

Project Approval

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

I approve the project referred to in Schedule 1, subject to the conditions in Schedules 2 to 4.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.



The Hon Kristina Keneally MP
Minister for Planning

Sydney

5 May

2009

SCHEDULE 1

Application Number:	08_0083
Proponent:	National Biodiesel Pty Ltd
Approval Authority:	Minister for Planning
Land:	Part Lot 2001 DP 1030233 Part Lot 101 DP 1120801 Part Lot 20 DP 1046295 Part Lot 123 DP 1128397
Project:	Port Kembla Soybean Processing and Biodiesel Project

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DEFINITIONS

AEMR	Annual Environmental Management Report
BCA	Building Code of Australia
Council	Wollongong City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DECC	Department of Environment and Climate Change
Department	Department of Planning
Director-General	Director-General of Department of Planning, or delegate
DWE	Department of Water and Energy
EA	Environmental Assessment titled <i>Soybean Processing and Biodiesel Production Facility, Environmental Assessment</i> , dated 5 December 2008 and Response to Submissions titled " <i>Addendum to Environmental Assessment</i> " dated 25 March 2009
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environmental Protection Licence issued under the <i>Protection of the Environment Operations Act 1997</i>
Evening	The period from 6pm to 10pm
Incident	An incident causing or threatening material harm to the environment, and/or an exceedance of the limits or performance criteria in this approval
Land	Land means the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
Minister	Minister for Planning, or delegate
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Project	The development as described in the EA
Proponent	National Biodiesel Pty Ltd, or its successors
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
Riparian Zone	The area along the Garungaty Waterway, adjacent to sites A and C (identified on the site plan in appendix A) at least 10 m wide, measured from the top of the bank of the watercourse, horizontally landward
RTA	Roads and Traffic Authority
Site	The land referred to in Schedule 1
Statement of Commitments	The Proponent's commitments in Appendix B

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

1. The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or decommissioning of the project.

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:
 - (a) EA;
 - (b) site plan (see appendix A);
 - (c) statement of commitments; and
 - (d) conditions of this approval.
3. If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of the inconsistency.
4. The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the assessment of:
 - (a) any reports, plans, programs, strategies or correspondence that are submitted in accordance with this approval; and
 - (b) the implementation of any actions or measures contained in these reports, plans, programs, strategies or correspondence submitted by the Proponent.

Limits of Approval

5. If the Proponent does not substantially commence the building works associated with the project within 5 years of the date of this approval, this approval shall lapse.
6. The Proponent shall not process more than 1.4 million tonnes of soybeans a year on site.

Structural Adequacy

7. The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes:

- Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.

Demolition

8. The Proponent shall ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601-2001: The Demolition of Structures*, or its latest version.

Protection of Public Infrastructure

9. The Proponent shall:
 - (a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters, footpaths), in consultation with Council, and submit a copy of this report to the Department prior to the commencement of demolition works;
 - (b) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and
 - (c) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

Operation of Plant and Equipment

10. The Proponent shall ensure that all plant and equipment used on site is maintained and operated in a proper and efficient manner and in accordance with relevant Australian Standards.

Progressive Submission of Plans

11. With the approval of the Director-General, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.

SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS

AIR QUALITY

Offensive Odours

1. The Proponent shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.

Air Emissions

2. The Proponent shall comply with the relevant emission limits in the *Protection of the Environment Operations (Clean Air) Regulation 2002* (or its successor) or EPL for the project.
3. The Proponent shall implement Best Available Control Technology to minimise, as far as practicable, the nitrogen oxide emissions of the project to the satisfaction of the DECC.
4. The Proponent shall implement all reasonable and feasible measures to minimise the dust generated by the project.
5. During construction, the Proponent shall ensure that:
 - (a) all trucks entering or leaving the site that could generate dust, have their loads covered;
 - (b) vehicles associated with the project do not track dirt onto the public road network; and
 - (c) the public roads in the vicinity of the site are kept clean.
6. The Proponent shall ensure that all conveyors associated with the project are designed, installed and operated:
 - (a) to prevent visible dust emissions; and
 - (b) with fully enclosed dust suppression units at all conveyor transfer points and directional change points so that the material transferred on the conveyor belt is enclosed.

