

Notice of Modification

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

As delegate of the Minister for Planning under delegation executed on 14 September 2011, we the Planning Assessment Commission of New South Wales (the Commission) hereby approve the modification of the project application referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Ms Lynelle Briggs AO
Member of the Commission (Chair)

Sydney

01 March 2016

SCHEDULE 1

Application Number:	MP 06_0228
Proponent:	Shoalhaven Starches Pty Ltd
Approval authority:	Minister for Planning
Project:	Shoalhaven Starches Expansion Project
Date of original approval:	29 January 2009
Modification:	MP 06_0228 MOD 8 – Alterations to Flour Mill

SCHEDULE 2

This approval is modified by:

In the Definitions List:

1. Inserting a new definition as follows:

Modification An adjustment or alteration to the approved Project, determined in accordance with the EP&A Act

2. Replacing the following definition:

Project The development described in the EA, which includes the continued implementation of all existing and approved development on site, as modified by MP 06_0228 MOD 1, MP 06_0228 MOD 2, MP 06_0228 MOD 3, MP 06_0228 MOD 4, MP 06_0228 MOD 5, MP 06_0228 MOD 6, MP 06_0228 MOD 7 and MP 06_0228 MOD 8

In Schedule 2: Administrative Conditions:

3. Replacing Condition 2i) with the following:
 - i) modification proposal MP 06_0228 MOD 8, accompanying Environmental Assessment and accompanying plans dated November 2015, prepared by Cowman Stoddart Pty Ltd (see Appendix 2H); and

4. Inserting new Condition 2j) after Condition 2i) as follows:

- i) statement of commitments.

5. Replacing Condition 6(1)a) with the following:

- a) more than 400,000 tonnes of industrial grade flour per year; and

In Schedule 3: Specific Environmental Conditions:

6. Inserting new conditions 14D and 14E after Condition 14C as follows:

Design and Noise Validation MOD 8

14D. The Proponent shall design and install silencers on the discharge side of each fan on the modified flour mill in accordance with the acoustic specifications included in the EA for MOD 8. The Proponent shall provide written evidence to the Secretary, prior to the commencement of operation of the modified flour mill, confirming that the silencers have been installed in accordance with the specifications detailed in the EA for MOD 8.

14E. Within 12 months of operation of the modified flour mill, the Proponent shall undertake noise validation to confirm that the noise levels comply with the predictions in the EA for MOD 8, to the satisfaction of the EPA.

7. Inserting the following note after Condition 21 as follows:

Note: If a modification does not require an update of the plan listed above, the Proponent shall provide written justification to the satisfaction of the Secretary.

8. Inserting the following words in Condition 26A after the words MOD 7:

and MOD 8.

9. Replacing Conditions 36, 37, 37A, 37B, 38, 39A, 39B, 39C, 39D and 39E with new Conditions 36, 37, 38 and 39 as follows:

Pre-construction

36. At least 1 month prior to the commencement of construction of the Project as modified (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Secretary may agree, the Proponent shall prepare and submit for the approval of the Secretary the studies set out under subsections a) to d) (the pre-construction studies):

- a) A **Fire Safety Study** for the Project as modified. This study shall 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*. The Fire Safety Study shall also be prepared and implemented to the satisfaction of Fire and Rescue NSW;
- b) A **Hazard and Operability Study** for the Project and each modification, 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 Secretary. This study shall include a program for the implementation of all recommendations made during the study; and if the Proponent intends to defer the implementation of certain recommendations, then justification shall be provided for the proposed deferral;
- c) A **Final Hazard Analysis** for the Project as modified, prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis*. The FHA shall:
 - report on the implementation of the recommendations of the Preliminary Hazard Analysis;
 - re-evaluate and reconfirm the relevant data and assumptions from the Preliminary Hazard Analysis; and
 - re-evaluate and reconfirm all control measures for prevention and mitigation of incidents; and
- d) A **Construction Safety Study** for the Project and each modification, consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 7 – Construction Safety Study Guidelines*.

Pre-commissioning

37. The Proponent shall develop and implement the plans and systems set out under subsections a) to c), no later than 2 months prior to the commencement of commissioning of the Project and each modification to the Project, or within such further period as the Secretary may agree. The Proponent shall submit for the approval of the Secretary, documentation describing those plans and systems. Commissioning shall not commence until approval has been given by the Secretary.
- a) **Transport of Hazardous Materials** – detailing arrangements for the transport of hazardous materials including routes to be used by vehicles carrying hazardous materials to or from the site. The routes shall be consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No.11 Route Selection*. Suitable routes identified in the study shall be used except where departures are necessary for local deliveries or emergencies.
 - b) **Emergency Plan** – updated to include the Project as modified and maintained for the life of the Project. The plan shall include detailed procedures for the safety of all people including consideration of the safety of all people outside of the facility who may be at risk from the Project. The plan shall be consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 1- Industry Emergency Planning Guidelines*;
 - c) **Safety Management System** updated to include the Project as modified and maintained for the life of the Project. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. The Safety Management System shall be prepared in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No.9 - Safety Management*.

