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6 July, 2016

Our ref: 15/73

Your ref: MP 06_0228 (Mod. 9)

The Director
Industry Assessments – Planning Services
NSW Department of Planning & Environment
GPO BOX 39
SYDNEY NSW 2001

Attention: Deana Burn

Dear Sir

**RE: SHOALHAVEN STARCHES EXPANSION PROJECT – MP06_0228
MODIFICATION TO PACKING PLANT (MOD. 9)
BOLONG ROAD, BOMADERRY**

I refer to the above Modification Application submitted by our firm on behalf of Shoalhaven Starches. The purpose of this submission is to:

- Address issues raised by submissions received from government agencies;
- Respond to a requests for additional information from the Department dated 28th June 2016; and
- To formally seek to modify the modification application by amending the proposed method by which services and product transfer will extend from the existing factory site on the south side of Bolong Road to the proposed new Packing Plant on the northern side of Bolong Road.

1.0 RESPONSE TO GOVERNMENT SUBMISSIONS

The table below provides a summary of the issues raised by submissions made by government agencies in relation to this modification application and includes comments responding to these issues.

Government Agency Issues	Comments
<p><u>Australian Department of Defence (DoD)</u></p> <ul style="list-style-type: none"> DoD do not raise objection to the proposed modification. DoD advise that the proposed modification will not infringe the Outer Horizontal Surface of the Obstruction Limitation Surface of HMAS Albatross. DoD advise however that there is an on-going need to obtain and maintain information about tall structures so that such information can be conveyed to pilots so they can fly at a safe margin above structures thereby minimising risks posed by tall structures. DoD therefore requests that the Applicant provide “Airservices Australia” with “as constructed” details of the proposed works. DoD also advise that should LED obstruction lighting be proposed then DoD requests that the frequency range of the LED light emitted fall within the range of wavelengths 655 to 930 nanometers, thus visible to persons using night vision devices. 	<p>Shoalhaven Starches note that the DoD do not raise any objections to the proposed modification application.</p> <p>Shoalhaven Starches will commit to providing Airservices Australia with as constructed details for the proposed works.</p> <p>Shoalhaven Starches also agree that should LED obstruction lighting be utilised then the frequency range of the LED light emitted will fall within the range of wavelengths 655 to 930 nanometers.</p>
<p><u>Office of National Rail Safety Regulator (ONRSR)</u></p> <ul style="list-style-type: none"> ONRSR has no submission in relation to modification application. ONRSR expect that rail safety work and associated activities carried out by Manildra or their contractors will be carried out in accordance with their Accreditation and the relevant provisions of the Rail Safety National legislation. 	<p>Shoalhaven Starches note that ONRSR do not raise any objections to the proposed modification application.</p> <p>Shoalhaven Starches commit to ensuring that all rail safety work and associated activities carried out either by them or on their behalf by their contractors will be carried out in accordance with their Accreditation and the relevant provisions of the Rail Safety National legislation</p>
<p><u>Transport – Roads & Maritime Services (RMS)</u></p> <ul style="list-style-type: none"> RMS advise that Bolong Road is a regional classified road, managed by Shoalhaven City Council. Furthermore RMS advise that they consider it is more appropriate for council's to determine if proposed access arrangements are acceptable from a network perspective (ie. acceptable in terms of safety and efficiency) RMS recognises that access arrangements and infrastructure would require a Section 138 consent from Council and concurrence from the RMS under section 138 of the Roads Act. Should Council find the modifications acceptable then the RMS advise that they would issue their concurrence. 	<p>Shoalhaven Starches note that the RMS do not raise any objections to the proposed modification application.</p> <p>At the time of preparing this response to submissions it is understood that the Department have not received a response from Shoalhaven City Council in relation to this modification proposal.</p>
<p><u>Department of Primary Industries (DPI)</u></p> <ul style="list-style-type: none"> The Department has no comment at this time. 	<p>Shoalhaven Starches note that the DPI do not raise any objections to the proposed modification application.</p>