Air Quality Monitoring Program

7. The Proponent shall prepare and implement an Air Quality Monitoring Program to the satisfaction of the Director-General. This program must be:
 - (a) prepared in consultation with DECC, and submitted to the Director-General for approval prior to the commencement of operations on site;
 - (b) identify the air emissions limits for the project; and
 - (c) include a program to monitor the air emissions of the project.

Note: Monitoring must be undertaken in accordance with the DECC's Approved Methods for Sampling and Analysis of Air Pollutants in NSW.

Air Emissions Validation Report

8. Within 6 months of the commencement of operations, the Proponent shall prepare an Air Emissions Validation Report to the satisfaction of the Director-General. This report must:
 - (a) be prepared in consultation with DECC by a suitably qualified and independent expert whose appointment has been endorsed by the Director-General;
 - (b) validate the predictions made in the EA;
 - (c) demonstrate that:
 - the manufacturer's performance guarantees have been met;
 - the air emissions comply with the relevant emission limits in this approval; and
 - the pollution controls are working effectively;
 - (d) include an odour audit, undertaken by an independent, appropriately qualified and experienced person, that demonstrates that the project is not causing or permitting the emission of offensive odours; and, if any non-compliances are detected,
 - (e) describe the measures that would be implemented to ensure compliance.

NOISE

Project Hours

9. The Proponent shall comply with the restrictions in Table 1.

Table 1: Construction and Operation Hours for the Project

Activity	Day	Time
Construction	Monday - Friday	7:00 am to 6:00 pm
	Saturday	8:00 am to 1:00 pm
	Sunday and Public Holidays	Nil
Operation	All Days	Any time

Note: Construction activities may be conducted outside the hours in Table 1 provided that the activities are not audible at any residence beyond the boundary of the site.

Noise Limits

10. The Proponent shall ensure that noise generated by the project does not exceed the noise limits presented in Table 2.

Table 2: Project Noise Limits

Location	Day	Evening	Night	
	$L_{Aeq}(15\text{ minute})$	$L_{Aeq}(15\text{ minute})$	$L_{Aeq}(15\text{ minute})$	L_{Amax}
Most affected residence on Swan St, Keira St and Gladstone Avenue	35	35	35	45

Note: Noise generated by the project is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy.

Noise Validation Report

11. Within 6 months of the commencement of operations, the Proponent shall prepare a Noise Validation Report to the satisfaction of the Director-General. The report must:
- be prepared in consultation with the DECC by a suitably qualified and independent expert whose appointment has been endorsed by the Director-General;
 - validate the predictions made in the EA;
 - demonstrate compliance with the noise limits in Table 2; and, if any non-compliances are detected,
 - describe the measures that would be implemented to ensure compliance.

SOIL & WATER

Water Pollution

12. The Proponent shall not cause or permit any waters to be polluted, as defined under Section 120 of the POEO Act.

Wastewater Discharges

13. The Proponent shall ensure that all of the wastewater discharged from the site is discharged to sewer under a trade waste agreement with Sydney Water.

Bunding

14. All chemicals shall be stored in:
- appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund. The bund(s) shall be designed in accordance with:
 - the requirements of all relevant Australian Standards; and
 - the DECC's *Storing and Handling Liquids: Environmental Protection – Participants Manual*;
 - accordance with Australian Standard AS1940-2004 *The storage and handling of flammable and combustible liquids*; and
 - areas above the 1%AEP flood level so as not to cause pollution or hazards during any flood.

All underground storage vessels and underground transfer piping shall be designed, installed, operated and monitored in accordance with the applicable technical requirements detailed in the DECC publication "Guidelines for Implementing the POEO (Underground Petroleum Storage System) Regulation 2008", Sections 2.1, 2.4, 5.1 and 5.2.

15. The Proponent must suitable measures to ensure the integrity of the bunds is maintained, and to prevent and manage spills on site. These measures must include:
- (a) an inventory system to accurately measure and report on production losses;
 - (b) an early warning leak detection and prevention system, certified by a site auditor accredited under the *Contaminated Land Management Act, 1997*;
 - (c) a bund, tank and pipeline integrity assessment program; and
 - (d) a spill prevention and management system, including:
 - a Spill Response and Prevention Plan;
 - a Monitoring Program;
 - a Site Security Plan; and
 - staff training.

