

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.


Joanna Bakopanos
A/Director
Industry Assessments

Sydney 30 AUGUST 2019

SCHEDULE 1

Development consent: 07_0146 granted by the then Minister for Planning on 4 November 2008

For the following: Integrated Oilseed Processing Plant

Modification Application: 07_0146 MOD 4 - Addition of a storage tank, a blending tank and ancillary works to produce blended oil

Applicant: Riverina Oils

Consent Authority: Minister for Planning and Public Spaces

The Land: 177 Trahairs Road, Bomen (Lot 12 DP 1130519)

SCHEDULE 2

The consent is modified as follows:

1. Throughout Schedules 1 to 4, replacing the following terms with new terms:

Proponent	Applicant
Project	Development
Project Approval	Development Consent
Shall	Must

2. Delete the definitions for Department and Minister and insert the following definitions in alphabetical order:

Applicant	Riverina Oils
Department	Department of Planning, Industry and Environment
Minister	Minister for Planning and Public Spaces
Secretary	Planning Secretary under the EP&A Act, or nominee

In Schedule 2: Administrative Conditions

3. In Condition 2, delete condition (g) and insert new conditions (g) and (h) as follows:

- g) Modification Application 07_0146 MOD 4 and supporting documentation titled *Riverina Oils – Blending tank project application* prepared by Riverina Oils and dated 19 July 2019; and
- h) conditions of this consent.

4. Immediately after Condition 18, insert Condition 18A as follows:

18A. The Applicant must ensure the tanks approved under Modification Application 07_0146 MOD 4 are sub-bunded separately from the existing tank farm with the bund retention capacity being for the largest single stored volume within the sub-bund. Adequate fire water cooling using hydrants and hoses must be provided to the new tanks to minimise the potential for incident escalation.

5. Replace Condition 41 as follows:

41. At least one month prior to construction of Modification Application 07_0146 MOD 4 (except for construction of preliminary works that are outside the scope of the hazard studies), the Applicant must submit for the approval of the Secretary:
 - a) an updated Fire Safety Study 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.

6. Replace Condition 42 as follows:

42. At least two months prior to commissioning of the modified operations under MP 07_0146 MOD 4, the Applicant must prepare and submit the following pre-commissioning studies for the approval of the Secretary:

- a) an updated Emergency Plan detailing emergency procedures for the development, including detailed procedures for the safety of people outside of the development who may be at risk from the development. The updated Emergency Plan must be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1 'Industry Emergency Planning Guidelines';
- b) an updated Safety Management System covering all on-site operations and associated transport activities involving hazardous materials. The updated Safety Management System must be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No.9 'Safety Management' and must specify all safety related procedures, responsibilities and policies, along with mechanisms for ensuring adherence to the procedures. Records must be kept on-site and be available for inspection by the Secretary upon request.

7. Immediately after Condition 60a, insert the new subheading 'Revision of Strategies, Plans and Programs' and Condition 60b as follows:

60B. Within three months of:

- a) the submission of an AEMR under condition 63;
- b) the submission of an Incident Report under condition 62;
- c) the submission of an Independent Audit under condition 64;
- d) the approval of any modification of the conditions of this consent; or
- e) the issue of a direction of the Planning Secretary under condition 4

the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.

8. Immediately after condition 60b, insert condition 60c as follows:

60C. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

Note: This is to ensure that strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.