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Shoalhaven Starches Expansion Project
Independent Environmental Audit
Project Approval 06_0228

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Independent Environmental Audit

Project Approval 06_0228

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DOCUMENT CONTROL

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EXECUTIVE SUMMARY

SLR Consulting Australia Pty Ltd (SLR) was commissioned by Shoalhaven Starches Pty Ltd (Shoalhaven Starches) to undertake this independent environmental audit of compliance as required under Project Approval 06_0228 approved on 28 January 2009.

Of the 76 conditions audited, Shoalhaven Starches were found to have complied with 37 conditions, and not complied with 26 conditions. 13 conditions were not able to be assessed at the time of the audit as the requirements had not been triggered.

The non-compliances were considered by the auditor to generally be *technical non-compliances*. That is, they were not issues or incidents that had caused environmental harm, or had the potential for causing environmental harm, rather they were as a result of breakdowns in the approval management system. Only one of the 26 non-compliances found was a result of an actual environmental incident (minor exceedance of noise limit).

The site visit showed that the site is operating in an efficient and effective manner with no elements of operations presenting a direct threat of environmental harm.

DEFINITIONS

Compliance:	There is sufficient and appropriate evidence to demonstrate the particular requirement has been complied with
Non-compliance:	There is not sufficient and appropriate evidence to demonstrate all elements of the particular requirement have been complied with
Inability to be determined:	This condition was not auditable at the time of the audit. It may have not been triggered, for example.

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1 INTRODUCTION

SLR Consulting Australia Pty Ltd (SLR) was commissioned by Shoalhaven Starches Pty Ltd (Shoalhaven Starches) to undertake this independent environmental audit of compliance as required under Project Approval 06_0228 approved on 28 January 2009.

This independent audit was conducted in accordance with conditions prescribed in Schedule 4 of the Project Approval. Condition 4 of Schedule 4 states:

4. *Within 12 months of the commencement of operations and every three years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. The audit must:*
 - a) *be conducted by a suitable qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General.*
 - b) *be undertaken in consultation with OEH, DWE and Council.*
 - c) *assess the environmental performance of the project and undertake any works necessary to determine whether it is complying with the relevant standard, performance measures and statutory requirements.*
 - d) *review the adequacy of any strategy/plan/program required under this approval and if necessary.*
 - e) *recommend measures or actions to improve the environmental performance of the project and/or any strategy/plan/program required under this approval.*

The scope of the audit included the following conditions:

- 1 Schedule 2 – Administrative Conditions
- 2 Schedule 3 – Specific Environmental Conditions
- 3 Schedule 4 – Environmental Management, Reporting and Auditing

The audit included a desktop review and a two day site visit. The site component of the audit was undertaken by Jon Panic, an RABQSA accredited Lead Auditor (and approved by the Department of Planning), on 26th and 27th August 2013 and involved a walk-around of the entire site whilst accompanied by a member of Shoalhaven Starches staff.

Table 1 lists the personnel interviewed during the site visit component of the audit.

Table 1 Personnel Interviewed During the Audit

Name	Title
John Studdert	Quality Assurance & Environmental Coordinator
Brian Hanley	Energy & Sustainability Manager
TBC Daniel Odempsey	Maintenance Planner

1.1 Stakeholder consultation

The auditor contacted the following stakeholders informing them that the audit was being undertaken and requesting any input relating to environmental management at the site, or Shoalhaven Starches compliance with their approval more broadly:

- Shoalhaven City Council

- NSW Environment Protection Authority
- Department of Primary Industries Office of Water

The Department of Planning were consulted in the preparation of the approach to the audit and provided approval for the intended approach.

1.2 Limitations

This report has been prepared for Shoalhaven Starches to fulfil the requirements of the Independent Environmental Audit as specified in the Project Approval.

The scope of the audit, and subsequent report was limited and should not be used for any purpose other than that described above.

The following should be taken into account when reading and using this report:

- 1 A site visit was undertaken during this audit, the purpose of which was to familiarise the auditors with the site layout, site conditions and natural environment. Whilst the auditors requested to be shown all features of the sites that are impacted (environmentally) by the operations, the auditors have relied on information provided by Shoalhaven Starches representatives during these site visits, including the selection of the areas of the site for the site inspection.
- 2 Shoalhaven Starches provided at their sole discretion all of the documentation that has been accessible to the auditors. The auditors have relied on the information and documentation provided and have relied on Shoalhaven Starches to provide all relevant and pertinent information. It should be noted that the range of documentation provided may not have included all of the relevant environmental related records held. The auditors asked to receive all relevant documentation. The auditors have not had the opportunity to verify any of the information provided nor have they had the opportunity to consult with any party other than Shoalhaven Starches' nominated representatives during this audit.

2 AUDIT FINDINGS

2.1 Summary of Audit Findings

Table 2 shows a summary of the findings of this audit.

Table 2 Summary Table of Compliance with 06_0228

Schedule	Conditions Audited	Compliance	Inability to be determined	Non-Compliance
Schedule 2	14	9	1	4
Schedule 3	54	27	9	18
Schedule 4	8	1	3	4
Total	76	37	13	26

Table 3 below presents a summary of the non-compliances and the relevant comments and recommendations for each.

