



Ms Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

18 January 2018

Dear Ms McNally

**Determination of Modification Request
Shoalhaven Starches Ethanol Expansion Project (MP06_0228 MOD 13)**

Thank you for your Department's letter, received on 11 January 2017, referring the above modification request to the Planning Assessment Commission for determination under Ministerial delegation of 14 September 2011. I constituted the Commission to determine the request.

Shoalhaven Starches Pty Ltd lodged a modification request to convert two boilers to coal and increase steam production from a third boiler at its factory on Bolong Road, Bomaderry. The proposed modifications include:

- conversion of boiler No. 2 from woodchip to coal;
- conversion of boiler No. 4 from natural gas to coal;
- construction of a new baghouse on boiler No. 6 (already coal fired) to increase steam production; and
- regularisation of several structures that have been built on a different footprint compared to the approved plans.

I have considered carefully the Department's environmental assessment report, all information provided by the proponent, recommendations from government agencies and section 75W of the *Environmental Planning and Assessment Act 1979*.

Key matters to consider for this request include air quality, hazards and risks, and the altered footprint of approved structures. I have reviewed the Department's assessment of these matters and am satisfied with its findings, which include:

- cumulative air emissions from the factory, operating with converted boilers (installed with emissions baghouses), would not exceed the Environment Protection Authority's impact assessment criteria for all assessed pollutants;
- the recommended conditions require post commissioning emissions verification and additional air emissions mitigation if found to be necessary because of exceedances;
- provided the existing coal handling equipment is tested before it is recommissioned, and all hazard related studies for the site are updated to include the modifications, the hazards and risks of the modifications would be appropriately managed;
- the altered footprint of approved structures would not change the expected air quality impacts, hazards and risks or other impacts from those assessed as part of the approved plans.

I am also satisfied with the Department's assessment of other issues and its existing or recommended conditions in relation to traffic, noise, visual amenity, building height, contamination, acid sulfate soils and flooding. In addition, I made further enquiries of the proponent about the management of additional ash from the converted boilers and I am satisfied that the proposed use of ash for the construction and maintenance of roads on the proponent's environmental farm is appropriate.

I consider the proposed modifications at the Shoalhaven Starches factory do not fundamentally change the essential nature of the development in its currently approved form. The factory, if modified by the present conditions, would produce and transport the same range of products at the approved rate. In my view, the proposed changes are within the scope of section 75W and may be considered under section 75W.

For the reasons set out above, I have determined to approve the modification request subject to the conditions set out in the instrument of modification.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Forward', with a stylized flourish at the end.

Paul Forward

Member of the Commission

cc. The Hon. Anthony Roberts, MP
 Minister for Planning
 GPO Box 5341
 SYDNEY NSW 2001