Flooding

16. Minimum floor levels for the project shall be designed in accordance with Council's *Development Control Plan 54 Managing Our Flood Risks*, Council's *Drainage Design Code 1994* and the NSW Government's *Floodplain Development Manual 2005*. The levels shall take into account the NSW sea level rise planning benchmark in the DECC's *draft Sea Level Rise Policy Statement*.

Fill

17. Any fill material brought to site must be Virgin Excavated Natural Material.

Erosion and Sediment Control Plan

18. During construction, the Proponent shall implement appropriate erosion and sediment controls on site, in accordance with the relevant requirements in Landcom's (2004) *Managing Urban Stormwater: Soils and Construction* manual to the satisfaction of the Director-General.

Stormwater Management Plan

19. The Proponent shall prepare and implement a Stormwater Management Plan for the project to the satisfaction of the Director-General. The plan/s must:
- (a) be prepared in consultation with Council;
 - (b) be submitted to the Director-General for approval prior to the commencement of construction;
 - (c) be prepared in accordance with DECC's *Managing Urban Stormwater: Council Handbook*, and Council's *Drainage Design Code 1994*; and
 - (d) include details of:
 - pre and post development flows;
 - water quality;
 - stormwater detention, treatment and control infrastructure; and
 - measures to maintain this infrastructure and the proposed monitoring of stormwater quantity and quality during operation of the project; and
 - (e) demonstrate that all stormwater discharged from the site would be piped to Council's existing stormwater drainage system.

Water and Energy Efficiency

20. The Proponent shall ensure the project is energy and water efficient, and comply with industry best practice, to the satisfaction of the Director-General.
21. The Proponent shall prepare and implement a Water and Energy Efficiency Program for the project to the satisfaction of the Director-General. The program must:
- (a) be approved by the Director-General prior to the commencement of building works;
 - (b) compare the proposed energy and water usage ratio of the project to other existing soybean processing facilities, and set benchmarks for industry best practice;
 - (c) describe the measures that would be implemented onsite to ensure the project is water and energy efficient and uses the best available technology; and
 - (d) include a program to monitor and report on the efficiency of the measures implemented, and ensure the project remains energy efficient over time.

HAZARDS

Pre-Construction

22. Prior to the commencement of construction, the Proponent shall prepare the following to the satisfaction of the Director-General, and in relation to the Fire Safety Study also the NSW Fire Brigades:
- (a) a Fire Safety Study that has been 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*;
 - a) a Hazard and Operability Study that has been 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 Director-General (except to the extent that it relates to minor services systems such as compressed air and water), includes a program for the implementation of all recommendations made during the study; and if the Applicant intends to defer the implementation certain recommendations, then provide justification for the proposed deferral; and
 - b) a Final Hazards Analysis (FHA) prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis*.
- Following approval, the Proponent shall implement the above studies/analysis to the satisfaction of the Director-General (and in relation to the Fire Safety Study also the NSW Fire Brigades).

Pre-Commissioning

23. Prior to commissioning the project, the Proponent shall prepare the following to the satisfaction of the Director-General:
- (a) an Emergency Plan prepared in accordance the Department's *Hazardous Industry Planning Advisory Paper No. 1 - Industry Emergency Planning Guidelines*; and
 - (b) a Safety Management System prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 9 - Safety Management*.
- Following approval, the Proponent shall implement the above studies to the satisfaction of the Director-General.

