

APPENDIX A – INSTRUMENT OF MODIFICATION - MOD 11

Modification to Minister's Approval

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

As delegate for 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 approval referred to in Schedule 1, subject to the conditions outlined in Schedule 2.

Member of the Commission

Sydney

2017

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 11 – DDG Dryers and Cooling Towers

SCHEDULE 2

This approval is modified by:

In the Definitions List:

1. 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, MP 06_0228 MOD 8, MP 06_0228 MOD 9, MP 06_0228 MOD 10 and MP 06_0228 MOD 11

2. Replacing the following definition:

Statement of Commitments The Proponent's commitments in the EA and MOD 1, MOD 2, MOD 3, MOD 4, MOD 5, MOD 6, MOD 7, MOD 8, MOD 9, MOD 10 and MOD 11.

In Schedule 2: Administrative Conditions:

3. Inserting new Condition 2l) after Condition 2k) as follows:

- k) modification proposal MP 06_0228 MOD 11, accompanying Environmental Assessment and plans dated November 2016, prepared by Cowman Stoddart Pty Ltd (see Appendix 2K) and GHD's Final Air Quality Assessment dated 20 July 2017.

In Schedule 3: Specific Environmental Conditions:

4. Inserting new Condition 3D after Condition 3C as follows:

- 3D. Prior to construction of any part of MOD 11 as described in Schedule 2, Condition 2, the Proponent shall implement odour mitigation controls on the gluten dryers 3 and 4. The controls shall include re-orienting the discharge vents and increasing the velocity of discharges to improve odour dispersion, as described in MOD 11. The Proponent shall provide evidence to the satisfaction of the Secretary to demonstrate that the odour mitigation controls have been successfully implemented.
5. Inserting new Condition 6F after Condition 6E as follows:
- 6F. The Proponent shall conduct odour validation monitoring on the gluten dryers 3 and 4, following implementation of the mitigation controls required by Condition 3D. Results of the odour validation monitoring shall be included in the independent odour audit required under Condition 5 of Schedule 3.
6. Inserting new Conditions 14M and 14N after Condition 14L as follows:

Noise Verification - Modifications

Design Noise Verification

- 14M. Prior to the construction of any modifications described in Schedule 2, Condition 2, the Proponent shall prepare a design noise verification report to demonstrate the additional plant and equipment will meet relevant design noise goals to ensure noise from the site does not exceed the noise limits in Condition 12. The noise verification report shall:
- be prepared by an appropriately qualified and experienced noise expert;
 - be approved by the Secretary, prior to construction of the modification;
 - demonstrate that the location, design and operation of the modification would achieve the noise limits in Condition 12; and
 - if necessary, recommend, prioritise and implement measures to improve noise controls on-site to ensure the Project as modified meets the noise limits in Condition 12 and protects off-site receivers from excess noise.

Noise Validation

- 14N. Within 12 months of operation of each modification described in Schedule 2, Condition 2, the Proponent shall undertake noise validation monitoring to confirm noise from the modified site complies with the noise limits in Condition 12. The results of noise validation monitoring shall be included in the Annual Report required by Schedule 4, Condition 3. If the results of monitoring show any exceedance of the noise limits in Condition 12, the Proponent shall investigate and implement all reasonable and feasible noise mitigation measures to achieve compliance.

Note: If a modification does not require a design noise verification report or validation monitoring as required by Conditions 14M and 14N, the Proponent shall provide written justification to the satisfaction of the Secretary.

7. Inserting a new condition d) in Condition 26A as follows:
- describe the controls to be implemented to ensure plant, equipment and stockpiles do not become floating debris during flood events.
8. Inserting new Condition 22D after Condition 22C as follows:
- 22D. Within 3 months of the date of this modification, the Proponent shall provide evidence to the satisfaction of the Secretary, confirming the stormwater controls that have been implemented to manage runoff from the coal and woodchip stockpiles on the environmental farm.
9. Inserting new Conditions 26F and 26G after Condition 26E as follows:
- 26F. Prior to the commencement of construction of the modifications described in Schedule 2, Condition 2, the Proponent shall provide a structural engineer's report to the Secretary. The report shall demonstrate that the buildings and structures are designed from flood compatible materials and to withstand the forces of flood waters, debris and buoyancy forces up to the 0.2% Annual Exceedance Probability flood event.
- 26G. Within 2 months of the completion of construction of the modifications described in Schedule 2, Condition 2, the Proponent shall provide a structural engineer's report to the Secretary demonstrating that the buildings and structures have been constructed from flood compatible materials and are built to withstand the forces of flood waters, debris and buoyancy forces up to the 0.2% Annual Exceedance Probability flood event. The report shall also demonstrate the structures and stockpiles would not become floating debris during flood events.
10. Replacing Condition 43 with the following.

