



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

18 April 2017

Dear Ms McNally

**Determination of Modification Request
Shoalhaven Starches Ethanol Expansion Project (MP 06_0228 MOD10)**

Thank you for your Department's letter received on 6 April 2017 referring the above modification request to the Planning Assessment Commission (the Commission) for determination under Ministerial delegation of 14 September 2011, as a reportable political donation was made by the Manildra Group, the parent company for Shoalhaven Starches Pty Ltd (the Proponent). Lynelle Briggs AO, Chair of the Commission, nominated me to constitute the Commission to determine the modification.

The Proponent seeks to modify the Shoalhaven Starches Ethanol Expansion Project (SSEEP) through the addition of a second flour mill (Flour Mill B) and increase the tonnage of flour milled on-site. The construction of Flour Mill B would not increase the volume of ethanol, gluten or starch produce at Shoalhaven Starches. The increase in on-site flour milling would create spare capacity at the Manildra Group's western flour mills to allow the production of higher grade flour. The modification includes:

- the construction of Flour Mill B, a new mill feed structure and four new grain silos;
- relocation of seven storage silos, with six to be decommissioned and stored at the disused Shoalhaven Paper Mill site and one moved adjacent to the dried distillers grain building;
- ancillary works and pipelines, including new flour transfer blow lines, conveyors and transfer pipeline and the decommissioning and removal of the pipe bridge between the existing mill and starch plant.

I am of the view that these modifications are within the scope of section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as these changes do not make the modified development substantially different to what is currently approved.

I have considered carefully the Department's environmental assessment report, all of the information provided by the Applicant, recommendations from government agencies and section 75W of the EP&A Act. As part of my consideration of SSEEP Modification 9 (MP 06_0228 MOD9), I met with the Proponent and visited the site on 3 March 2017. During this meeting and site inspection planned modifications to the SSEEP, including the installation of Flour Mill B, were also discussed.

I have reviewed the Department's assessment of the key matters and I am satisfied with its recommendations, which include:

- piling activities, identified as the loudest construction activity, will occur for two weeks and will be limited from 9am to 5pm Monday to Friday, in accordance with the current conditions of consent for the SSEEP. The construction noise emissions, including piling, are expected to

be within the noise management levels set by the New South Wales Environment Protection Authority's (EPA) *Interim Construction Noise Guideline*;

- the recommendations from the revised noise impact assessment are included in the modified conditions of consent to ensure day-time operational noise impacts will be within the noise limits in the Environmental Protection Licence (EPL) and project approval. In addition, the Proponent will be required to prepare prior to the construction of Flour Mill B to demonstrate the effectiveness of the noise controls and compliance with noise limits.
- the modification would meet relevant air quality criteria and would not significantly increase odour or particulate emission from the factory, because flour milling activities are a minor contributor to overall site odour. The EPA identified some inconsistencies in the odour assessment methodology, but has concluded that air quality impacts from the operation of Flour Mill B would be minimal;
- The construction of Flour Mill B is expected to have a negligible impact on road traffic flow along Bolong Road and parking availability because increases in construction road traffic will coincide with reduced traffic impacts from other construction activities and construction staff are generally transported to site using a minibus. Operational road and rail traffic would remain consistent with current traffic flows. Shoalhaven Council and NSW Roads and Maritime Services advised the Department that traffic impacts will be negligible and no further conditions are required to manage traffic flows;
- flooding impacts are likely to be negligible, with no additional conditions required; and
- existing conditions relating to hazards and risks, riparian management, surface and groundwater, contamination, protection of services, and administrative conditions should be updated and modernised.

For the reasons set out above, I accept the Department's recommendation that this proposal be approved. Consequently, I have determined to approve the modification application subject to the conditions set out in the notice of modification.



Joe Woodward PSM

Member of the Commission (Chair)

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