Government Agency Issues	Comments
<p><u>Environment Protection Authority (EPA)</u></p> <p><i>Noise</i></p> <p>The EPA considers that through the implementation of reasonable and feasible noise mitigation measures, the operational noise from the proposal will be able to comply with the current noise limits in the EPL. The EPA therefore recommend that any approval of proposal contain appropriate conditions which requires:</p> <ul style="list-style-type: none"> Implementation of the noise mitigation measures contained in section 7 of the noise impact assessment report. In this regard it is recommended that the proposed container area noise barrier to be erected along the north-western, north-eastern and south-western boundaries be constructed as a permanent structure such as a masonry wall to the recommended heights as the suggested use of movable shipping containers for this purpose is not considered to be a permanent solution. A noise validation assessment be undertaken within the first 12 months of operation of the new packing to confirm that noise emissions comply with the predictions in the noise impact assessment report and if not, all reasonable and feasible noise mitigation measures are implement to achieve compliance. <p>With respect to construction noise the EPA considered that the proposed exceedance will not likely result in adverse impact to the overall amenity of the areas surrounding the proposal. However to ensure that any construction noise impacts from the amened packing plant are appropriately managed and provide minimal impact and disruption upon the community, it is</p>	<p>Shoalhaven Starches note that the EPA do not raise any objections to the proposed modification application.</p> <p>Shoalhaven Starches commits to implementing the noise mitigation measures contained in section 7 of the Noise Impact Assessment prepared by Day Design.</p> <p>Shoalhaven Starches commits to implementing the noise mitigation measures contained in section 7 of the Noise Impact Assessment prepared by Day Design.</p> <p>Shoalhaven Starches also commits to constructing the noise mitigation wall to the extent as shown in Appendix C of the Noise Impact Assessment, as a permanent structure such as masonry or an alternative permanent structural material such as steel frame and fibre cement board or similar that will achieve the required noise reduction performance.</p> <p>In the event that the initial building construction does not extend the full 108m as shown on the plans (Annexure 4 of the Proposed Modification) thus creating a gap between the noise wall and the initial building, then a suitable temporary noise barrier will be erected to achieve not less than the required performance of the noise mitigation measures</p> <p>Shoalhaven Starches commits to undertaking a noise validation assessment within the first 12 months of operation of the new packing plant to confirm noise emissions comply with predictions in the noise impacts assessment; and if not Shoalhaven Starches commit to implementing all reasonable and feasible noise mitigation measures to achieve compliance.</p>

<p>recommended that any approval contains appropriate conditions that restricts:</p> <ul style="list-style-type: none"> all impact piling activities to between 9:00am and 5:00pm Monday to Friday, and; all other construction activities to standard construction hours (7:00am to 6:00pm Monday to Friday, 8:00am to 1:00pm Saturday and no work Sundays or public holidays). <p><i>Air</i></p> <p>The information contained in the air quality impact assessment report predicts the proposal will result in a worst case odour ground level concentration (GLC) of 0.4 odour units (ou) and a worst case GLC for total suspended particles (TSP) of 0.16 micrograms per cubic meter (ug/m³) at the nearest sensitive receiver location (Bomaderry). These</p>	<p>Shoalhaven Starches commits to ensuring that all impact piling activities are undertaken between 9:00 am and 5:00 pm Monday to Friday.</p> <p>Shoalhaven Starches commits to ensuring all other construction activities are limited to standard construction hours (7:00am to 6:00pm Monday to Friday, 8:00am to 1:00pm Saturday and no work Sundays or public holidays).</p> <p>Shoalhaven Starches notes that the EPA do not raise any additional requirements with respect to this issue.</p>
Government Agency Issues	Comments
<p>fall well below the respective impact assessment criteria for odour of 2 ou and TSP of 90 ug/m³ contact in the EPA's <i>Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales</i>.</p> <p>The EPA notes that while one year worth of weather data has been used in the odour dispersion modelling tool (AERMOD) no comparative analysis of this data set with longer term weather data/trends, particularly with regards to wind direction is included in the air quality impact assessment. Such comparative analysis provides a useful means of validating whether the data set used in the odour dispersion modelling tool is representative of longer term meteorological conditions experienced at the Shoalhaven Starches premises.</p> <p>While the above deficiency has been identified, given that the packing plant was included as part of the ethanol expansion project approval, the EPA is satisfied that its reconfiguration within the Shoalhaven Starches premises will not result in additional cumulative odour impacts to those previously assessed and determined as part of the expansion approval.</p> <p><i>Waste</i></p> <p>The EA states that approximately 34,000 tonnes of fill material will be required to be imported to raise the level of the site as part of the construction of the proposed. The EPA notes from the EA that it is intended to use waste material which falls under the Resource Recovery Exemption/Order framework as provided for the <i>Protection of the Environment Operations Act 1997</i> and <i>Protection of the Environment Operations (Waste) Regulation 2014</i>. The EA further states that where no Resource Recovery Exemption/Order exists for an intended waste material an</p>	<p>Shoalhaven Starches notes that the EPA do not raise any additional requirements with respect to this issue. Furthermore Shoalhaven Starches notes that the EPA encourages the beneficial re-use of waste as proposed for the filling of the site by this modification proposal.</p>

application will be made to the EPA to create a specific exemption/order.

