

Notice of Modification

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

As delegate of the Minister for Planning under delegation executed on 14 September 2011, we the Planning Assessment Commission of New South Wales (the Commission) hereby approve the modification of the project application referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Lynelle Briggs AO (Chair)
Member of the Commission

Sydney

18 January 2016

SCHEDULE 1

Application Number:	MP 06_0228
Proponent:	Shoalhaven Starches Pty Ltd
Approval authority:	Minister for Planning
Project:	Shoalhaven Starches Expansion Project
Date of original approval:	29 January 2009
Modification:	MP 06_0228 MOD 7 – Relocation of Starch Dryer No.5

This approval is modified by:

In the Definitions List:

1. Replacing the following definition:

Project	The development described in the EA, which includes the continued implementation of all existing and approved development on site, as modified by MP 06_0228 MOD 1, MP 06_0228 MOD 2, MP 06_0228 MOD 3, MP 06_0228 MOD 4, MP 06_0228 MOD 5, MP 06_0228 MOD 6 and MP 06_0228 MOD 7
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In Schedule 2: Administrative Conditions:

2. Replacing Condition 2h) with the following:
 - h) modification proposal MP 06_0228 MOD 7, accompanying Environmental Assessment and accompanying plans dated November 2015, prepared by Cowman Stoddart Pty Ltd (see Appendix 2G); and
3. Inserting new Condition 2i) after Condition 2h) as follows:
 - i) statement of commitments.

In Schedule 3: Specific Environmental Conditions:

4. Replacing condition 6Ab) with the following:

6Ab) quarterly odour monitoring with samples taken of single vent stack (direct to atmosphere) emissions from a filling fermenter tank.

5. Removing the following words from condition 6C:

6C. If the results of monitoring show any odour impact greater than that predicted by the odour dispersion modelling in the EA for MP 06_0228 MOD 5, the Proponent shall investigate and implement further odour treatment options as directed by the Secretary or the EPA.

6. Inserting a new condition 6D, after Condition 6C as follows:

6D. The Proponent shall conduct odour monitoring on the relocated starch dryer described in MOD 7 in accordance with the requirements of the EPL and report the results in the independent odour audit required under Condition 5 of Schedule 3.

7. Inserting a new condition 6E, after Condition 6D as follows:

6E. If the results of odour monitoring show any odour impact greater than that predicted by the odour dispersion modelling in the EA and the modification proposals referred to in Condition 2 of Schedule 2, the Proponent shall investigate and implement further odour treatment options as directed by the Secretary or the EPA.

8. Inserting the following additional text into Table 1 of Condition 11:

Table 1: Construction and Operation Hours for the Project

Activity	Day	Time
Piling activities	Monday – Friday	9:00am to 5:00pm

9. Inserting new conditions 14A, 14B and 14C after Condition 14 as follows:

Design and Noise Validation MOD 7

14A. The Proponent shall design and construct the relocated starch dryer in accordance with the design specifications included in the EA for MOD 7.

14B. Within 12 months of operation of the relocated starch dryer, the Proponent shall undertake noise validation to confirm that the noise levels comply with the predictions in the EA for MOD 7.

14C. If the results of noise validation show any noise impact greater than that predicted in the EA and the modification proposals referred to in Condition 2 of Schedule 2, the Proponent shall investigate and implement all reasonable and feasible noise mitigation measures to achieve compliance.

10. Inserting new Conditions 20A and 20B, after Condition 20 as follows:

20A. Prior to the commencement of construction of the works associated with MOD 7, the Proponent shall prepare an unexpected finds protocol to ensure that potentially contaminated material is appropriately managed. Any material identified as contaminated shall be disposed of off-site, with the disposal location and results of testing submitted to Council, prior to its removal from the site.

20B. The Proponent shall implement the unexpected finds protocol for the duration of construction of the relocated starch dryer as described in MOD 7.

11. In Condition 21, delete the words "to the satisfaction of the Secretary" and replace with the following:

as modified.

12. Inserting new Conditions 22B and 22C, after Condition 22A as follows:

22B. The Proponent shall update the Stormwater Management Plan for the project to include MOD 7. The plan shall:

- a) be submitted to Council prior to the commencement of construction;
- b) detail pipe sizes, pit locations and all associated drainage for the relocated starch dryer;
- c) detail the location of dedicated drainage paths to the western bank of Abernathy's Creek and describe the erosion protection measures to be implemented;