Flora and Fauna

24. The Proponent shall prepare and implement a Green and Golden Bell Frog Management Plan for the project to the satisfaction of the Director-General. The Plan must:
- (a) be prepared in consultation with the DECC by a suitably qualified and independent expert whose appointment has been endorsed by the Director-General;
 - (b) be submitted to the Director-General for approval prior to the commencement of construction;
 - (c) be prepared in accordance with the *Draft Recovery Plan: Green and Golden Bell Frog (Lesson 1829) Recovery Plan* (DECC 2005) and *Best Practice Guidelines: Green and Golden Bell Frog Habitat* (DECC 2008);
 - (d) identify any known or likely populations/habitats of the Green and Golden Bell Frog on the premises;
 - (e) identify any actual or potential threats from the project on these populations or habitat;
 - (f) outline measures to prevent or minimise these threats;
 - (g) describe how the ongoing effectiveness of the management plan will be monitored and reported; and
 - (h) include:
 - a program of works, including the timing, for the removal of exotic weeds on the project site;
 - a landscape and habitat plan and management program, including measures to protect and rehabilitate riparian vegetation;
 - an assessment of the feasibility of refurbishing the stormwater pond to accommodate potential habitat.
25. The Proponent must ensure any area of the site in the riparian zone is rehabilitated, with appropriate endemic species, and maintained in consultation with the DWE, and to the satisfaction of the Director-General.
26. The Proponent shall only use endemic species in the landscaping of the site, ensuring seed and propagule sources are from local botanical provenance. The Landscaping is to be maintained to the satisfaction of the Director-General.

Visual Impact

27. The Proponent shall ensure that lighting associated with the project:
 - (a) complies with the latest version of Australian Standard *AS 4282(INT)-Control of Obtrusive Effects of Outdoor Lighting*; and
 - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties, or the public road network.
28. Any proposed landscaping, fencing or signage is not to impede the desired sight lines of all road users including pedestrians and cyclists.
29. The Proponent shall not install any signage or fencing on site without the written approval of the Director-General. In seeking this approval the Proponent shall:
 - (a) submit detailed plans of the proposed signage or fencing, which have been prepared in consultation with Council;
 - (b) demonstrate that the proposed signage or fencing is consistent with the relevant requirements in any relevant Council Development Control Plan.

Waste Management

30. The Proponent shall implement all reasonable and feasible measures to minimise the waste generated by the project.
31. The Proponent shall ensure that all waste generated on site during construction and operation is classified in accordance with the DECC's *Waste Classification Guidelines: Part 1 Classifying Waste* and disposed of to a facility that may lawfully accept the waste.

Traffic and Transport

32. The Proponent shall ensure that:
 - (a) the internal roads and parking on site complies with Australian Standards *AS 2890.1:2004* and *AS 2890.2:2002*;
 - (b) all parking generated by the project is accommodated on site, and that no vehicles associated with the project shall park on the public road system at any stage;
 - (c) the project does not result in any vehicles queuing on the public road network;
 - (d) road traffic is minimised; and
 - (e) suitable parking for bicycles and associated facilities including change rooms are provided at the facility,
33. The Proponent shall prepare and implement a Construction Traffic Management Plan for the project to the satisfaction of the Director-General. This plan must:
 - (a) be prepared in consultation with the RTA, Wollongong Council and the Port Kembla Port Corporation;
 - (b) describe the measures that would be implemented to minimise the traffic impacts associated with the construction of the project and
 - (c) a Traffic Control Plan in accordance with the RTA's *Traffic Control at Work Sites* manual.
34. The Proponent shall prepare and implement a Transport Management Plan to the satisfaction of the Director-General. The plan must:
 - (a) be prepared in consultation with the Ministry of Transport, and approved by the Director-General prior to the commencement of operations;
 - (b) investigate options to minimise road traffic, through options such as rail;
 - (c) describe the breakdown of transport methods to be used for all goods transported to/from the site;
 - (d) include a sustainable travel plan describing:
 - the public transport options available; and
 - the measures that would be put in place to encourage public transport use and reduce vehicle movements, such as provision of a shuttle bus for staff, linking to appropriate public transport;
 - (e) outline how the ongoing effectiveness of the plan would be monitored, reported and improved overtime; and
 - (f) outline contingencies measures that would be implemented should traffic impacts become a problem.