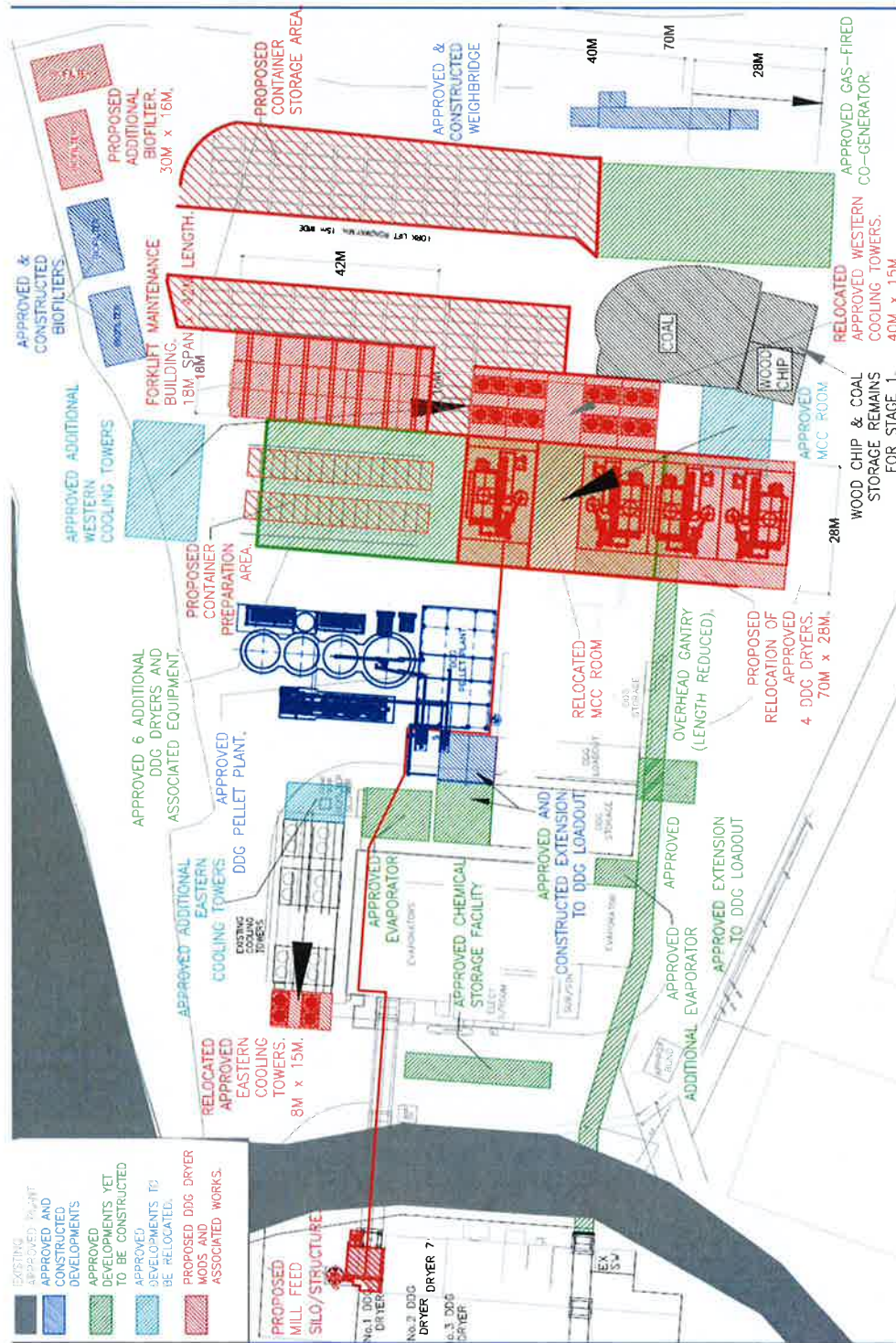
43. The Proponent shall update the Vegetation Management Plan for the project as modified. This plan must:
- a. be prepared in consultation with DPI and Council;
 - b. be approved by the Secretary prior to construction of each modification;
 - c. be prepared in accordance with *DWE's Guidelines for Controlled Activities – Vegetation Management Plans*; and
 - d. include:
 - a Landscape Plan for the project, which identifies screen plantings to minimise visual impacts, including additional planting between the DDG area and riverbank, and planting around the coal and woodchip stockpiles on the environmental farm;
 - detailed plans and procedures to:
 - restore and maintain the waterways and riparian zones of Shoalhaven River, Bomaderry Creek, Abernathy's Creek and Broughton Creek on the site;
 - manage weeds in the vicinity of the riparian zones;
 - integrate works into the proposed landscaping for the rest of the site;
 - manage impacts on fauna; and
 - monitor the performance of the proposed restoration works.

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

In the Appendices:

11. Inserting a new Appendix 2K after Appendix 2J as follows:

APPENDIX 2K – SITE PLANS (MP 06_0228 MOD 11)



Location of DDG Dryers, Cooling Towers, Container Storage and Forklift Maintenance Building



Regularise and Expand Existing Coal and Woodchip Storage on Environmental Farm