Table 3 Non-compliances

Schedule	Condition	Requirement (Summary)	Auditors comment	Auditors recommendation
2	4	The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of any reports, plans, strategies, programs or correspondence...	<p>There were some instances where the Proponent was unable to demonstrate full compliance with a requirement by the Director General.</p> <p>It was considered that these were generally minor issues that reflected management system breakdown rather than on any broader suggestion of inaction. That is, the auditor considered that Shoalhaven Starches generally endeavoured to comply with reasonable requirement/s of the</p>	<p>Ensure all requirements issued by the Director-General are fully complied with.</p> <p>Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.</p>

Schedule	Condition	Requirement (Summary)	Auditors comment	Auditors recommendation
			Director-General.	
	6	The Proponent must not produce on site: a) more than 265,000 tonnes of industrial grade flour per year; and b) more than 300 million litres of ethanol per year, subject to (2) below...	Production of ethanol was increased above the volumes permitted in the staged approval	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
	7	The Proponent may apply to the Director-General for approval to increase ethanol production up to the rate of 200 million litres of ethanol a year on site if – a) the mandatory odour controls listed in Appendix 3 to this Approval have been implemented...	Production of ethanol was increased above the volumes permitted in the staged approval.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
	8A	Within 2 months of the date of the approval of MP 06_0228 MOD 2, the Proponent shall: a) obtain and provide copies to the Director-General all necessary building certificate(s) from Shoalhaven City Council....	The required information was not provided to the Director-General	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
3	1	The Proponent shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.	Offensive odours were detected emanating from Pond 4 due to a pond cover not being in place.	Ensure odour management controls are implemented, maintained in working order, and meet Director-General or EPA requirements.
	4A	Prior to increasing ethanol production the Odour Management Plan for the project must be updated to the satisfaction of the Director General to include the additional Appendix 3 mandatory odour controls specified in the modification approval MOD 1 – Deletion of DDG Pelletiser.	No evidence that the revised plan has been endorsed by the Director General.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
	6	Within 6 weeks of the completion of this audit, the Proponent shall submit a copy of the audit report to both OEH and the Department with a response to any recommendations contained in the audit report.	No evidence of submission to the Director-General with response to recommendations.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
	10	The Proponent shall prepare and implement an Air Quality Monitoring Program for the project to the satisfaction of the Director-General	Evidence of consultation with OEH for this procedure was not provided.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
	12	The Proponent shall ensure that noise from the project does not exceed the noise limits in Table 2.	One instance was recorded in which Shoalhaven Starches did not comply with the noise limits in Table 2	Ensure noise management controls are implemented, maintained, and hours of operation are adhered to.
	14	The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Director-General.	The plan was not initially submitted within 3 months of the approval.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.

Schedule	Condition	Requirement (Summary)	Auditors comment	Auditors recommendation
22		The Proponent shall prepare and implement a Stormwater Management Plan for the project to the satisfaction of the Director-General	The plan was prepared to the satisfaction of the Director-General, however record of Council consultation was not kept.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
27A		The Proponent shall provide works-as-executed plans to the Director-General and Council...	The original plans were submitted to the Director-General by 31 October 2012, however not to Council. Discussions are currently underway to finalise the requirements of this condition	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
27C		The Proponent shall remove the informal access point located to the east of Access Point 1 and reinstate the road verge to the satisfaction of Council, by the end of April 2013.	Whilst the works have been undertaken as required by the condition, no evidence of Council satisfaction was provided.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
31		The Proponent shall: a) ensure that all internal roads and parking on site complies with AS2890.1:2004 and AS2890.2:2002, or their latest versions; b) construct at least 60 new parking spaces on the factory site, in accordance with the plans in Appendix 2C, by the end of April 2013.; and c) construct at least 30 new parking spaces at the proposed packing plant prior to the commencement of operations at the plant, to the satisfaction of the Director-General.	Works are not currently in compliance with the requirements of this condition, however approval has been requested from Council that internal roads/parking not be required to meet AS2890.1:2004 and AS2890.2:2002, or their latest versions.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed. Where necessary seek approval for extension of time for compliance requirements when a requirement is first identified as having potential for modification.
35		The Proponent shall implement all reasonable and feasible recommendations in the rail level crossing safety assessment to the satisfaction of the Director-General.	Evidence of Director-General satisfaction of the implementation of these works has not been obtained.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
36		The Proponent shall prepare and implement a Construction Safety Study in accordance with the Department's Hazardous Industry Planning Advisory Paper No.7 - Construction Safety Guidelines, for the Project to the satisfaction of the Director-General.	An initial study has been submitted, however an addendum required by the Director-General has not yet been provided.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
37A		The Proponent shall prepare and implement a Construction Safety Study in accordance with the Department's Hazardous Industry Planning Advisory Paper No.7 - Construction Safety Guidelines, for MP 06_0228 MOD 2 to the satisfaction of the Director-General	The Study was not updated as required.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.

