



## THIS PROCEEDING WAS CONDUCTED BY VIDEO CONFERENCE

MR A. HUTTON: Good afternoon and – and thank you and welcome. Thank you  
5 for making the time available to join – join us today. Before we begin, I would just  
like to acknowledge the traditional owners of the land on which we meet and I'd like  
to pay my respects to their Elders past, present and emerging. Welcome to the  
meeting today to discuss the application for Shoalhaven Starches Modification 17  
10 regarding changes to the site infrastructure and equipment, amendment of existing  
conditions and the use of woodchips as a fuel source. My name is Andrew Hutton. I  
am the Commissioner appointed to this application. Joining me from the office of  
the Commission is Ben Radford and Lindsey Blecher.

15 In the interests of openness and transparency, we'll ensure the full capture of today's  
information. The meeting will be recorded and a complete transcript will be  
produced and made available on the Commission's website. This meeting is one part  
of the Commission's decision-making process. It's taking place at the preliminary  
stage in this process and will – and will inform – and will be part 1 of several sources  
20 of information upon which the Commission will – will base its decision. It's  
important that I have the opportunity to ask questions of the attendees and to clarify  
any issues where – I consider to be appropriate.

If you are asked a question and you're not in a position to answer, feel – please feel  
25 free to take the question on notice and provide any additional information in writing  
which we will also put up on our website. To ensure the accuracy of the transcript, I  
request that all members today introduce themselves before we speak and every time  
that you wish to speak, just so we can capture names against voices, and for all  
members to ensure that they do not speak over each other as we go through the  
meeting. What I might do just in the interests of getting that transcript piece correct  
30 is just do a quick run through the group. If you don't mind, Chris, leading off with  
just your – I guess, your name and title and then we can move through into the  
proceedings.

MR C. RITCHIE: Yes. It's Chris Ritchie, Director of Industry Assessments within  
35 the Department of Planning, Industry and Environment. With me today I have  
Joanna Bakopanos who's a Team Leader in Industry Assessments, Shaun Williams,  
who's a Acting Senior Planner within Industry Assessments and also Doris Yau who  
is the Team Leader of our Hazards and Risk Advisory Team.

40 MR HUTTON: Thank you. Appreciate it, Chris. Thanks. Just before we begin, I –  
I would like to note that I was involved with the Mod 18 application which was  
recently approved which, whilst it's an entirely separate application, I have had the  
benefit of gaining a really good understanding of the project site through that  
determination process. And I think it's just worth noting that, you know, we have  
45 some good familiarity with the site and there'll be some crossover but I think that's  
just useful to note. What I – what I would like to do, if that's okay, is just throw

across to the department first just to talk us through, I guess, the slides that you have prepared.

5 And then any questions that drop out of that, we'll just work through as we discuss. And I have a – a couple of questions which there's every chance that you'll answer some of those as part of the presentation. If not, I'll just work through those separately at an appropriate time or after the presentation. So I might hand over to Shaun, I think, is it, just to walk us through those slides.

10 MR RITCHIE: Yes. So Chris Ritchie here. I'll – I'll give a quick introduction and then I'll – I'll hand over to Shaun.

MR HUTTON: Okay.

15 MR RITCHIE: So just as a – a way of introducing I just want to thank, again, the Commission for giving us the opportunity to brief you on Modification 17 to the Shoalhaven Starches Project approval. As – as you've outlined before, Commissioner, we have given you a detailed briefing with our previous modification only probably last month. So we – we've familiarised the Commission with some –  
20 some – some details in terms of the site itself and the environmental farm that's used to support the project. Noting the – the agenda for the meeting, we've sought to tailor a couple of slides to talk to some of those issues.

25 Noting that in terms of our assessment, some of the issues that we did focus on which we'll talk to through the slides, that came out as part of our assessment is – is – is always around hazards of risk and hazards of risk is always one that we want to make sure from a change point of view is still within the acceptable parameters of – of what the department and government requires in terms of hazards and risks.

