2021 and the emission rates in the Air Quality Assessment dated 19 January 2022, prepared by GHD; and
  - c) if post-commissioning monitoring shows that an emission limit is not being met, the Applicant is required to nominate and implement mitigation measures to achieve compliance with the relevant limit, in consultation with the EPA and to the satisfaction of the Planning Secretary.
6. Inserting the words 'except for MOD 23,' in Condition 26F after the words 'Condition 2'.
7. Inserting the words 'except for MOD 23,' in Condition 26G after the words 'Condition 2'.
8. Inserting new Condition 26GA after Condition 26G as follows:
- 26GA. Prior to the commencement of construction of the 60 MW co-generation plant and associated works as described in MOD 23, the Applicant shall provide a structural engineer's report to the Planning Secretary to verify that:
- a) any portion of the structures below the flood planning level (FPL) would be built from flood compatible materials;
  - b) all electrical installations would be constructed above the FPL or be able to be isolated prior to a flood event;
  - c) the location of all hazardous substances are at or above the 1% Annual Exceedance Probability (AEP) flood level;
  - d) the building and associated structures can withstand the forces of flood waters, debris and buoyancy forces up to the 1% AEP flood event; and
  - e) the building and associated structures will not become floating debris during a 1% AEP flood event.

9. Inserting new Condition 35D and heading after Condition 35C as follows:

#### **Pipeline for MOD 23**

- 35D. The Applicant shall obtain approval for construction of the gas pipeline under Bolong Road, under Section 138 of the *Roads Act 1993*.
10. Deleting the words 'the cogeneration plant', in Condition 43F.
11. Inserting new Condition 48A prior to Condition 48 as follows:
- 48A. Prior to the commencement of construction of structures extending 30 m above ground level, the Applicant must notify Airservices Australia.