Schedule	Condition	Requirement (Summary)	Auditors comment	Auditors recommendation
	38	The Proponent shall prepare and implement the following to the satisfaction of the Director-General: a) an updated Fire Safety Study for the project as modified by MP 06_0228 MOD 2 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...	Requirements (a) and (e) were not updated as required for MOD 2. Revised dates for new submissions have now been agreed with planning	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
	39A	The Proponent shall prepare and implement the following to the satisfaction of the Director-General: a) a Hazard and Operability Study for MP 06_0228 MOD 2. b) a Final Hazards Analysis (FHA) for MP 06_0228 MOD 2	Studies not updated prior to commissioning. The studies are being updated but have not yet been completed.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
	39B	Twelve months after the commencement of operations of MP 06_0228 MOD 2 and every three years thereafter, or at such intervals as the Director General may agree, the Proponent shall carry out a comprehensive Hazard Audit of the project as modified by MP 06_0228 MOD 2...	The audit has not yet been undertaken.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
	43	The Proponent shall prepare and implement a Vegetation Management Plan for the project to the satisfaction of the Director-General.	Whilst the plan has been developed and approved by the Director-General, the requirement to submit annual reports detailing the implementation of the plan has not been met each year.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
	44	The Proponent shall, to the satisfaction of the Director-General, ensure that a) all landscaping works proposed in the Landscape Plan/s in Appendix 2B of this approval are completed within 6 months of the date of approval of MP 06_0228 MOD 2 in consultation with Council; b) the Landscape Plan/s in Appendix 2B of this approval are incorporated into the approved Landscaping and Vegetation Management Plan for the project; and c) suitable measures are in place and detailed in the Landscaping and Vegetation Management Plan to ensure vegetation at the site is maintained for the life of the project.	The landscaping works were not completed within the required timeframe. It is noted that the construction works are not yet completed, and it is therefore not practical to complete the works in all areas.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
4	2	The Proponent shall notify the Director-General of any incidents associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Director-General with a detailed written report on the incident, and any action that has subsequently been taken in relation to this incident.	Only one incident has been reported to the Director-General; notification to the Director-General was not provided within 7 days of the date of the incident.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.

Schedule	Condition	Requirement (Summary)	Auditors comment	Auditors recommendation
3		The Proponent shall submit an Annual Report to the Director-General and other relevant agencies.	The reports required by this condition are not being submitted.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
5A		<p>Within 3 months of:</p> <p>a) a modification to this approval; and/or</p> <p>b) any audit required under this approval,</p> <p>the Proponent must review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Director-General.</p> <p>Note: this is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</p>	Evidence of all plans being reviewed and revised following modifications to this approval were not available.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.
6		<p>Within 3 months of the approval of any strategy / plan / program required under this approval (or any subsequent revision of these strategies / plans / programs), or the completion of the audits or annual reports required under this approval, the Proponent shall provide a copy of the relevant documents/data to:</p> <p>a) the relevant agencies, and</p> <p>b) any interested party upon request.</p>	Not all finalised plans were submitted to the relevant stakeholders as required.	Revise the Shoalhaven Starches EMS to ensure that compliance requirements are more effectively managed.

2.2 Stakeholder consultation

2.2.1 Shoalhaven City Council

John Brit, Part 3A Coordinator at Shoalhaven City Council, provided a response:

Council cannot provide any issues that you will address for the Independent Audit.

Mr Brit also noted the considerable upgrades being undertaken in response to a history of odour complaints.

Robert Russel, Development Services Manager at Shoalhaven City Council, also provided a response, including comment provided by a member of his team Andrew Gibbes, Council's Senior Environmental Health Officer:

The three main environmental problems I am aware of are:

- 1. the perennial odour problem*
- 2. the need to ensure chemical storage bunding. There have been spills in the past from the fermentation process and*
- 3. Coal wash use on the farm which has been the subject of complaints.*

Mr Russel also stated that

The only other current matter relates to documenting works as executed plans for the required road works in Bolong Road and Hannigans Lane. We are meeting with Brian Hanley next week to sort through these requirements. No W as EX (Works as executed) plans have been received to date. The provision of appropriately constructed on-site car parking will also be discussed in accordance with Starches approval requirements.

2.2.2 NSW EPA

EPA Officer, Mr Stefan Press echoed the comments of Council, also stating that whilst there had been historical odour issues, the EPA was largely satisfied with the response by Shoalhaven Starches. The EPA will in the future focus on stormwater management and the management of the use of retentate (from the wastewater treatment plant) in irrigated water for the potential for salt build up in the irrigated soils.

2.2.3 Department of Primary Industries Office of Water

David Zerafa, Senior Water Regulation Officer provided the following response:

Our only input has been in relation to specific activities where they were related to works within 40m of the river or Abernethy's Creek. To my knowledge there haven't been any activities on waterfront land that have been carried out inappropriately.

Mr Zerafa also commented that the Department would hope to see ongoing improvements made to the riparian zones.

3 CONCLUSION

Of the 76 conditions audited, Shoalhaven Starches were found to have complied with 37 conditions, and not complied with 26 conditions. 13 conditions were not able to be assessed at the time of the audit as the requirements had not been triggered.

The non-compliances were considered by the auditor to generally be *technical non-compliances*. That is, they were not issues or incidents that had caused environmental harm, or generally had the potential for causing environmental harm, rather they were a result of breakdowns in the approval / compliance management system. Only one of the 26 non-compliances found was a result of an actual environmental incident (minor exceedance of noise limit).

Condition 4 of Schedule 4 included a requirement for this audit to review the adequacy of any strategy/plan/program required under this approval. In agreement with Department of Planning this audit only sought to review the adequacy of those plans that related to environmental issues not being adequately managed. As there were no specific environmental issues considered to be inadequately managed, this detailed review was not required. Notwithstanding this, a key finding of this audit has been a need for Shoalhaven Starches to address its broader environmental management system, specifically in the context of document management, records retention, approvals / compliance management and stakeholder consultation.

The site visit showed that the site is operating in an efficient and effective manner with no elements of operations presenting a direct threat of environmental harm. There is room for improvement in the storage and management of containers and chemical drums, with a number of these not adequately banded. It is noted however these were generally within the internal drainage system that would ensure any spill is captured and processed by the water treatment plant.