Note: If a modification does not require an update of the studies listed in Conditions a) and c) above, the Proponent shall provide written justification to the satisfaction of the Secretary.

Hazard Audit

38. By the end of October 2016 and every three years thereafter, or at such intervals as the Secretary may agree, the Proponent shall carry out a comprehensive Hazard Audit of the Project as modified and the Site, and within one month of each audit submit a report to the Secretary.
- a) the audit shall be carried out at the Proponent's expense by a qualified person or team, independent of the Project, approved by the Secretary prior to commencement of each audit. Hazard audits shall be consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 5 - Hazard Audit Guidelines*; and
 - b) the audit report must be accompanied by a program for the implementation of all recommendations made in the audit report, as well as any outstanding recommendations from previous hazard audit reports (if applicable). If the Proponent intends to defer the implementation of a recommendation, reasons must be documented.

Further Requirements

39. The Proponent shall comply with all reasonable requirements of the Secretary in respect of the implementation of any measures arising from the hazard studies submitted in respect of conditions 36 to 38 inclusive, within such time as the Secretary may agree.

10. Inserting new conditions 43A and 43B after Condition 43 as follows:

- 43A. The Proponent shall survey the rock revetment wall on the Site to measure ongoing patterns of settlement and lateral movement. The survey monitoring shall:
- a) be undertaken every three months from February 2016 for a period of 12 months;
 - b) include river bed monitoring extending 15 metres from the toe of the revetment wall to measure changes in the bed profile; and
 - c) include regular visual monitoring to assess any obvious change to ground features and the effects of major rainfall events.

Note: If a geotechnical specialist concludes that movement levels are insignificant during the monitoring period, the frequency of monitoring may be reduced to once a year, or after significant rainfall events.

- 43B. The Proponent shall engage a suitably qualified geotechnical engineer to regularly review the survey data obtained in accordance with Condition 43A and shall carry out maintenance and/or repairs to the rock revetment wall if required, to the satisfaction of the Secretary.

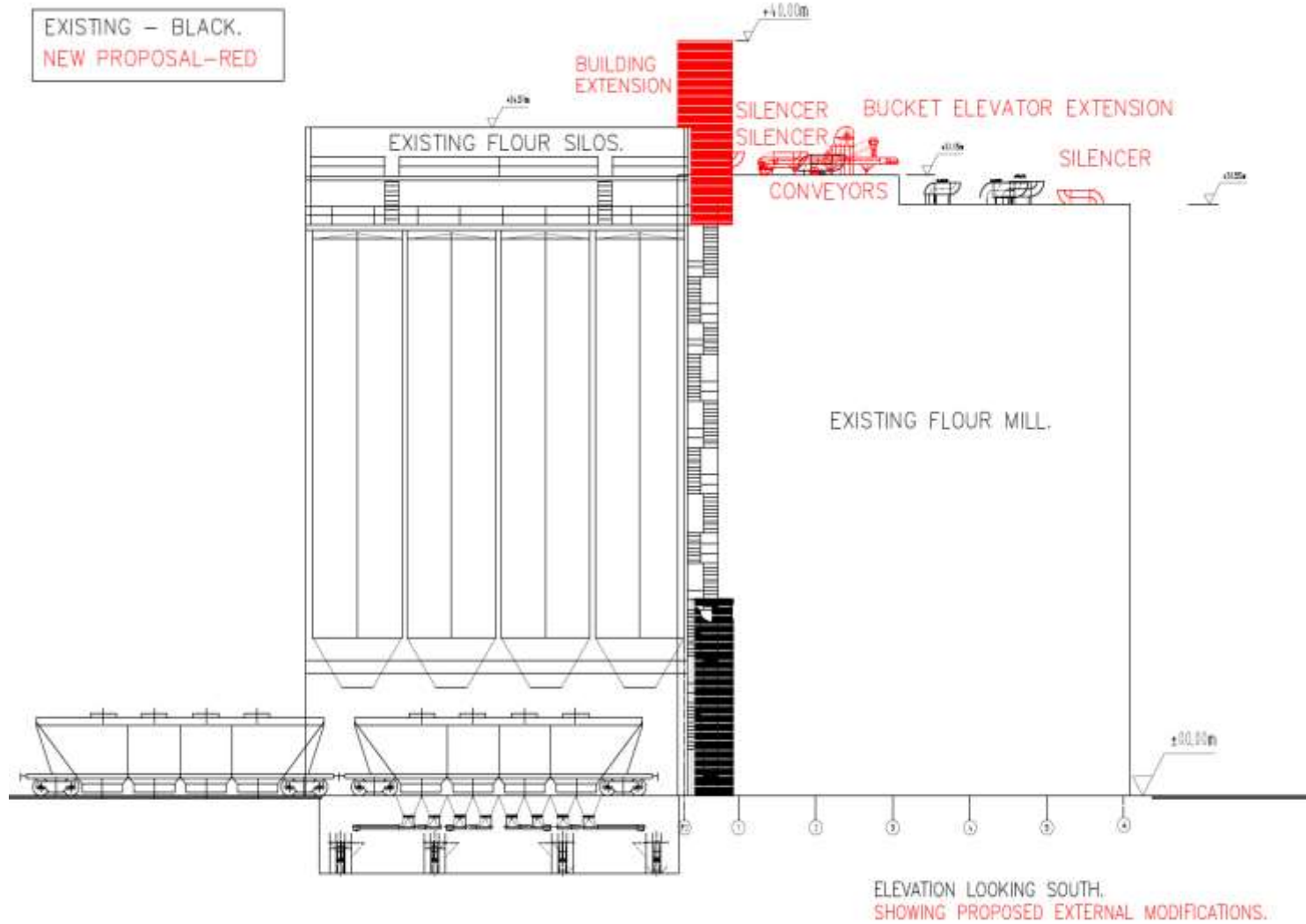
11. Inserting new Condition 50 after Condition 49 as follows:

50. One month following the completion of construction of the modified flour mill described in MP 06_0228 MOD 8, the Proponent shall provide as-constructed details to Airservices Australia.

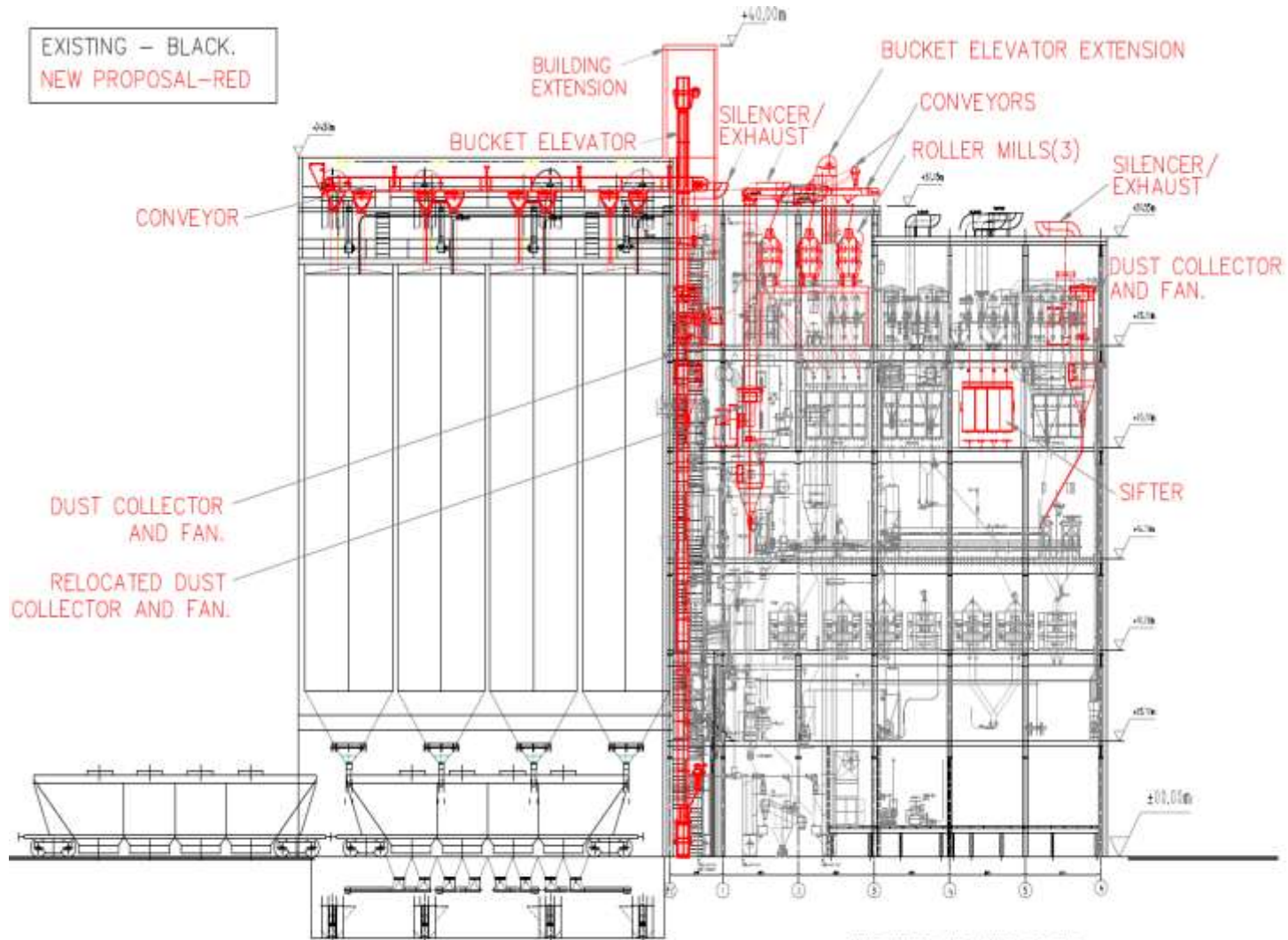
In the Appendices:

12. Inserting a new Appendix 2H after Appendix 2G as follows:

APPENDIX 2H – SITE PLANS (MP 06_0228 MOD 8)



External Modifications to Flour Mill



Internal Modifications to Flour Mill