30 MR HUTTON: Right.

MR RITCHIE: Bulk and scale is another issue in terms of the – the modification itself. There is quite an – an expansion to an aspect of the project. But, equally, what – what – what popped out in terms of the assessment itself was around a – an  
35 air quality issue which – which did arise and we want to walk the Commission through what – what our assessment found and what our recommendation is in that regard to – to seek to address and manage that moving forward. So in saying that, I'll hand over to Shaun now to run through the slides and the slides are geared at those agenda items. And, certainly, if there's questions that the Commission has,  
40 we'll answer them to the – to the best of our ability. Otherwise, we will take them on notice and – and – and report back.

MR HUTTON: That sounds – that sounds fantastic. Thanks.

45 MR S. WILLIAMS: Shaun speaking here. So as Andrew mentioned before, I think, in the Mod 18 meeting, we already went through quite extensively a bit of the site context. So I – I didn't add any of those slides in as I did last time because I thought

that those weren't essentially relevant today. So with the first slide, we can see just providing context of the site as we already know. If Lindsey could please move onto the second slide. So in the second slide, just a visual demonstration of where the key modifications are – are occurring on the site. So just running through quickly what –  
5 what's essentially happening.

The main bulk focus, I'd say, is the expansion of the product dryer building. In addition to that, we have some relocation of car parking, some changes to the sifter room extension building, some demolition of buildings as well and a couple of  
10 maintenance works to the starch 5 dryer. Things that you cannot see on the site that are occurring in this modification are changes to boiler fuel sourcing and some changes to noise validation. And if you could just pass on through to the third slide, please, Lindsey. So then this is the plan that was – that was showed – provided by the applicant demonstrating these changes on the site. And then if we could move,  
15 please, through to slide 4.

Again, another visual demonstration of just where these are occurring from. The perspective of a drone camera just to kind of see. So this left-hand corner where the location of the product dryer building, that's the – the main area of where things – of  
20 works are being undertaken as part of Mod 17. And again – with slide number 5, please, Lindsey – from another perspective, you can see in the top right-hand corner, again, that is the – the main area of – of interest for this Mod 17. Moving onto the next slide if you could, please. So as – as Chris mentioned there, one of the key issues with this modification application was air quality impacts.

One of the things that was demonstrated in the applicant's assessment was that there was an exceedance of PM10 that happened in the last quarter of monitoring and that exceedance occurred at commercial receiver C1 which you can see identified just  
30 north of the facility. So that was – that was essentially referred to EPA for their comments and review of the air quality impact assessment the applicant had provided. You may have seen in the assessment report towards the end of our assessment that we mention that EPA recognise that the – the modifications to the site particularly the alternate fuel source being used was not considered to be contributed directly to these exceedances.  
35

And 73 per cent of these exceedances was a result of other aspects on the site which has since been raised by the EPA and they are planning to amend the EPL or the Environmental Protection Licence of the facility to create a study, essentially, for the applicant to look at and find the direct sources of where these exceedances are  
40 happening and the methodologies to, essentially, improve the site. So EPA was satisfied with moving ahead.

MR HUTTON: Is that in the form of a PRP?

45 MR WILLIAMS: Hold on. Probably - - -

MR HUTTON: Pollution Reduction Program amended for the EPL. Is that ..... - - -

MR RITCHIE: It's Chris – Chris Ritchie here. I think at this stage, it's – it's an investigation - - -

MR HUTTON: Right.

5

MR RITCHIE: - - - into potentially what are the sources. I think I would say on the back of that, Commissioner, that if it's identified that there are some elements within the site, then it's likely then to turn into a PRP. But I think the objective at this stage is to do an investigation to work out where – where these things are coming from.

10 You know, it – it could be agricultural based or it could be part of the site itself.

MR HUTTON: Yes.

MR RITCHIE: I think then that would give them weight as to the appropriate course of action moving forward which then could be a PRP.

15

MR HUTTON: I understand.

MR WILLIAMS: That's correct. Original studies have – from the air quality assessment has indicated that it looks like the pellet plant which is just to the west of the – the western side of the facility is looking to be the main source of these concentrations at the moment. So that's not directly involved with this modification being the change of fuel sources for the boilers.

20

MR HUTTON: Yes. Shaun, am I correct in also understanding that there were some minor exceedances in odour in the assessment report in the – in the applicant's assessment – air quality impact assessment report but that the EPA were satisfied with – with that? Did I understand that correctly?

25

MR WILLIAMS: Andrew, yes, that – that is correct. Again, the – the issues with the odour were similar to the PM10s where they experienced higher quarterly monitoring results for similar circumstances and it was considered that the pellet plant again looked like to be the – the normal source.