One stormwater detention area in the northwest section of the site is considered to require an upgrade; the auditor was informed that this was already planned.

3.1 Stakeholder consultation

Comments received from Shoalhaven City Council suggest that there are historical issues, including odour and chemical bunding, which have been of concern; although the auditor understands that there have been no recent odour complaints, nor have there been any spill incidents, suggesting these matters now better managed than in the past. Council's Part 3A Coordinator and EPA Officer Stefan Press both acknowledged this improvement when noting the upgrades undertaken in response to the historical odour complaints.

The only current issue of concern raised by Council centred on the finalising of the Works-as-executed plans for the road works in Bolong Road and Hannigans Lane, which the auditor is advised is underway.

Comments received from the Department of Primary Industries suggest that there are no major issues, however there is an expectation for continued improvement in the revegetation and management of the riparian zones on site.

3.2 Recommendations

The following recommendations are made to assist in responding to the issues raised in this audit.

Table 4 Audit recommendations

Recommendation	Justification
Revise the Shoalhaven Starches EMS to ensure that	A number of non-compliances raised in this audit

Recommendation	Justification
compliance requirements are more effectively managed.	could have been avoided by the implementation of a more effective management system. The document management, corrective action and record keeping requirements of a certified EMS would likely have contributed to Shoalhaven Starches complying with requirements including: <ul style="list-style-type: none"> • Gaining departmental approval for use of specialist consultants • Maintaining records of consultation with stakeholders • Obtaining extensions for approval requirements when it is reasonable to do so (e.g. construction timing is revised) • Maintaining records of written approval for plans, strategies and other documents • Meet the requirements of ongoing or changing reporting requests (e.g. by the Director-General)
Submit the annual returns that currently go to the EPA to the Director-General also, with any additional information required to comply with this condition, and others in the consent that stipulate annual reporting.	An annual report must be submitted to the Director-General, in order to minimise the impact of additional reporting requirements, it is suggested that the Proponent submit a copy the EPA Annual Return (with modifications if necessary)
Ensure odour management controls are implemented, maintained in working order, and meet Director-General or EPA requirements.	Odour remains one of the key environmental issues of concern for the stakeholders and the local community.
Ensure noise management controls are implemented, maintained, and hours of operation are adhered to.	Noise is a key environmental issue of concern for the stakeholders and the local community.

3.3 Opportunities for improvement

The following additional opportunities for improvement are suggested for consideration by Shoalhaven Starches to aid in environmental management on site and reducing the risk for potential environmental harm.

Table 5 Opportunities for improvement

Opportunity	Justification
Add an additional layer to the maintenance system so logged maintenance issues which have the potential to harm the environment can be 'flagged' to ensure the plant or equipment is not used prior to its repair	Ensuring that maintenance issues that have the potential to cause environmental harm are correctly managed will reduce the risk of these causing environmental harm This system would also provide evidence to the Director-General or other interested stakeholders that Shoalhaven Starches are aware of particular issues and have a program for rectifying them should an incident occur. For example, if an odour control device developed a mechanical fault which resulted in the emission of offensive odours two or three days after development of the fault, demonstration (by records) that the fault was known and a program was in place to rectify it may result in a more favourable view of the incident by the Director-General and / or the EPA .
Ensure all chemicals are stored in bunded areas regardless of whether they are stored within the broader internal drainage system that drains to the waste water treatment plant.	Whilst housekeeping across the site was generally of a good standard, there were a small number of areas that could be improved.

Opportunity	Justification
Improve the housekeeping in the northwest section of the site where a number of drums and containers are stored haphazardly.	
Upgrade the storm water detention basin in the northwest section of the site.	The storm water detention basin requires upgrade as it did not appear capable of minimising pollutant load in stormwater leaving site.
Continue to liaise with the Department of Primary Industries Office of Water on the revegetation of the riparian zones on site.	The auditor acknowledges the work that has already been done in this regard, and suggests that continued liaison with the Department is required to ensure that the program for continued revegetation is carried out to their satisfaction.
Revise the relevant section of the Shoalhaven Starches management systems to ensure that training requirements are correctly documented and records of completion of training are kept for training carried out to meet compliance requirements	Whilst environmental management across the site was considered to be of a good standard, a lack of records meant that Shoalhaven Starches are currently unable to demonstrate that staff have been trained in the environmental management requirements that relate to their duties. For example, Condition 33 (Schedule 2) requires that heavy vehicles only use specific routes when travelling to and from the site between 8pm and 7am. Whilst there is no evidence of non-compliance with this requirement, suggesting that the training has taken place, training records showing that drivers have been instructed of this requirement were not available. Maintenance of records, particularly training records, will reduce the risk of a future non-compliance and any potential consequences.