The EPA encourages the beneficial reuse of waste where it can be demonstrated that a relevant Resource Recovery Exemption/Order is both applicable and all associated conditions are met. To ensure that only waste materials that are suitable for such beneficial resource are imported to the site it is recommended that any approval include an appropriate condition stipulating that only virgin excavated natural material or wastes that comply with a relevant resource recovery exemption/order are permitted to be imported to the site as fill materials.

Shoalhaven Starches accepts that any approval granted may include an appropriate condition stipulating that only virgin excavated natural material or wastes that comply with a relevant resource recovery exemption/order are permitted to be imported to the site as fill materials.

2.0 REQUEST FOR FURTHER INFORMATION

In two emails dated 28th June 2016 the Department of Planning and Environment have sought further information or clarification in relation to the following:

- *Can you please provide me with some evaluation of pedestrian movements across Bolong Road between the factory and new packing plant, in light of removing the pedestrian/pipe over bridge over Bolong Road. Some estimation of pedestrian movements and safety, for inclusion in our assessment.*
- *Can you also confirm if there are 5 or 7 storage silos at the new packing plant, the EA and appendices differ. Can you also confirm the height of each silo. Is the 34.3m high structure a silo or gantry or building enclosure?*

This section of the submission addresses the above two matters.

Pedestrian Movements across Bolong Road

This issue arises with respect to Shoalhaven Starches proposal to underbore Bolong Road and provide four (4) separate pipes or conduits under Bolong Road to connect the modified packing plant on the northern side of Bolong Road to the existing factory on the southern side of Bolong Road to allow for services and product transfer between the two sites instead of the original approved overhead transfer bridge.

The proposal was to be the subject of a separate Modification Application to the Department. As will be outlined in Section 3.0 of this submission it is now proposed to include this proposal with the current Mod. 9 proposal.

Prior to preparing the EA for the modification to the Bolong Road crossing the Department requested that the EA address how:

“... pedestrian movements across Bolong Road will be managed, if the pipe bridge is no longer required.”

As outlined in Section 3.0 of this submission, an EA was prepared in relation to this matter and is attached to this submission. As outlined in Section 8.5 of the attached EA following the Project Approval MP 06_228 significant upgrading works have been undertaken along the Bolong Road frontage of the development site in accordance with the requirements imposed by the Project Approval.

This included the construction of a pedestrian refuge (pursuant to condition 30 Schedule 3 of the Project Approval) located centrally within the Bolong Road reserve adjacent to the location of the proposed underground pipework (refer **Plate 1** below). This refuge is already used by Shoalhaven Starches staff to cross Bolong Road. It is envisaged that pedestrians would continue to be able to cross at this point using the existing pedestrian refuge.