30

MR HUTTON: Yes.

35

MR WILLIAMS: And I believe that a part of this study will also look into that – into the odour issues as well.

MR HUTTON: Yes. So this is in addition to the proposition that a condition be included which talks about the – the post-commissioning verification monitoring which is effectively looking at the same sorts of aspects, is my understanding.

40

MR WILLIAMS: The – the post-commissioning deals mainly with the PAH and VOC concentrations which - - -

45

MR HUTTON: Okay.

MR WILLIAMS: Which they did note there were some increases in the emissions but those would still remain well below the impact assessment criteria. So - - -

MR HUTTON: Yes.

5

MR WILLIAMS: Yes.

MR HUTTON: Okay. So to be clear then, the inclusion of 9I does not refer to PM10 or over. That's been handled under the – the process with the EPA.

10

MR WILLIAMS: Yes. So the – the PM10 is being – will be handled – the PM10 issues that have been identified from the pellet plant are going to be handled through the EPL by the EPA.

15

MR HUTTON: Okay.

MR RITCHIE: Chris here again. So one of the challenges in terms of conditioning as part of a mod is it's – it has to be, from a legal point of view, related to what the application's seeking. So in this instance, given the ability of the licence to, you know, require more amenable changes through directions of the EPA, then it's – we agree that it's probably – it would be best to deal with this through a licence investigation because, technically, Mod 17 is unlikely to be the reason why this issues – this issue has occurred or been identified.

20

25

MR HUTTON: Yes, I understand. Yes. Carry on. Yes.

MR WILLIAMS: So if we – if we could just move onto slide – slide 7, please, Lindsey. Yes. So again looking at slide 7, this – this picture basically demonstrates the – the extension of the product dryer building which, again, as I've mentioned, is the main focus, I suppose, visually of – of this modification. And I know that in the agenda item that you've talked about the – the bulk and scale potentially being a concern of the IPC. I think that for the department, the applicant provided a sufficient visual impact assessment in – in their SEE - - -

30

35

MR HUTTON: Yes.

MR WILLIAMS: - - - that the department considered was satisfactory. I think, additionally, even though the – the extension – it is quite extensive from the original approval, the – where the sitting of – of the building and the overall context of the site, we felt that the bulk and scale did not exceed, either vertically or horizontally, the building line of the total facility.

40

MR HUTTON: Yes.

45

MR WILLIAMS: And we – we considered it to be consistent with what was already existing. So we didn't believe that, I suppose, any further visual measures or anything were necessary in this instance.

MR HUTTON: Yes. Okay. Thank you.

MR WILLIAMS: If we could just please move through the rest of the slides. Yes.  
So there – again, here’s another visual identification of that – that product building.  
5 Moving onto - - -

MR HUTTON: Could – just by way of clarification, I was looking at a figure – bear  
with me – which is proposed to be included as an appendix to the conditions. The  
figure I’m referring to is MN6927-005 which is called Mod 17 Proposal Site  
10 Elevation. So that’s a – there we go. That’s it.

MR WILLIAMS: Yes. That’s on the screen. Yes. So I think this – this – as I  
mentioned, kind of demonstrates that as the building is located in the centre, I think  
that if – if the – the building extension was located either to the west or east outside  
15 the facility - - -

MR HUTTON: Yes.

MR WILLIAMS: - - - then there is, kind of, a bit of room to say, “Hey, maybe there  
20 is – should be a bit more consideration to the visual impacts.” But as the bulk and  
scale occurs within the extent of the facility that’s already existing, we didn’t believe  
any further consideration was necessary.

MR HUTTON: Is that figure but a – is there a cross-section through the  
25 development? Or is that just a series of buildings stacked to demonstrate elevation?  
It was a bit unclear to me whether the intent was to demonstrate it as a cross-section  
or - - -

MR WILLIAMS: It’s – it’s an – it is an elevation. On my understanding it is – it is  
30 not a direct cross-section but the – the extent of the site facility is it is quite narrow  
from – from – so it’s not as if that – the density is quite contained within that area  
- - -

MR HUTTON: Yes.  
35

MR WILLIAMS: - - - if that makes sense.