- d) include a program for visual monitoring of the creek banks following significant rainfall events; and
 - e) include procedures for ensuring that heavy vehicles and equipment are not stored between the starch dryer and Abernathy's Creek.
- 22C. Any excavations undertaken between the starch dryer and Abernathy's Creek shall be supervised by a geotechnical engineer.
13. Inserting new Conditions 26A, 26B and 26C, after Condition 26 as follows:
- 26A. The Proponent shall update the Flood Mitigation and Management Plan for the project to include MOD 7. The plan shall:
 - a) be prepared in consultation with Council and submitted to the Secretary by the end of March 2016;
 - b) detail the procedures for managing flood risks during construction, demolition and operation, including flood recovery measures, procedures for ensuring the protection of infrastructure and human safety; and
 - c) identify assembly points, emergency evacuation routes, flood warning alarms and evacuation procedures.
 - 26B. The Proponent shall ensure that all new buildings and structures, additions to existing buildings and structures and all electrical installations are constructed in accordance with the relevant requirements of Chapter G9 of the *Shoalhaven Development Control Plan 2014* (Shoalhaven DCP). Any portion of buildings or structures below the flood planning level prescribed in the Shoalhaven DCP must be constructed from flood compatible materials and be built to withstand flooding, to the satisfaction of Council.
 - 26C. The Proponent shall ensure that all hazardous materials stored on site are stored above the 1% AEP flood level.
14. Inserting new Condition 27D after Condition 27C as follows:
- 27D. The Proponent shall ensure that the existing access point for the relocated starch dryer no. 5 is designed to accommodate the largest vehicle. If manoeuvring areas for the largest vehicle impact on existing car parking spaces, these spaces must be relocated within close proximity to the relocated starch dryer, to the satisfaction of Council.
15. Inserting new Condition 31d) after Condition 31c) as follows:
- d) ensure that pedestrian access and car parking complies with the BCA;
16. Inserting new Condition 39Bd) after Condition 39Bc) as follows:
- d) a Hazard and Operability Study for MP 06_0228 MOD 5 prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 8 - HAZOP Guidelines, chaired by an independent qualified person approved by the Secretary. This study shall include a program for the implementation of all recommendations made during the study, and if the Proponent intends to defer the implementation of certain recommendations, then justification shall be provided for the proposed deferral.
17. Inserting new Condition 39D after Condition 39C as follows:

Pre-commissioning Studies for MOD 7

- 39D. The Proponent shall develop and implement the plans and systems set out under subsections a) to e). No later than one month prior to the commencement of commissioning of MP 06_0228 MOD 7, or within such further period as the Secretary may agree, the Proponent shall submit for the approval of the Secretary documentation describing those plans and systems. Commissioning of MP 06_0228 MOD 7 shall not commence until approval has been given by the Secretary:
 - a) a site-wide Fire Safety Study for the entire project as modified by the modification proposals included in Condition 2 of Schedule 2. The site-wide Fire Safety Study is to be prepared in accordance with the Department'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 Fire Safety Study shall also be prepared and implemented to the satisfaction of the NSW Fire Brigade;
 - b) an updated Emergency Plan for the project as modified prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1- Industry Emergency Planning Guidelines;

- c) an updated Safety Management System for the project as modified prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No.9 - Safety Management, and specifies all safety-related procedures, responsibilities and policies, along with mechanisms for ensuring adherence to these procedures; and
- d) an updated Final Hazards Analysis (FHA) for the project as modified by MP 06_0228 MOD 7 prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis. The FHA shall undertake an assessment of the potential risks arising from MP 06_0228 MOD 7.
- e) a Hazard and Operability Study for MP 06_0228 MOD 7 prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 8 - HAZOP Guidelines, chaired by an independent qualified person approved by the Secretary. This study shall include a program for the implementation of all recommendations made during the study; and if the Proponent intends to defer the implementation of certain recommendations, then justification shall be provided for the proposed deferral.

Note: If a modification does not require an update of the studies listed in Conditions a) to c) above, the Proponent shall provide written justification to the satisfaction of the Secretary.

18. Inserting new Condition 39E after Condition 39D as follows:

Hazard Audit

- 39E. By the end of October 2016 and every three years thereafter, or at such intervals as the Secretary may agree, the Proponent shall carry out a comprehensive Hazard Audit of the project as modified and the site, and within one month of each audit submit a report to the Secretary.

The audits shall be carried out at the Proponent's expense by a qualified person or team, independent of the project, prior to commencement of each audit and shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 5 - Hazard Audit Guidelines.

19. Inserting new Condition 42A after Condition 42 as follows:

- 42A. If any LED obstruction lighting is to be installed on tall structures on the site, the frequency range of the LED light emitted must fall within the range of wavelengths 655 to 930 nanometres, and be installed to the satisfaction of the Department of Defence.

20. Inserting new Condition 49 after Condition 48 as follows:

- 49. One month following the completion of construction of the starch dryer described in MP 06_0228 MOD 7, the Proponent shall provide as-constructed details to Airservices Australia.