Soybean Procurement

35. The Proponent must maximise the use of locally grown soybeans, to the satisfaction of the Director-General.
 36. The Proponent must prepare and implement a Soybean Procurement Management Plan for the project, to the satisfaction of the Director-General. The plan must:
 - (a) be approved by the Director-General prior to the commencement of operations;
 - (b) identify the source of the soybeans to be used, ensuring they are from environmentally and socially responsible sources;
 - (c) detail the procedures to regularly review the source of the soybeans;
 - (d) detail the measures to be undertaken to encourage soybean production in Australia; and
 - (e) detail the monitoring and reporting to be undertaken.
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SCHEDULE 4

ENVIRONMENTAL MANAGEMENT, AUDITING AND REPORTING

Environmental Management Strategy

1. The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must be submitted to the Director-General prior to carrying out any development on site, and:
 - (a) be approved by the Director-General prior to the commencement of construction;
 - (b) be revised and approved by the Director-General prior to the commencement of operation;
 - (c) provide the strategic context for environmental management of the project;
 - (d) identify the statutory requirements that apply to the project;
 - (e) describe in general how the environmental performance of the project would be monitored and managed;
 - (f) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the project;
 - respond to any non-compliance;
 - manage cumulative impacts; and
 - respond to emergencies;
 - (g) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the project; and
 - (h) incorporate the various studies, plans and programs required under this approval.
2. The Proponent shall update this strategy to the satisfaction of the Director-General, every 5 years from the commencement of operations, or as directed by the Director-General.

REPORTING

Incident

3. The Proponent shall notify the Director-General of any incidents associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Director-General with a detailed written report on the incident, and any action that has subsequently been taken in relation to this incident.

Annual

4. Within 12 months of this approval, and annually thereafter, the Proponent shall submit an AEMR to the Director-General and relevant agencies. This report must:
 - (a) identify the standards and performance measures that apply to the project;
 - (b) describe the works carried out in the last 12 months;
 - (c) describe the works that will be carried out in the next 12 months;
 - (d) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;
 - (e) include a summary of the monitoring results for the project during the past year, including:
 - soybean procurement and detailing the percentage of Australian grown soybeans used;
 - energy and water use;
 - (f) include an analysis of these monitoring results against the relevant:
 - impact assessment criteria/limits;
 - monitoring results from previous years; and
 - predictions in the EA;
 - (g) identify any trends in the monitoring results over the life of the project;
 - (h) identify any non-compliance during the previous year; and
 - (i) describe what actions were, or are being, taken to ensure compliance.

AUDITING

Pre-Operation Compliance Audit

5. Prior to the commencement of operations, the Proponent shall submit work as executed plans (including drainage works) to the Department and Council for all the development associated with the project. These plans must be prepared by a suitably qualified and experienced expert, and include plans showing the

work as executed plans laid over the approved plans to demonstrate that the development has been carried out in accordance with the approved plans.

Independent Environmental Audit

6. Within 12 months of commencement of operations, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:
 - (a) be conducted by a suitably qualified, experienced, and independent team of experts whose appointment has been endorsed by the Director-General;
 - (b) include a hazard audit:
 - conducted by a suitably qualified and experienced person approved by the Director-General;
 - carried out in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'*;
 - with a review of the site's Safety Management System and all entries made in the incident register since the previous audit;
 - (c) assess whether the project is being carried out in accordance with industry best practice;
 - (d) assess the environmental performance of the project, and its effects on the surrounding environment;
 - (e) assess whether the project is complying with the relevant standards, performance measures, and statutory requirements;
 - (f) review the adequacy of any strategy/plan/program required under this approval; and, if necessary,
 - (g) recommend measures or actions to improve the environmental performance of the project, and/or any strategy/plan/program required under this approval; and
 - (h) include a program for the implementation of the recommendations made in the audit report with justification for any deferred implementation.
7. Within 6 weeks of completing this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General with a response to any recommendations contained in the audit report.
8. Within 3 months of submitting the audit report to the Director-General, the Proponent shall review and if necessary revise the strategies/plans/programs required under this approval, to the satisfaction of the Director-General.

Access to Information

9. Within 3 months of the approval of any strategy/plan/program required under this approval (or any subsequent revision of these strategies/plans/programs), or the completion of the audits or AEMRs required under this approval, the Proponent shall provide a copy of the relevant document/s to:
 - a) the relevant agencies, and
 - b) any interested party upon request.
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APPENDIX 1: PROJECT LAYOUT PLAN