MR HUTTON: But this doesn’t represent me standing to the north or to the south  
40 looking back at the development to understand what the – the location of each  
building necessarily.

MR WILLIAMS: Understood. So – so if you look to the – to the right – the right of  
those buildings, that effectively is the – the eastern side. So we’re essentially – is  
we’re south of the development is our viewpoint.  
45

MR HUTTON: Yes. Okay.

MR WILLIAMS: From the river. Yes.

MR HUTTON: Okay. Thank you.

5 MR WILLIAMS: And if we could just move through the slides further. So, again, we're just – just going through some of the other aspects in the modification. So this is just a – a service conduit which they're proposing to make above ground and then dip below, which occurs just to the north side of the product dryer building.

10 MR HUTTON: Yes. Quick question, sorry, Shaun. The – under the road, that – that's an existing conduit opportunity or are we talking about excavation to construct the trench and – and go across? Just as a – a general question.

MR WILLIAMS: My understanding is it's existing. They've just – so the left-hand  
15 portion is being raised above ground.

MR HUTTON: Yes. Yes. Okay.

MR WILLIAMS: Yes. Anyway, if we just move through there's another top down  
20 - - -

MR HUTTON: Yes.

MR WILLIAMS: - - - representation of that. And I think - - -  
25

MR HUTTON: Yes.

MR WILLIAMS: Yes. Sorry, Andrew?

30 MR HUTTON: No, that's good. Thank you. I'm just acknowledging the slide.

MR WILLIAMS: Yes. Okay. And then I think we have one more slide left, if I'm  
right. Yes. And then so this is just the sifter room building which is just a – just a  
small extension to that sifter. One of the – the buildings which is just located just to  
35 the north-east of the product dryer building.

MR HUTTON: Right.

MR WILLIAMS: Okay. So, yes, that – that's all of the slides that we have just to  
40 demonstrate the extent of the modifications. I suppose, the – we'll throw it over back  
to the IPC to – to run through any further questions that they may have.

MR HUTTON: Just a couple of minor questions, I guess, just more about  
clarification than anything in particular. I just wanted to go back to that – to the  
45 proposed condition 9I and in – in that, it nominates – knowing that it's around PAH  
and – and VOC, it nominates a period of eight months after commissioning. Was  
there any – how is that period determined? Why was it not six months? Why was it

not 12 months or – or immediately after? I'm just interested in that eight month – nomination of the eight months.

5 MR WILLIAMS: So that condition was a recommended condition by the EPA and they nominated eight months.

MR HUTTON: Okay.

10 MR WILLIAMS: So that – that's essentially why. EPA being the expertise on that matter, we believed the eight months would've been suitable.

15 MR HUTTON: Yes. That – that sounds fine. The – the scenario where it is found that the monitoring does not comply and there's – I know there's a condition proposed at 9J where it requests that reasonable and feasible measures will be employed to, I guess, respond during non-compliances. What – what do you expect they would be in the circumstance that there was a non-compliance? So are we talking about engineering? Are we talking about fuel source? What – what are the sort of measures that you have in mind or – or is that perhaps a question for the applicant?

20 MR WILLIAMS: Well – so with the existing consent, they do have air – they do have air quality auditing required. And just – just going back further about the – the issue that we – we mentioned with the exceedance, I've already raised that with their air quality auditor to – to look into potential impacts with the pellet plant.

25 MR HUTTON: Yes.

30 MR WILLIAMS: So with the auditing program, basically, they can identify that these – these limits are not being met and there are issues. Then it can open up the opportunity for, potentially, further modifications to implement – improve technologies - - -

MR HUTTON: Yes.

35 MR WILLIAMS: - - - new mitigation measures to improve the facility and make sure they're within those criterias.

MR HUTTON: Yes.

40 MR RITCHIE: And – sorry, Chris here from Planning. Commissioner, it might come down to also what's identified in that monitoring whether it's, you know, an engineering opportunity to put more controls within the emissions or whether it's a fuel mix issue.

45 MR HUTTON: Yes.

MR RITCHIE: So I would say, you know, we can take that on notice and probably try and get some more examples of what that might be but, to a degree, it might be a matter of what comes out of – of the actual investigation.

5 MR HUTTON: Yes.

MR RITCHIE: But we can take that away and get some more information.