SCHEDULE 2 – ADMINISTRATIVE CONDITIONS

Table 6 Administrative conditions

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
Obligation to minimise harm to The environment				
1	The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the project	All information reviewed throughout this audit was considered during the assessment of compliance with this condition.	 <p style="text-align: center;">Paved area leading to weighbridge</p>  <p style="text-align: center;">Biofilter operating</p>  <p style="text-align: center;">Stormwater detention basin requiring upgrade</p>  <p style="text-align: center;">Inappropriate storage of drums and containers</p>	<p>C</p> <p>No aspects of the operations reviewed during the course of the audit were considered to have the potential to cause harm to the environment. It is also noted that the Proponent has complied with updated requirements for improved odour controls and paving trafficked areas as the project has progressed. The auditor also notes that whilst housekeeping on the site was generally good, management of used storage containers and chemical drums required improvement. One</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
		 <p data-bbox="862 703 1133 730">Fertiliser stored in open area</p>	 <p data-bbox="1373 703 1742 730">Bunded refuelling station with spill kits</p>	<p data-bbox="1901 338 2078 639">unpaved area to the northwest of the site is currently being used to store used containers and drums and requires attention. A stormwater detention basin in this area also requires upgrade.</p> <p data-bbox="1901 676 2051 730">Opportunity for Improvement:</p> <p data-bbox="1901 740 2078 1038">Ensure all chemicals are stored in bunded areas regardless of whether they are stored within the broader internal drainage system that drains to the waste water treatment plant.</p> <p data-bbox="1901 1048 2078 1267">Improve the housekeeping in the northwest section of the site where a number of drums and containers are stored haphazardly.</p> <p data-bbox="1901 1276 2078 1382">Upgrade the stormwater detention basin in the northwest</p>
		 <p data-bbox="862 1109 1211 1136">Container for timber waste separation</p>	 <p data-bbox="1373 1109 1715 1136">Container for scrap metal separation</p>	

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
				section of the site.
		Bunded caustic filling point	Revegetation and plantings on riparian area	

Terms Of Approval				
2	<p>The Proponent shall carry out the project generally in accordance with the:</p> <ul style="list-style-type: none"> a) EA and associated site plans (see Appendix 2); b) amended modification proposal MP 06_0228 MOD 1 prepared by ME Engineering Pty Ltd and dated 21 December 2010; c) modification proposal MP 06_0228 MOD 2, accompanying Environmental Assessment dated January 2012 and response to submissions report dated 4 May 2012, prepared by Cowman Stoddart Pty Ltd, accompanying plans (see Appendices 2A and 2B) and supplementary odour report dated 30 July 2012, prepared by PAE Holmes Pty Ltd; d) modification proposal MP 06_0228 MOD 3, accompanying Environmental Assessment dated May 2012, response to submissions report dated 20 July 2012 and further response to submissions report dated 24 August 2012, prepared by Cowman Stoddart Pty Ltd and accompanying plans (see Appendix 2C); e) statement of commitments; and 		<p>This audit assessed compliance with the Consolidated Approval that included updates from MP 06_0228 MOD 1; MP 06_0228 MOD 2; and MP 06_0228 MOD 3.</p> <p>Notwithstanding a number of minor non-compliances found during the audit, the auditor consider</p>	<p>C</p> <p>Notwithstanding a number of minor non-compliances found during the audit, the auditor considers the Proponent to have carried out the project <i>generally</i> in accordance with the requirements listed.</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	f) conditions of this approval.			
3	If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of any inconsistency.		There were no inconsistencies as only the Consolidated Approval was assessed.	C There were no inconsistencies
4	The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of: a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.	Brian Hanley: <i>Verbal consultation has taken place with Shoalhaven SES officer Bill Curtin, however has not been resolved. Offers (\$5000) have been made to the SES but this has not been accepted.</i>	<i>"Flood Mitigation and Management Plan"</i> dated June 2009 by WMA Water Letter from the Department of Planning And Infrastructure dated 28 September 2011, granting conditional approval for the Plan. Conditions included consulting with Council and Shoalhaven SES on specific matters – this consultation is ongoing. <i>"Shoalhaven Starches - Ethanol Upgrade - Odour Management Plan"</i> dated May 2010 and April 2013 by The Odour Unit. Letter from Department of Planning dated 19 th May 2011, granting approval of the plan (pending its revision prior to next annual report Email from Brian Hanley to Felicity Greenway (Planning) 21 November 2011 with updated Odour Management Plan attached. <i>"Construction Safety Study"</i> dated February 2009 by Manildra Group in conjunction with Beca Pty Ltd Letter from the Department dated 17 th April 2009, granting approval for the study subject to the submission of an addendum covering the commissioning process of Stage 1. The addendum was not provided. <i>"Shoalhaven Starches Ethanol Plant Landscape and Vegetation Management Plan"</i> dated July 2009 by Coffey Environments. Letter from Department of Planning dated 8 April 2010 approving subject to submission of annual reports detailing implementation of the plan. Letter from Manildra Group to Mr David Kitto (delegate of	NC There were some instances where the Proponent was unable to demonstrate full compliance with a requirement by the Director General. It was considered that these were generally minor issues that reflected management system breakdown rather than on any broader suggestion of inaction. That is, the auditor considered that Shoalhaven Starches generally endeavoured to comply with reasonable requirement/s of the Director-General.