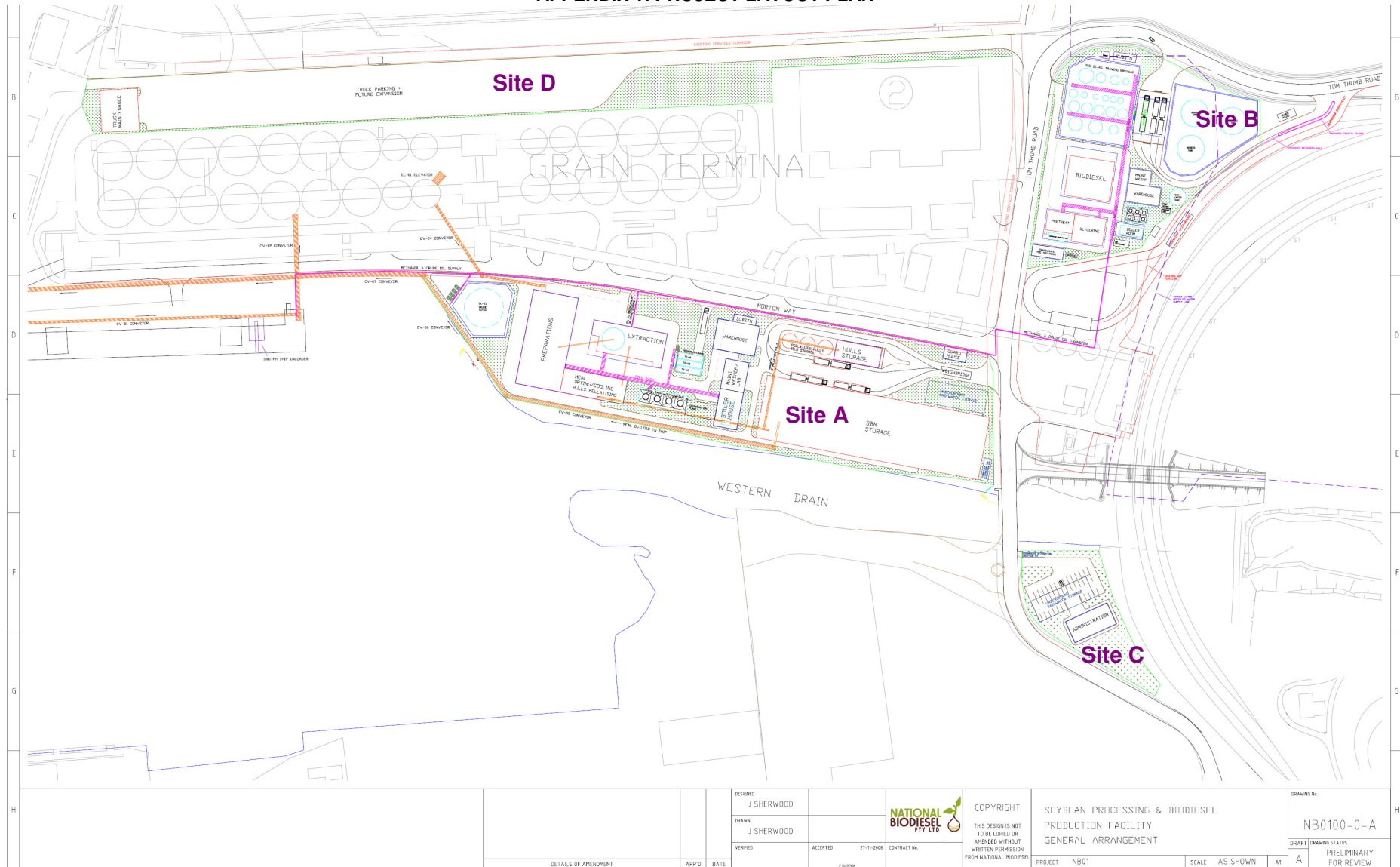


Figure 1 – Project Layout

APPENDIX 2: STATEMENT OF COMMITMENTS

General

The proposed SPBP facility will be constructed and operated generally as described in the *Soybean Processing and Biodiesel Production Facility, Environmental Assessment*, prepared by Maunsell AECOM and dated October 2008.