In Schedule 4: Environmental Management, Reporting and Auditing:

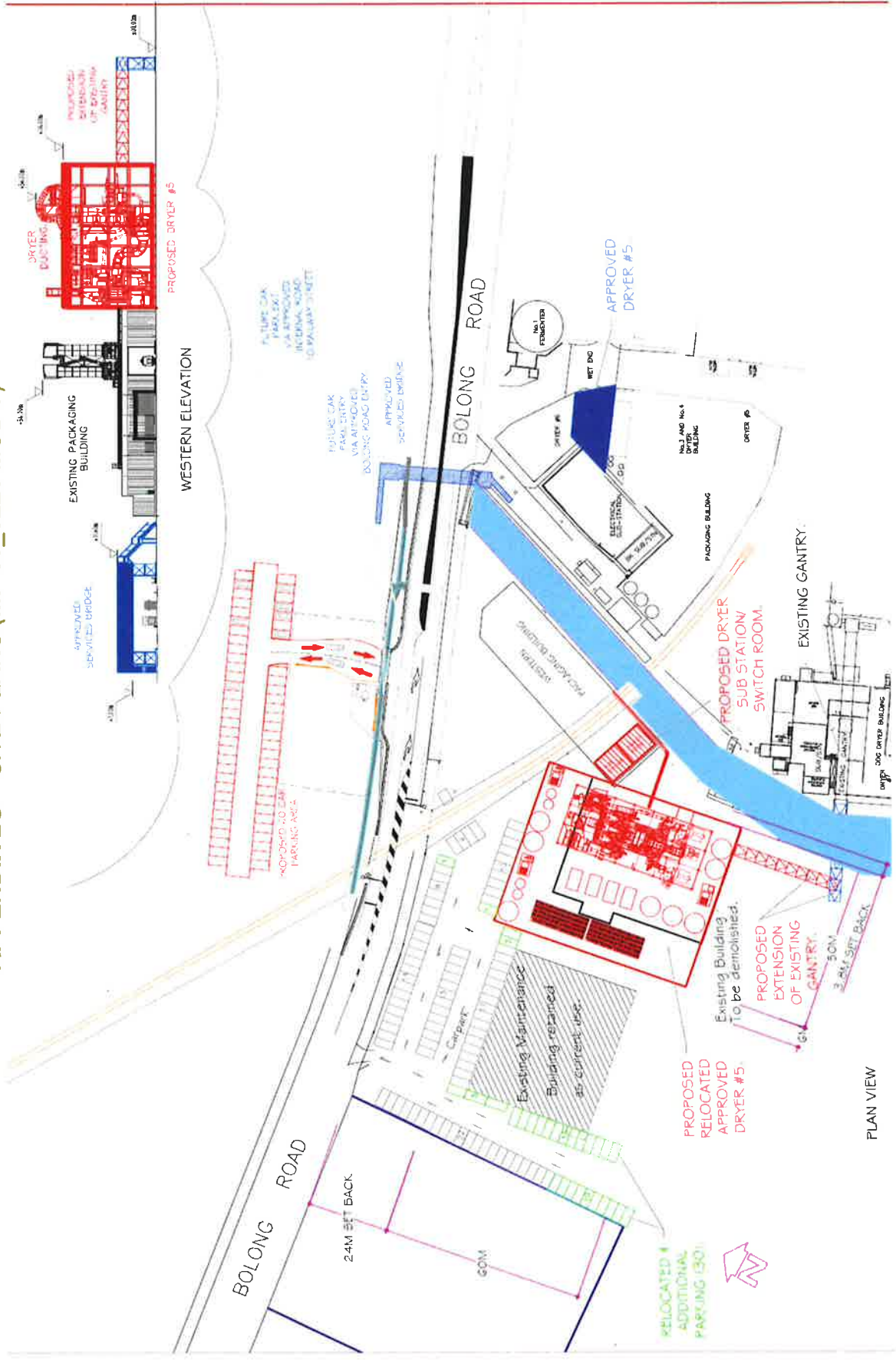
21. Removing the following words from Condition 5A:

to the satisfaction of the Secretary.

In the Appendices:

22. Inserting a new Appendix 2G after Appendix 2F as follows:

APPENDIX 2G – SITE PLANS (MP 06_0228 MOD 7)



PLAN VIEW

BOLONG ROAD

WESTERN PACKAGING BUILDING

PROPOSED DRYER
SUB STATION
SWITCH ROOM.

EXISTING GANTRY.

EXISTING GANTRY.

EXISTING GANTRY.

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Existing Building
To be demolished.

PROPOSED
EXTENSION
OF EXISTING
GANTRY.

50M

3.8M SET BACK

6M

PROPOSED
RELOCATED
APPROVED
DRYER #5.

Existing Maintenance
Building retained
as current use.

GOM

Carpark