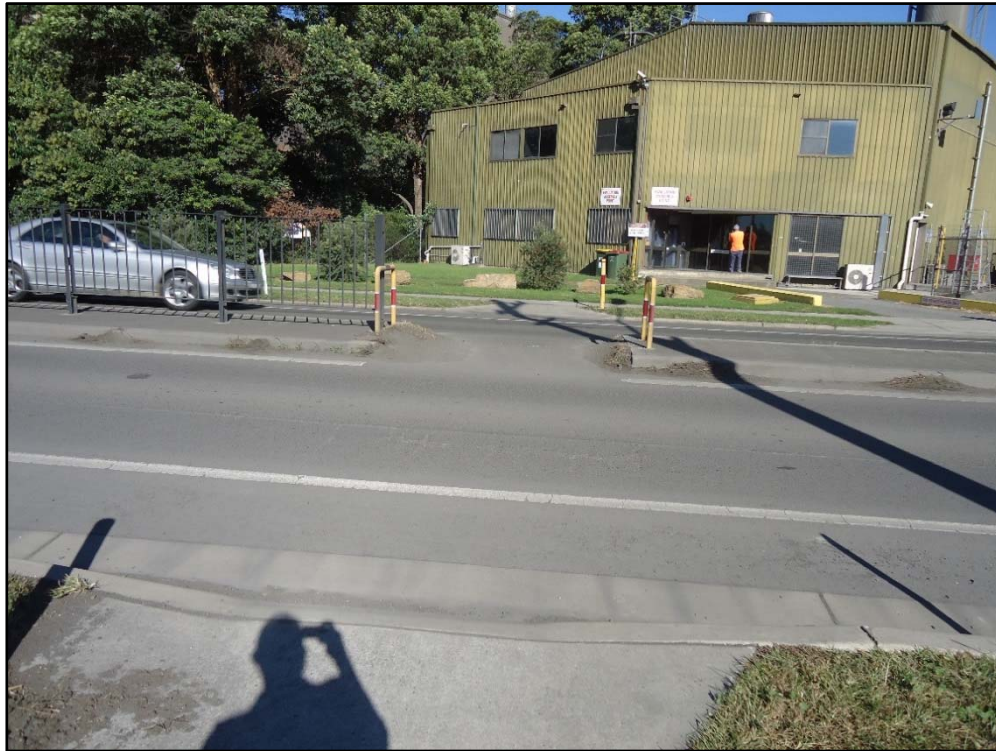


Plate 1: View of existing pedestrian refuge within Bolong Road.

Once commissioned the new Packing Plant on the northern side of Bolong Road will generate minimal pedestrian movements across Bolong Road. Staff employed on the Packing Plant site will not need to cross the road on a regular basis given the nature of the work undertaken on the site; and as this site will be self-sufficient in terms of on-site car parking. A purpose-built staff car park comprising 30 parking spaces will be located adjacent to the new Packing Plant building to be used by staff employed on this site.

In reality during operations there will in fact be very few occasions when staff will need to cross from the Packing Plant to the factory sites. Staff employed on the packing plant site will not need to cross the road to the factory site. Only a Production Manager employed on the factory site will need to cross to the Packing Plant site possible twice per 12 hour shift to monitor staff within the Packing Plant site.

There may also be occurrences when maintenance crews will need to access the Packing Plant site to undertake maintenance and repairs to equipment. Based upon the existing Packing Plant operations this would only be expected to occur 2 to 3 times per week.

Furthermore given the presence of a rail siding that crosses the Packing Plant site it is unlikely, particularly when trains are standing on the rail siding, that pedestrians will be able to walk from the factory site on to the Packing Plant site.

Given the above circumstances, and given the distance separation between the packing plant and factory site, it is unlikely that there will be many pedestrian movements between the factory site and the packing plant site across Bolong Road. It is highly likely that when staff are required to visit the packing plant site that such visits will be by vehicle rather than by foot.

Packing Plant Storage Silos

As shown in Drawing MN262-004 included in Annexure 4 of the EA it is proposed to erect five silos immediately to the east of the Packing Plant building. These silos will consist of two 10 m diameter silos and three 6 metre diameter silos. The two 10 m diameter silos will each have a maximum height above ground level of 26.5 m and the three 6 m diameter silos will each have a height of 20.7 m above ground level.

A gantry will extend from these silos across the top of the packing plant building. This gantry will have a height of 22.5 m above ground level.

A dust collector, contained within housing or a “penthouse”, will sit above the packing plant building. This structure in effect collects product that is blown between the factory and packing plant site before dropping it into a silo that sits beneath and within the packing plant building. This structure will have a maximum height above ground level of 34.3 m above ground level.

3.0 AMENDMENT TO PROJECT

As highlighted in Section 2.0 above, Shoalhaven Starches now propose to underbore Bolong Road and provide four (4) separate pipes or conduits under Bolong Road to connect the modified packing plant on the northern side of Bolong Road to the existing factory on the southern side of Bolong Road to allow for services and product transfer between the two sites instead of the original approved overhead transfer bridge.

Underboring Bolong Road and placing the conduits underground will have three basic advantages compared to the original overhead transfer bridge proposal:

- It will be cheaper, easier and quicker to construct;
- It will minimise the potential for the infrastructure crossing the road to be damaged by traffic; and
- It will be less visually intrusive.

As the Department is aware it was proposed that this other modification proposal was to be the subject of a separate Modification Application to the Department. Indeed the Department had issued requirements for the preparation of an EA for this other modification proposal. It is now understood however that the Department have suggested that the Bolong Road Crossing modification should be incorporated into this current Mod. 9 proposal. This submission therefore seeks to formally request that the Department consider an amendment to this Modification Application (Mod 9) to the means by which conduits that transfer product and services cross Bolong Road.

Attached to this submission is the EA that was prepared to address this proposal amendment and which provides details in relation to this proposal.. The attached EA is supplied for the Department’s consideration of this aspect.

I trust the above and attached information is of assistance to the Departments consideration of this application. If you require any clarification in connection with the matters raised in this submission please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink that reads "Stephen Richardson." The signature is written in a cursive style with a large, prominent 'S' and 'R'.

Stephen Richardson
COWMAN STODDART PTY LTD

Enc.