The proponent shall prepare and implement the following management plans for the project:

- A Construction Environmental Management Plan (CEMP) and Operational Environmental Management Plan (OEMP) will be prepared for the site.
- A Traffic Management Plan (TMP) shall be prepared for construction prior to construction. The TMP shall incorporate a Transport Code of Conduct which would outline and manage the transportation routes to the site for
- heavy vehicles during construction of the proposed SPBP facility. The TMP would also include:
 - heavy vehicle access to the site;
 - deliveries and dispatch of products;
 - use of truck turnaround areas.
- A Soil and Water Management Plan shall be prepared prior to commencement of construction. This shall include Erosion and Sediment Control Plan in accordance with Landcom's *Managing Urban Stormwater; Soils and Construction Manual 2004*
- Energy Savings Action Plan in accordance with the requirements of Department of Water and Energy (DWE) and the Guidelines for Energy Savings Action Plans (DEUS 2005), to include details of greenhouse gas abatement measures and energy efficiency measures for the operation of the proposed SPBP facility
- A Procurement Plan (PP) for imported soybeans shall be developed. This plan will ensure that feedstock originates from responsible, sustainable and legal agricultural operations. The PP will be developed prior to
- commencement of operation and will:
 - identify environmentally and socially responsible feedstock materials
 - include procedures for the sourcing of such feedstock
 - contain procedures for regular review of suppliers.

Air Quality

- ◆ Air Quality Management Plan including monitoring and inspections to confirm emissions comply with manufacturers guarantees, legislative requirements to confirm all controls are working appropriately and to ensure impacts to the community are minimised, as recommended in **Section 7.2**.
- ◆ The proponent will take all practicable measures to ensure that air emissions during the construction and operation of the project are within relevant air quality and odour criteria and guidelines.
- ◆ The proponent will undertake all practicable measures to minimise dust generation from the site during both construction and operation. These measures shall be incorporated in the Erosion and Sediment Plan.
- ◆ The proponent will ensure that no plant-generated offensive odours will exist at detectable levels at the closest sensitive receivers. If any offensive odours are detected at the closest sensitive receivers and proven to originate from the proposed development once in operation, feasible odour-treatment technology will be evaluated and installed.
- ◆ The proponent will ensure that industry best practices are followed to prevent fugitive emissions and that a Leak Detection and Repair Program is implemented and followed during normal operations to control the potential for fugitive emissions.
- ◆ The proponent will ensure that all emission sources that form part of the proposed SPBP facility comply with emission limits as specified in the Protection of the Environment Operations (Clean Air) Regulation.

Greenhouse Gas Emissions and Energy Efficiency

- ◆ The proponent shall prepare and implement an Energy Savings Action Plan for the proposed project, which would be prepared in accordance with the requirements of DWE and the Guidelines for Energy Savings Action Plans (DEUS 2005), in order to maximise energy efficiency associated with the SPBP facility. Energy Savings Action Plan will include details of greenhouse gas abatement measures and energy efficiency measures for the operation of the proposed SPBP facility.
- ◆ A Procurement Plan (PP) for imported soybeans shall be developed. This plan will ensure that feedstock originates from responsible, sustainable and legal agricultural operations.

Hazard and Risk

A review will be undertaken at detailed design stage of the bunding arrangements of the chemical tank bund to separate re-active liquids.

- ◆ A Site Emergency Response Plan will be prepared and all staff appropriately briefed.
- ◆ Spill response procedures prepared and placed in a readily accessible location and all staff trained in such procedures.
- ◆ Relevant staff will be informed of the requisite Emergency Shutdown Systems.
- ◆ The proponent will ensure that the buildings are generally free from dust accumulation.

- ◆ Compliance with AS Applicable standards to cover the following aspects of the safety management requirements:
 - Handling of Combustible dusts (AS/NZS 4745)
 - Handling and storage of flammable and combustible liquids (AS/NZS 1940)
 - Tank design (API 650 / AS 1692 / AS 1170)
 - Classification of Hazardous Areas (AS/NZS 60079-10)
 - Application of HAZOPs (AS IEC 61882).

Traffic and Transport

- ◆ The proponent will prepare a Construction Traffic Management Plan (CTMP) prior to the commencement of construction.
- ◆ The proponent will ensure that the construction and operational traffic is managed in accordance with the CTMP.

