


Notice of Modification

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

As delegate of the Minister for Planning, under the delegation executed on 14 September 2011, I hereby modify the development consent referred to in Schedule 1, in the manner outlined in Schedule 2.



Daniel Keary
Director
Industry, Key Sites and Social Projects
Development Assessment Systems & Approvals

Sydney 24th JUNE 2014

SCHEDULE 1

Application No: MP 08_0157, as modified by MP 08_0157 MOD 1
Proponent: Joe White Maltings Pty Ltd
Approval Authority: Minister for Planning
Land: Stonny Batter Road, Minto (Lot 201 DP 813362)
Project: Minto Malting and Grain Project
Modification: MP 08_0157 MOD 2:
• Construct and operate 12 new storage silos.

SCHEDULE 2

This project approval is modified by:

1. Replacing the definition of 'Department' and 'Project' in the definitions list in Schedule 2 as follows:

| | |
|------------|--|
| Department | Department of Planning and Environment |
|------------|--|

| | |
|---------|--|
| Project | the development as described in the EA, as modified by MP 08_0157 MOD 1 and MP 08_0157 MOD 2 |
|---------|--|

2. Deleting the definition of 'Director-General' in the definitions list in Schedule 2 as follows:
3. Inserting a new definition of 'Secretary' in the definitions list in Schedule 2 in alphabetical order as follows:

| | |
|-----------|--|
| Secretary | the Secretary of the Department (or nominee) |
|-----------|--|
4. Replacing all references to 'Director-General' in the approval with 'Secretary'.
5. Replacing Condition 2 in Schedule 2 after Condition 1 with the following:

2. The Proponent shall carry out the project generally in accordance with the:
(a) EA;

- (b) site plan (see Appendix 1);
- (c) statement of commitments (see Appendix 2);
- (d) Modification Application 08_0157 MOD 1 and supporting documentation by Cardno dated 11 December 2011 and 14 December 2011;
- (e) Modification Application MP 08_0157 MOD 2, supporting Environmental Assessment dated March 2014 and Response to Submissions (email) dated 8 May 2014 prepared by Cardno; and
- (f) conditions of this approval.

6. Adding the words 'of the project' after the word 'construction' in the first line of Condition 4 in Schedule 4.
7. Adding the words 'of the project' after the word 'construction' in the first line of Condition 10 in Schedule 4.
8. Inserting a new Condition 19A in Schedule 4 after Condition 19 as follows:

19A. The Proponent shall comply with the requirements of AS/NZS 4745:2012 "*Code of Practice for Handling Combustible Dust*".

9. Replacing Conditions 20 and 21 in Schedule 3 after Condition 19 with the following:

Fire Safety Study

20. Prior to the commencement of construction of MP 08_0157 MOD 2, the Proponent shall prepare an updated Fire Safety Study for the modified project to the satisfaction of the NSW Fire Brigades and Secretary. This study must be 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*. Following approval, the Proponent shall implement the study to the satisfaction of the NSW Fire Brigades and Secretary.

Pre-Commissioning Studies

21. Prior to commissioning of MP 08_0157 MOD 2, the Proponent shall prepare the following studies for the modified project to the satisfaction of the Secretary:
 - (a) an updated Emergency Plan prepared in accordance the Department's *Hazardous Industry Planning Advisory Paper No. 1 - Industry Emergency Planning Guidelines*; and
 - (b) an updated 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 Secretary.

10. Inserting a new Condition 2A in Schedule 4 after Condition 2 as follows:

Construction Environmental Management

- 2A. The Proponent shall prepare and implement a Construction Environmental Management Plan for MP 08_0157 MOD 2 to the satisfaction of the Secretary. The Plan must:
 - (a) be prepared in consultation with Council and the EPA;
 - (b) be approved by the Secretary prior to the commencement of construction of MP 08_0157 MOD 2;
 - (c) identify the statutory approvals that apply to the modification;
 - (d) outline in detail all environmental management measures and controls to be implemented and the practices and procedures to be followed during construction of the modification to minimise environmental impacts (in particular for traffic, noise and vibration);
 - (e) describe all activities to be undertaken on the site during construction of the modification, including a clear indication of construction stages;
 - (f) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
 - (g) describe of the roles and responsibilities for all relevant employees involved in construction works associated with the modification; and

- (h) include arrangements for community consultation and complaints handling procedures during construction.

Note: Construction of the modification shall not commence until written approval of this plan has been received from the Secretary.