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9 November, 2021

Our ref: 21/29

Your ref: MP10_0108-Mod-1

Joanna Bakopanos
 Industry Assessments
 Department of Planning, Industry and Environment
 12 Darcy Street
 PARRAMATA NSW 2150

Dear Joanna,

**RE: SHOALAVEN STARCHES – GAS PIPELINE PROJECT (MP10-0108-MOD-1)
 RESPONSE TO GOVERNMENT SUBMISSIONS**

I refer to the Department's letter dated 21st October 2021 which in part sought responses to any issues arising from submissions made from government agencies with respect to the above Modification Application. This submission has been prepared to respond to issues arising from the submissions from government agencies in relation to this Modification Application.

Transport for NSW (TfNSW)

The submission from TfNSW raises no objection to the Modification Application subject to any approval including conditions that address road and rail related matters.

Response

Shoalhaven Starches have reviewed the conditions proposed by TfNSW and raise no objections to these requirements being imposed on any approval.

NSW RFS

The NSW RFS raises no objections and does not seek the imposition of any requirements in relation to the Modification Application.

Response

Shoalhaven Starches notes the NSW RFS submission.

NSW EPA

The EPA have reviewed the Modification Application documentation and raises no additional comments on the proposal. In doing so the EPA raises the following points for the proponent's consideration:

- The proponent should ensure that all reasonable and feasible measures are taken to mitigate any noise and air quality impacts from construction activities.
- The proponent should also ensure that all reasonable and feasible measures are taken to prevent water pollution into Abernathy's Creek and any other waterways that may be present in the surrounding area.
- The proponent should also ensure that any Potential Acid Sulphate Soils ('PASS') or Actual Acid Sulphate Soils ('ASS') are classified, treated and disposed of in accordance with Part 4 of the EPA's Waste Classification Guidelines (2014).

Response

The issues raised by the EPA have been addressed in Table 5 of the Modification Report that supports the Modification Application.

- Conditions 20, 21 and 22 of the Project Approval requires the Proponent to implement all reasonable and feasible measures during the construction and operation of the project to minimise site odour, fume and dust emissions to ensure air emissions are no greater than that predicted in the original EA. Furthermore, such measures were to be documented in Construction Environmental Management Plan for the project under condition 1 of Schedule 4 of the Project Approval.

The works associated with the Modification Application are not considered to result in any additional air quality issues that were not considered as part of the original Project Approval.

- Condition 18 (Schedule 3) of the original Project Approval requires the preparation and implementation of a Soil and Water Management Plan (SS&WMP) for the project. The S&WMP is required to be prepared in consultation with both Council and the NSW Office of Water. Furthermore, the S&WMP is required to be documented in the projects Construction Environmental Management Plan (condition 1 (Schedule 4) under the Project Approval. The proposed modified works associated with this Modification Application will need to be addressed as part of S&WMP.

Under these circumstances the Project Approval already makes provision for the implementation of feasible and reasonable sediment and erosion control measures to ensure the proposed approved works (as modified) will not cause pollution of waters in conjunction with this project.

- Condition 19 (Schedule 3) of the Project Approval required an Acid Sulphate Soils Management Plan be formulated for the project.

The proposed increase in the diameter of the pipe will have no effect on the dimensions of the proposed pipeline trench. It is therefore considered this aspect will raise no further concerns in terms of ASS that cannot be dealt with by the existing requirement for an Acid Sulphate Soils Management Plan that is to be formulated for this project

The location of the relocated GPRS, and the associated relocation of the pipeline route within this specific site, however, had not been the subject of previous consideration in terms of ASS. Under these circumstances it was considered prudent that a preliminary

ASS assessment be undertaken for the location of the relocated GPRS and its associated relocated pipeline route within this site associated with this Modification Proposal.

GHD were engaged to undertake a preliminary ASS assessment of the works associated with this Modification Application (Annexure 5 to the Modification Report).

GHD concluded that ASS are likely to be encountered within the proposed packing plant site, particularly the lower lying areas in the north and east. Soft to very soft soils were encountered approximately 15 m west of Abernethy's Creek, to depths between 4.0 m and 9.8 m bgl. The clays were estuarine and described as dark grey high plasticity with silts, sands and shell fragments. The eastern and north-eastern portion of the proposed gas pipeline passes through these soft soil areas and likely to intercept ASS, and groundwater.

Department of Primary Industries (DPI)

The DPI submission outlined that as the Modification proposal does not impact on agricultural land, resources, services or facilities, DPI does not need to provide any comments on the Modification Proposal.

Response

Shoalhaven Starches notes the DPI submission.

Shoalhaven City Council

- 1. Council's submission indicates the proposed new location of the Gas Pressure Reduction Station (GPRS), and surrounding fence appears to be located near or over Lot 1 DP 538289 (known as Bolong Road, Bomaderry), which is owned by Shoalhaven City Council for the purpose of a sewer pump station. If the proposed modification is to impact this land, it is unclear whether the consent of Council has been obtained.*

Response

Shoalhaven Starches have reviewed the siting of the GPRS in relation to Lot 1 DP 538289. Firstly, it should be noted that a draft plan of survey that will soon be signed off by Shoalhaven City Council and will then be registered with NSW Land Registry Services that will amend the boundaries of Lot 1 DP 538289. The siting of the GPRS has been reviewed considering this new lot (Proposed Lot 21). Attached to this submission is a revised plan set for this proposal which identifies the boundaries of proposed Lot 21, and which has in effect removed the fencing and landscaping that were previously shown encroaching onto Lot 1 DP 538289. In this regard the area shown to be fenced has been slightly increased to improve access for maintenance purposes around the GPRS.

- 2. The property is within the high hazard floodway / flood storage zone with a 2050 scenario Flood Planning Level of 6.2m AHD.*

The proposed development has been assessed as Type C "Commercial / Industrial / Agricultural Buildings / Retail" land use type in accordance with Schedule 1 of Chapter G9 of SDCP 2014. The proposed development complies with the requirements of this chapter.

Construction of the Gas Pressure Reduction Facility (GPRF) should have negligible impact on flooding as the plant is constructed on piers. The structure is largely open sided, so the loss of temporary floodplain storage or conveyance would be minimal. The increase in diameter of the pipe will have no impact on flooding as the pipe will be located underground.

Response

Shoalhaven Starches notes that Council identifies that the Modification Proposal will have negligible impact on flooding.

The attached revised plan set includes the slight raising of the platform upon which the GPRS will sit to ensure the GPRS will sit above the Flood Planning Level identified in Council's submission.

3. *Council's submission also includes conditions relating to flooding aspects.*

Response

Shoalhaven Starches have reviewed the conditions proposed by Shoalhaven City Council and raises no objections to these requirements being imposed on any approval.

I trust that the above and attached revised plans are of assistance to the Department's consideration of this Modification Application.

If you require any further clarification or information in relation to this matter, please do not hesitate to contact me.

Yours faithfully



Stephen Richardson
COWMAN STODDART PTY LTD

Enc.