10 MR HUTTON: Yes, I think so. But, Chris, I'm going to ask the applicant shortly as well so there may be an opportunity to have some explanation from their experience as well just to – a quick question then around the preliminary hazard assessment. There's a couple of paragraphs or sentences in the DAR that talk to engaging with Fire and Rescue and that they sought clarification regarding the proposed bulk chemical storage and the proposed measures that were put in – that were going to be  
15 put in place. And it does identify that the applicant may have provided a response to Fire and Rescue on the 28<sup>th</sup> of July, but I'm not – I haven't seen yet a response from Fire and Rescue. Are you aware of any response from them in relation to that additional information that was provided and, therefore, to demonstrate that they are satisfied that that's been addressed adequately?

20

MR WILLIAMS: Andrew, Shaun speaking. Yes, I did receive email confirmation from Fire and Rescue New South Wales that they were satisfied, which I can pass through to – to Lindsey after this meeting, a copy of that - - -

25 MR HUTTON: Yes. That - - -

MR WILLIAMS: That email.

30 MR HUTTON: Yes. That would be great. I also note in the – in the PHA response 636, that the department were satisfied which is – which is great and that it demonstrates that the – that the site can comply. But it talks about:

*...based on the information provided and assuming all safeguards are in place and maintained –*

35

What sort of safeguards are we talking about there and then can you talk to what that maintenance might be? Or is it maintained in place? Or is there some sort of maintenance regime? Or, again, is that a question that I might ask the applicant?

40 MS D. YAU: Doris here. This statement basically is – is a precautionary statement because the risk from the site itself require a set of maintainers that continually monitoring what is happening on the site. So then the safeguard, basically along the way from – from the first Mod to – up to now, they – it's – it has been extensively reported in – in the PHA in one of the appendix I think – I believe is appendix A.  
45 There's a hazard identification table which detail what is – what sort safeguard there are. Particularly for applying for this Mod they have identified they will have a dust

explosion vent and – which require maintenance. They need to check whether it's been installed properly and all that.

5 And then they will install fire rated walls surrounding the dryer 9, basically, that –  
that need to be installed and verified and built in accordance with a certain set of  
requirement. And then – so this type of detail basically we will expect the applicant  
to – to confirm that that's been done and checked at – in – as part of the hazard audit  
10 requirement that is one of the condition. And also in ..... they probably will come  
back and saying that everything has been reported and the PHA will be implemented  
or has been implemented. So instead of elaborate in full detail what they say, this is  
more like – it's like expectation for them to continue doing what are – what they  
supposed to do.

15 MR HUTTON: Yes. Yes. But as I understand it, there's a – the conditions will  
capture – will capture that and there'll be a verification process to close that out.

MS YAU: Yes.

20 MR HUTTON: I guess I understand also that, you know, there may be other  
safeguards that will come along in the future that are an appropriate technology that  
will go on to constrain, I guess, the site. So I – I – I get that. Okay. Thank you,  
Doris. That's – that's appreciated. Thank you.

25 MS YAU: That's all right.

MR HUTTON: The – just a little bit of commentary from the department around  
the proposal to move away from the individual noise source ..... a plant criteria. I  
understand what's – you know, what's proposed. I guess I was just trying to get any  
30 comments from you, as in the department, I note you're – you're comfortable with  
that in the DAR but I was just keen to understand whether there's any – any  
background other than, I guess, the – the scenario of trying to achieve a – a criteria  
for the development rather than the individual point source. Does the department  
have any comment around that proposal or comments around that condition or  
proposal?

35 MR WILLIAMS: Yes. Shaun speaking. So just to provide a bit of context and  
what happened with the – the noise auditing validation. So that originally – noise  
validation report came in for Mod 16 originally back towards the end of 2019.

40 MR HUTTON: Yes.

MR WILLIAMS: And it noted that one of those – one of the eight exhaust fans  
which had a different design fan – an improved design fan was recording a dBA of  
45 68 instead of the required 65.

MR HUTTON: Yes.

MR WILLIAMS: So, essentially, that formed a part of the reasoning for this inclusion in this modification application. So with – with the original Mod 16 assessment, the – the intent, essentially, of those conditions was to make sure that all eight fans would be below a dBA of 74, if I'm correct. So in the acoustic assessment  
5 for – for Mod 17, what they've determined is that with all eight exhaust fans operating with seven of them achieving the 65 and one 68, they would still be below the 74 dB which was the original intention.