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
<p>the Director-General) dated 28 May 2010 responding to above letter, however did not provide information on Landscape Plan</p> <p>Letter from Cowman Stoddart to Andrew Harcher, Department of Planning dated 4 May 2012 providing a Response to Submissions Report as per a previous departmental request.</p>				
<p>Surrender Of Existing Development Consents</p>				
5	<p>Within 12 months of this approval, the Proponent shall surrender all existing development consents and project approvals for the site, apart from this project approval, in accordance with Clause 97 of the EP&A Regulation.</p>		<p>Email from Wendy Reader (for Brian Hanley) dated 5 August 2013 which included attached documents providing notice of surrender of consent.</p>	<p>C</p> <p>All existing developments consents and project approvals were surrendered.</p>
<p>Limits On Approval</p>				
6	<p>(1) The Proponent must not produce on site:</p> <p>a) more than 265,000 tonnes of industrial grade flour per year; and</p> <p>b) more than 300 million litres of ethanol per year, subject to (2) below.</p> <p>(2) The proponent must not produce on site more than 126 million litres of ethanol per year except in accordance with a staged approval granted by the Director-General in accordance with condition 7.</p> <p>Note: Prior to this approval, the proponent was allowed to produce up to 126 million litres of ethanol per year. Condition 7 below provides for the Director – General to approve increased production of ethanol in stages, firstly up to 200 million litres and then up to 300 million litres. Increased production will only be approved after an independent audit of the performance of the odour controls required by this approval and only if the Director General is satisfied that odour controls will be adequate for such an increase.</p>		<p>Letter from Planning to Brian Hanley dated 11 October 2011 referring to the ethanol production increases. The letter states that Shoalhaven Starches increased to 247 million litres whilst the approval was still at 200L.</p> <p>Three penalty notices were issued.</p>	<p>NC</p> <p>Production of ethanol was increased above the volumes permitted in the staged approval.</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
Staged Implementation of Increased Ethanol Production Rates				
7	<p>(1) The Proponent may apply to the Director-General for approval to increase ethanol production up to the rate of 200 million litres of ethanol a year on site if –</p> <p>a) the mandatory odour controls listed in Appendix 3 to this Approval have been implemented; and</p> <p>b) the Odour Management Plan required under condition 4 of Schedule 3 has been prepared to the satisfaction of the Director-General and is being implemented; and</p> <p>c) an independent odour audit has been prepared and submitted in accordance with conditions 5 and 6 of Schedule 3; and</p> <p>d) the proponent provides the Director-General with an assessment of the likely odour impacts of the proposed increase in ethanol production, using odour monitoring and predictive modelling.</p> <p>(2) The proponent may apply to the Director-General for approval to increase ethanol production from 200 million litres of ethanol a year on site up to 300 million litres of ethanol a year on site if –</p> <p>a) the site has been producing 200 million litres per year in accordance with an approval granted by the Director-General under this condition; and</p> <p>b) an independent odour audit of the site operating at this rate has been prepared and submitted in accordance with conditions 5 and 6 of Schedule 3; and</p> <p>c) the proponent has provided the Director-General with an assessment of the likely odour impacts of the proposed increase in ethanol production, using odour monitoring and predictive modelling.</p> <p>(3) An assessment provided to the Director-General in accordance with this condition –</p> <p>a) must assess the effectiveness of the mandatory</p>	<p>John Studdert <i>No receipt letter provided</i></p>	<p>Letter from Department of Planning and Infrastructure dated 14th February 2012 granting approval to increase production to 250million litres</p> <p>Letter from Department of Planning and Infrastructure dated 4th June 2012 granting approval to increase production to 300 million subject to providing evidence the new biofilter is operating satisfactorily.</p> <p>Letter from Manildra Group to Department of Planning and Infrastructure dated 2nd August 2012 that included attached verification from PAE Holmes (dated 31 July 2012) that the biofilter was operating satisfactorily and capable of managing the increase to 300 million litres.</p> <p>Letter was attached to email of same date (2 August) from Wendy Reader on behalf of Brian Hanley to Chris Wilson and Chris Ritchie of Planning.</p> <p>Letter from Planning to Brian Hanley dated 11 October 2011 referring to the ethanol production increases. The letter states that Shoalhaven Starches increased to 247 million litres whilst the approval was still at 200L.</p> <p>Three penalty notices were issued.</p>	<p>NC</p> <p>Production of ethanol was increased above the volumes permitted in the staged approval.</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	<p>odour controls required under this approval; and</p> <p>b) may assess the effectiveness of implementing additional odour controls (such as those listed in Appendix 3).</p> <p>(4) In deciding whether to approve an increase in ethanol production under this condition, the Director-General must –</p> <p>a) assess the odour performance of the premises at its current rate of production; and</p> <p>b) assess the likely odour impacts from the proposed increase; and</p> <p>c) consider the requirement not to cause or permit the emission of offensive odours from the site as defined in section 129 of the POEO Act.</p>			
Structural Adequacy				
8	<p>The Proponent shall ensure that all new buildings and structures on the site are constructed in accordance with the relevant requirements of the BCA.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> • <i>Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.</i> • <i>Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.</i> 		<p>“Construction Certificate 10127” dated 31st May 2010.</p> <p>“Construction Certificate 10273” BM &G dated 9th September 2010.</p> <p>“Construction Certificate 11220” dated 5th September 2011.</p> <p>“Construction Certificate 10157” dated 30th June 2010.</p> <p>“Construction Certificate 09-099” dated 29th April 2009.</p> <p>“Construction Certificate 09-064” dated 19th March 2009.</p> <p>“Construction Certificate 09-085” dated 21st April 2009.</p> <p>“Construction Certificate 09-112” dated 18th May 2009.</p> <p>All prepared by Blackett Maguire and Goldsmith</p>	<p>C</p> <p>Construction certificates authorising the built works were provided.</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
8A	<p>8A. Within 2 months of the date of the approval of MP 06_0228 MOD 2, the Proponent shall:</p> <p>a) obtain and provide copies to the Director-General all necessary building certificate(s) from Shoalhaven City Council for any structures proposed as part of MP 06_0228 MOD 2 that have been constructed or partially constructed prior to the approval of MP 06_0228 MOD 2; and</p> <p>b) ensure that all new structures, and any alterations or additions to existing structures, are constructed in accordance with the relevant requirements of the Building Code of Australia.</p>		<p>"Building Certificate BC12/1052" for Fermenter Tanks, Access Gantry and Air Compressor Shed dated 14th May 2013.</p> <p>Not provided to the Director-General.</p>	<p>NC</p> <p>The required information was not provided to the Director-General</p>
Demolition				
9	<p>The Proponent shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures, or its latest version.</p>	<p>John Studdert</p> <p><i>No demolition work has been carried out.</i></p>		<p>Inability to be determined</p> <p>No demolition work has been carried out.</p>
Protection of Public Infrastructure				
10	<p>The Proponent shall:</p> <p>a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters, footpaths), in consultation with Council, and submit a copy of this report to the Department prior to the commencement of construction;</p> <p>b) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and</p> <p>c) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.</p>	<p>John Studdert</p> <p><i>No repairs were required as a result of the dilapidation survey</i></p>	<p>"Manildra Bomaderry Site – Dilapidation Survey – Bolong Road & Hanigans Lane Public Infrastructure" dated February 2009 by Beca.</p> <p>Report states council were consulted.</p> <p>Letter from NSW Department of Planning dated 17th April 2009 approving the Plan.</p>	<p>C</p> <p>The report was prepared as required.</p>
Operation of Plant and Equipment				