## **In the Appendices**

12. Inserting new Appendix 2V after Appendix 2U as follows:

## APPENDIX 2V: Site Plans (06\_0228 MOD 23)

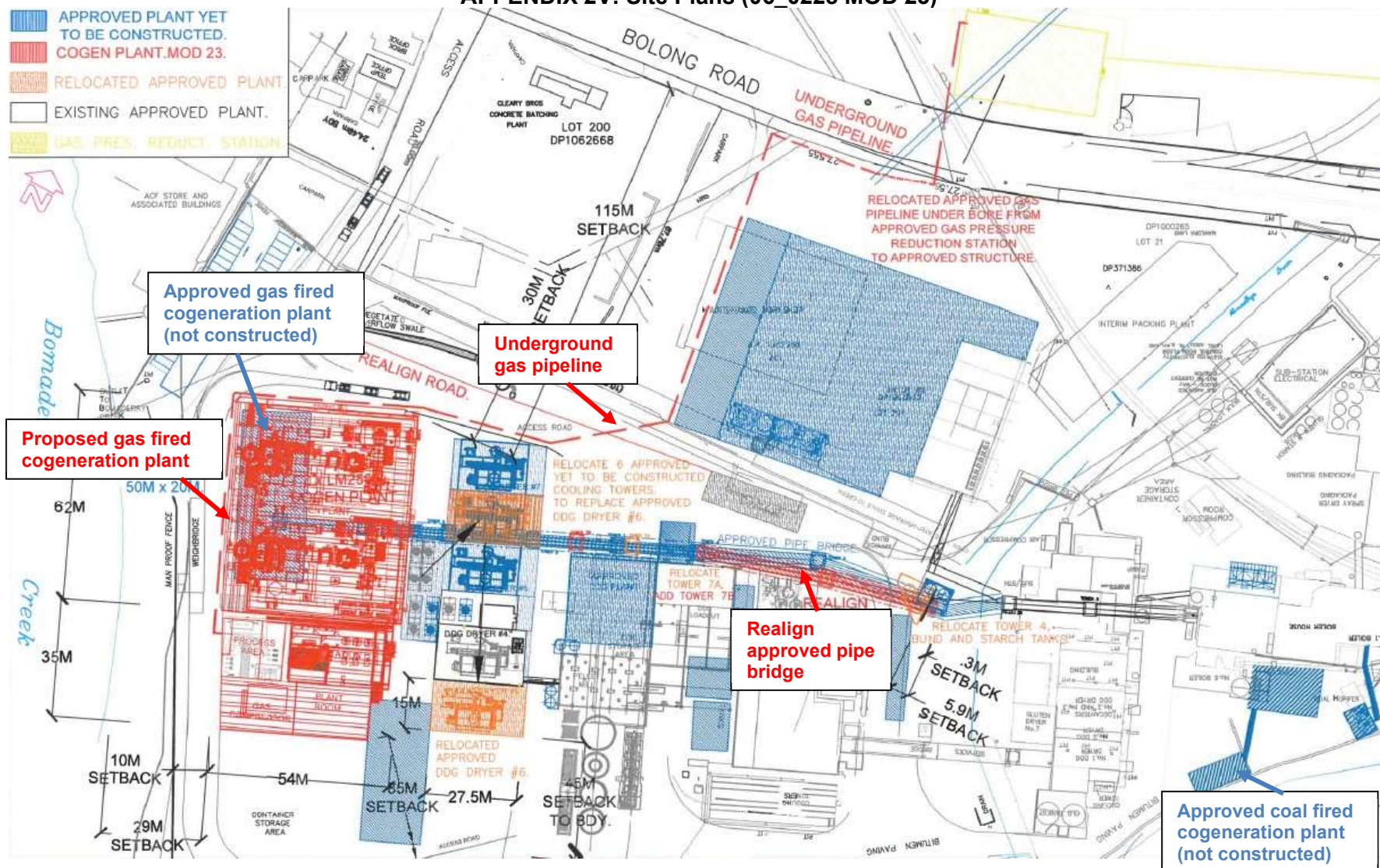


Figure 1 | Location of Co-generation Plant (red shading)

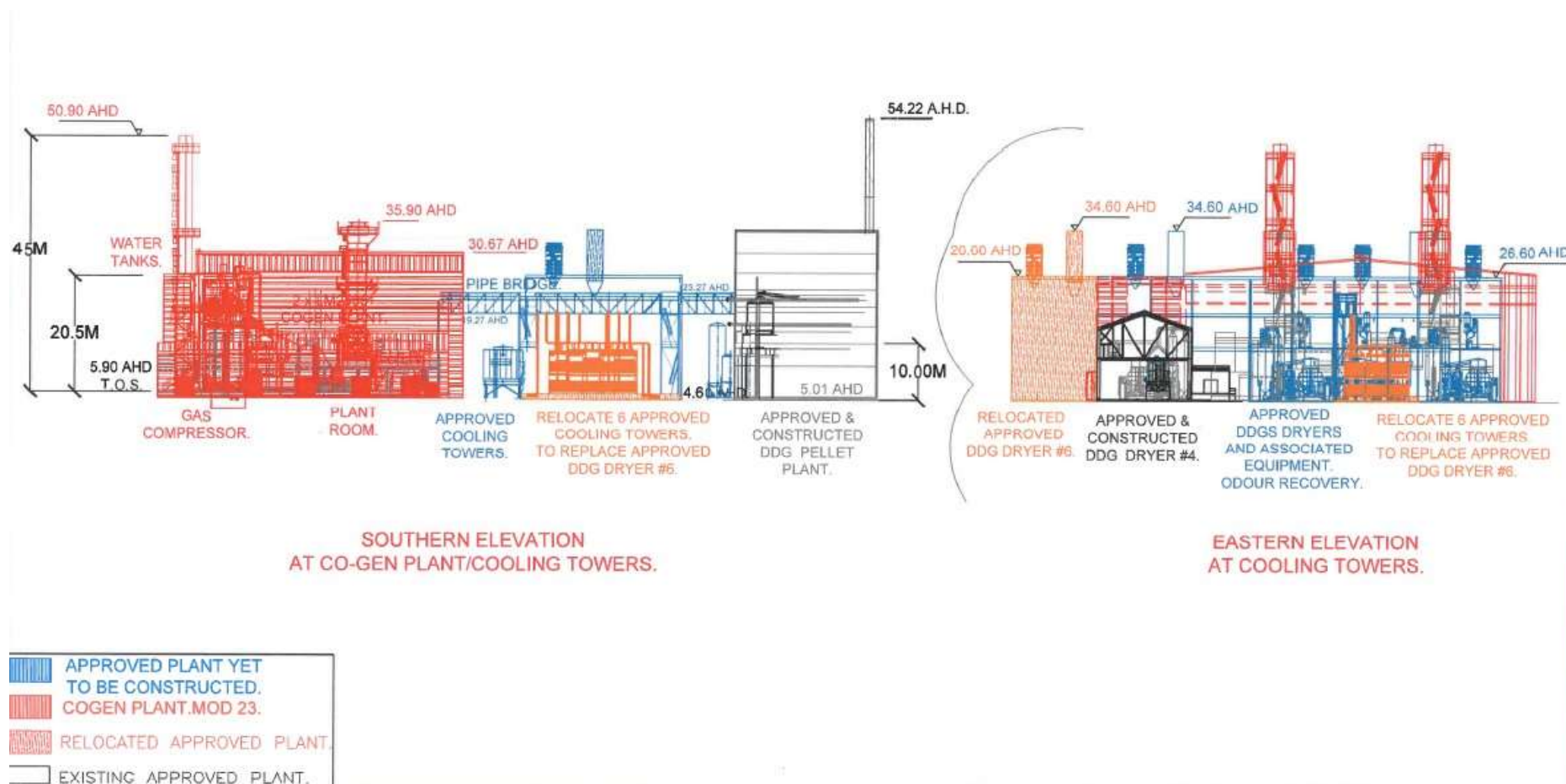


Figure 2 | Co-generation Plant – Elevations