MR HUTTON: Yes.  
10

MR WILLIAMS: So, therefore, considering that the impacts were – were going – were not going to be largely obtrusive to residential receptors.

MR HUTTON: Yes. Yes. But the 68 is in – is slightly higher than the current  
15 criteria that was linked to Mod 15.

MR WILLIAMS: Mod 16, I believe it was.

MR HUTTON: Yes. Yes. But – but – so, therefore, the net result is that ..... is that, regardless, the combination of those point noise sources won't exceed 74, so – okay, I understand that now. That's good.  
20

MR WILLIAMS: Yes. So the – by – by – so by requiring all exhaust fans to have a dB of 65 was an intent to make sure that they would be with – under that 74.  
25

MR HUTTON: Yes.

MR WILLIAMS: But they've been able to demonstrate that even with the one fan operating at 68, they would still be under the 74 dB - - -  
30

MR HUTTON: Yes.

MR WILLIAMS: - - - which is why we have then been comfortable to allow it. And EPA again also provided no issues of concern with this – this proposal.  
35

MR HUTTON: I know that. Thank you, Shaun. That's a good explanation. My final question is just in relation to the car park. There's just a little bit of – on one of the figures – I'm not sure whether you've got the figure that showed the car park in the slides ..... drawing rather than the – yes. It talks about 175. Area 3 car park total  
40 – new total of 175 spaces and, yet, we're talking about bringing, I think it was 44 or 48 across and then an additional 107. I just couldn't get that to – to add up. So are you able to clarify the combination of car parks to come from – that are to be transferred across plus additional in the context of that 175 on that figure?

MR WILLIAMS: Yes. Shaun speaking. Yes. The – I mean, the clarity I think of that figure makes it quite confusing. I rely mainly upon the SEE that they provided  
45

about determining what was happening with the car parking figures. From my understanding, there's going to be a net increase of 117 new car parking spaces.

MR HUTTON: Yes.

5

MR WILLIAMS: So it would be 48 from the existing brought across as well and then 117 the new as well.

MR HUTTON: Yes.

10

MR WILLIAMS: So I think that if they do have 175, I think that that number might be off - - -

MR HUTTON: Yes.

15

MR WILLIAMS: - - - on that - on that plan which - if that's the case, we can get the - the applicant to quickly revise that to the correct number.

MR HUTTON: I think that's probably the - the solution just to get the consistency, given that that figure is intended to be attached as an appendix to the .....

20

MR WILLIAMS: It's the - - -

MR HUTTON: Yes. So that's fine. I - I just - was just doing some quick calcs and couldn't get the numbers to add up but that clarification has been helpful. The last question in relation to the car park just relates to this question of current land use versus proposed land use. I understand the existing site is - is - or part of it to the south adjacent to Bolong Road is a car park, but to the north is currently farming land, as I understand it, but that it is entirely within the site that is approved for development. Could you talk to that, Shaun?

25

30

MR WILLIAMS: From my understanding, it is - it is with - entirely within the site as you mentioned. North of that, I believe, is part of the environmental farms, that's correct. I - I may need to get more information and come back to you, though, on that matter.

35

MR RITCHIE: Chris here from Planning. I'm pretty sure as Shaun's saying, it's part of the environmental farm which is that 1000 hectare - - -

MR HUTTON: Yes.

40

MR RITCHIE: - - - property to the north.

MR HUTTON: Yes.

45

MR RITCHIE: But we - we will confirm that and report back to the Commission.

MR HUTTON: Yes. If we could just have that confirmed, that would be helpful.  
All right. Well, look, I – I'm – I'm happy with that. I guess, obviously, you've had  
the benefit of previous briefing in 18 and I appreciate the department's time to pull  
together those slides and – and drawings today to talk through that. I don't have any  
5 further questions. So on that basis I think I might thank you again and I might close  
the meeting. Thank you.

MR WILLIAMS: Thank you very much.

10 MR HUTTON: Thanks. Cheers.

MR RITCHIE: Thank you, all.

MS YAU: Thank you, all.  
15

MS J. BAKOPANOS: Thanks.

**MEETING CLOSED at 11.37 am**