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
11	The Proponent shall ensure that all plant and equipment used on the site is: a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner.	Observed "MainPac" system during site component of audit and was provided with a summary of the process for managing ongoing maintenance as well as unplanned occurrences. The system for ongoing maintenance is set up according to the relevant standards and their requirements for maintenance and / or the specific equipment specifications (whichever is the more strict). No plant or equipment was observed being operated incorrectly, or appearing to be inefficiently maintained.		C The auditor was satisfied that the system in place was appropriate to manage the plant and equipment operated on site. Opportunity for Improvement: An additional layer be added to the system to allow a flag to be added to logged maintenance issues that have the potential to harm the environment that would ensure the plant or equipment is not used prior to its repair
Progressive Submission of Documents				
12	With the approval of the Director-General, the Proponent may submit to the Director-General for approval any plan, strategy, study, or program required by this consent on a progressive basis.		No evidence that the Director-General has been dissatisfied with submission staging	C A range of plans have been submitted to the Director-General on a progressive basis.
Development Contribution				
13	Within 12 months of this approval, the Proponent		Letter to Shoalhaven City Council dated 27 June 2011	C

C – Compliance; NC – Non-compliance

SLR Consulting Australia Pty Ltd

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	<p>shall pay Council a suitable contribution for the project that has been determined generally in accordance with any applicable Section 94 Contribution Plan. If there is a dispute about the amount of the contribution then either party may refer the matter to the Director-General for resolution.</p>		<p>regarding Section 94 Contributions. The letter references an agreement reached with Council on 31 May 2011 concerning the amount, as well as minutes of the meeting and a covering letter dated 1 June 2011. The first instalment was to be paid immediately and the second in June 2012.</p> <p>Remittance advice in favour of Council for \$150,504.54 dated 31 May 2011.</p> <p>Overdue invoice notice from Council and subsequent line entry for payment of \$151,250.00 in Manildra Finance/Accounts system dated 12 June 2012</p>	<p>The required Section 94 payment has been made.</p>

SCHEDULE 3 – SPECIFIC ENVIRONMENTAL CONDITIONS

Table 7 Odour

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
Offensive Odour				
1	The Proponent shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.		<p><i>Notice of Clean Up Action 1113256</i> issued by the EPA on 3 May 2010 requiring that the protective cover on Pond 4 be reinstalled no later than 31 May 2010. Issuing officers reported emission of offensive odours.</p> <p>Letter from the Manildra Group to the EPA dated 25 June 2010 advising that the cover had been reinstalled (on 22 June 2010, following correspondence discussing the requirement for an extension of time.)</p> <p>Letter from the EPA to Shoalhaven Starches dated 9 July 2010 stating they were satisfied with action taken on the Clean Up Notice.</p>	<p>NC</p> <p>Offensive odours were detected emanating from Pond 4 due to a pond cover not being in place.</p>
Implementation of Mandatory Odour Controls				
2	Prior to increasing ethanol production rates on site above 126 million litres a year or within 12 months of this approval, whichever is sooner, the Proponent shall implement all the mandatory odour controls listed in Appendix 3 and described in detail in the Odour Management Plan (see condition 4 below), to the satisfaction of the Director-General.		<p>Letter from Manildra Group to NSW OEH dated October 2011 confirming that all mandatory odour controls were operational.</p> <p>No written evidence provided that Director-General was satisfied with implementation; however this satisfaction is implied in the subsequent approval of increased ethanol production approvals.</p>	<p>C</p> <p>The Director-General has approved increased ethanol production.</p> <p>Recommendation</p> <p>Revise the relevant section of the Shoalhaven Starches management systems to ensure that compliance requirements that require follow-up actions (written confirmation from the Director-</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
				General) are completed.
3	The Proponent shall implement additional mandatory odour controls as may be directed by the Director-General, arising from the Department's assessment of any: a) Independent Odour Audit (see condition 5 below); b) Independent Environmental Audit (see condition 4 of schedule 4); or c) any monitoring results, incidents or complaints related to the project.	John Studdert <i>The only additional mandatory odour controls were those required as part of Appendix 3 Mod 1 – Additional Mandatory Odour Controls.</i> Evidence that these were implemented was observed during the site visit. These are also audited by the odour audit		C Mandatory odour controls have been implemented.
3A	Prior to commissioning the duct work that directs additional emissions from the evaporator plant area and load-out chute to the bio-filter (as identified in the amended modification proposal) the Proponent must demonstrate to the satisfaction of the Director General and the OEH that the bio-filter can accommodate the additional load while maintaining acceptable treatment performance.	John Studdert <i>Installation of this additional bio-filter was one of the conditions for approval to 300ML, which has since been approved, implying that the bio-filter was considered acceptable.</i>	<i>"DDG Biofilter Capacity and Condition Assessment"</i> dated 7 November 2011 by The Odour Unit. Report found that the biofilter operating very well. Email to Felicity Greenway and David Mooney of Planning NSW dated 14 November 2011 with above report attached. No reply from Director-General / OEH provided to show that they are satisfied with the findings of the report.	C The bio-filter installation was a requirement for upgrading to 300ML which has been approved, implying that the Director-General considers the bio-filter acceptable. Recommendation: Revise the relevant section of the Shoalhaven Starches management systems to ensure that compliance requirements that require follow-up actions (written confirmation from the Director-General) are completed.