Ecology

- ◆ In all areas within the subject site where excess land is available for landscaping and planting, the proponent shall, within reason, remove exotic plant species and plant native grass understorey vegetation in appropriate locations. The vegetation installed shall be suitable for use by the Green and Golden Bell Frog (GGBF) for foraging, overwintering and shelter (e.g. *Dianella* spp., *Lomandra longifolia*, *Themeda australis* and *Imperata cylindrica*).
- ◆ All operations will be performed in accordance with appropriate AQIS requirements. All appropriate AQIS licences will be obtained after AQIS inspection upon commissioning of the SPBP facility.
- ◆ The proponent will be responsible for the preparation of an Erosion and Sediment Control Plan (ESCP) in accordance with the Landcom Managing Urban Storm Water; Soils and Construction Manual 2004. The ESCP shall contain measures to protect receiving waters from all runoff (including chemical spills) that may impact on water quality and/or aquatic species and/or ecosystems.
- ◆ Measures that take the conservation and protection of the GGBF into consideration will form part of the CEMP, OEMP and Landscape Management Plan. These measures will be developed in conjunction with NSW DECC.

Noise

- ◆ CEMP is to include suitable noise attenuation measures for construction.
- ◆ The guidelines set out in the DECC draft guidance document 'New South Wales – Construction Noise Guidelines' are to be implemented to ensure that the impact at receivers from construction noise is minimised as far as reasonable and feasible.
- ◆ Regular noise monitoring, including attended monitoring, will be undertaken during operations at surrounding receivers to determine noise levels generated by the project. If exceedances are detected during monitoring, amelioration measures will be investigated to ensure that noise criteria are met.
- ◆ A Noise Management Plan shall form part of the CEMP and will detail best practice construction methods.

Waste Management

- ◆ The proponent shall implement all practicable and reasonable measures to minimise the generation of waste and maximise reuse from the proposed SPBP facility.
- ◆ The proponent will enter into a Tradewaste Agreement with Sydney Water prior to commencement of works.
- ◆ Wastes requiring removal from the site shall be collected and disposed of by an appropriately licensed waste contractor.
- ◆ The proponent will investigate the feasibility of providing an onsite liquid waste pre-treatment facility during the detailed design phase.
- ◆ Monitoring activities shall be carried out in accordance with those detailed in Section 7.8.
- ◆ CEMP in relation to waste will be prepared in accordance with NSW DECC Waste Classification Guidelines 2008.

Heritage

- ◆ Should, during construction, any Indigenous or potentially Indigenous relic of significance be discovered work shall cease immediately within an agreed distance from the potential relic. An officer from the Department of Environment and Climate Change and a member of the Illawarra Aboriginal Land Council will be informed and appropriate arrangements shall be made with these two agencies to manage the potential relic as promptly as practicably possible.

Social & Economic

- ◆ The proponent will, where reasonable and practicable, draw upon the skills available to it from the local workforce.

Visual

- ◆ The proponent will prepare a Landscape Management Plan, which will include local native species and will ensure lines of sight are not compromised.
- ◆ The proponent will ensure that landscaping is undertaken in accordance with the Landscape Management Plan.
- ◆ Exterior lighting would be designed to minimise light spill and would generally be in accordance with Australian Standard – 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting, notwithstanding functional and safety requirements.
- ◆ The proponent will employ the use of recessive colours for external materials and finishes wherever practicable.

Soils

- ◆ Prior to the commencement of construction and in areas where soil disturbance is likely, testing shall be undertaken to establish the presence of acid sulphate soils and saline soil. Should testing reveal that either acid sulfate soil or saline soil is present, then an Acid Sulphate Management Plan and/or a Salinity Management Plan shall be prepared prior to the commencement of work and that the management measures detailed in that Plan shall be implemented.

Water issues

- ◆ As part of the Construction Environmental Management Plan (CEMP), an Erosion and Sediment Control Plan (ESCP) shall be prepared in accordance with the Landcom Managing Urban Stormwater; Soils and Construction Manual 2004 and will be maintained for the duration of the construction process to prevent, within reason, any sediment and polluted water entering any waterway. The ESCP shall contain emergency procedures for high rainfall events that could increase soil erosion during construction.
- ◆ During EPCM phase consideration will be given to the potential of sea water cooling. However it must be noted that such water is much more corrosive, and is also much more likely to cause fouling. Cognisance must be given to the impact of discharging such water back into the sea and should be addressed in the OEMP.