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
3B	Should the Proponent opt to install a DDG pelletising plant as identified in the additional odour controls in Appendix 3 the plant must comply with all regulatory requirements including air and odour emissions standards that are in force at the time of installation. Compliance must be demonstrated to the satisfaction of the Director-General and OEH before installation work begins.	John Studdert <i>DDG pelletiser has not been installed. No plan in place to install.</i>		Inability to be determined This condition has not been triggered.
Odour Management Plan				
4	The Proponent shall prepare and implement an Odour Management Plan for the project to the satisfaction of the Director-General. This plan must a) be prepared in consultation with OEH by a suitably independent, qualified and experienced expert whose appointment has been endorsed by the Director-General, and submitted to the Director-General for approval within 3 months of the date of this approval; b) describe in detail the measures that would be implemented on site to control the odour impacts of the project, and to ensure that these controls remain effective over time; c) identify triggers for remedial action; and d) include a program for monitoring the odour impacts of the project.	John Studdert <i>The Odour Unit and PAE Holmes who have conducted the audits, were recommended verbally by the Department.</i>	“Shoalhaven Starches - Ethanol Upgrade - Odour Management Plan” dated May 2010 and April 2013 by The Odour Unit. Letter from Department of Planning dated 19 th May 2011, granting approval of the plan (pending its revision prior to next annual report Email from Brian Hanley to Felicity Greenway (Planning) with updated Odour Management Plan attached. “Shoalhaven Starches Ethanol Upgrade Odour Management Plan” dated November 2011 by the Odour unit. a) Letter from Deana Burn (Planning) to Cowman Studdert regarding review of various pre-construction management plans undated but referencing 28 July 2009 as a past date. Letter states that DECCW have reviewed the draft outline.. No direct evidence that Director-General endorsed The Odour Unit prior to preparation of the plan, the plan has been approved. b) The plan describes odour control measures. c) The plan identifies triggers for remedial action d) The plan includes a program for monitoring impacts	C The plan has been prepared and approved by the Director-General. Recommendation: Revise the relevant section of the Shoalhaven Starches management systems to ensure that compliance requirements that require follow-up actions (e.g. gaining written approval for use of specific consultants) are completed.
4A	Prior to increasing ethanol production the Odour Management Plan for the project must be updated to the satisfaction of the Director General to include the additional Appendix 3 mandatory odour controls specified in the modification approval MOD 1 – Deletion of DDG Pelletiser.		No evidence that the revised plan has been endorsed by the Director General.	NC No evidence that the revised plan has been endorsed by the Director General.

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
Independent Odour Audit				
5	<p>Within 3 months of the implementation of the mandatory odour controls (see Appendix 3), and annually thereafter unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Odour Audit of the project. This audit must be conducted by a suitably qualified, experienced and independent expert whose appointment has been endorsed by the Director-General. During the audit, this expert must:</p> <p>a) consult with OEH and the Department;</p> <p>b) audit the effectiveness of the odour controls on site in regard to protecting receivers against offensive odour;</p> <p>c) review the Proponent's production data (that are relevant to the odour audit) and complaint records;</p> <p>d) review the Odour Management Plan for the project;</p> <p>e) measure all key odour sources on site, and compare the results of these measurements against the predictions in the EA;</p> <p>f) determine whether the project is complying with the requirements in this approval; and, if necessary,</p> <p>g) recommend and prioritise measures to either improve the odour controls on site and/or the Odour Management Plan, such that receivers would be protected against offensive odour from the site.</p> <p><i>Note: The Director-General may vary the frequency of the audit depending on the performance of the project.</i></p>	<p>John Studdert</p> <p><i>PAE Holmes was verbally recommended by the Department of Planning.</i></p> <p><i>We generally submit the draft odour report then they provide us comment to include in revised version.</i></p>	<p><i>"Shoalhaven Starches – Independent Odour Audit 2010"</i> dated January 2011 by PAE Holmes</p> <p><i>"Shoalhaven Starches – Independent Odour Audit - Operating At >200 MI/Annum"</i> dated January 2012 by PAE Holmes</p> <p><i>"Odour Audit For Operating At 300 MI/Annum Ethanol Production"</i> dated April 2012 by PAE Holmes</p> <p>No documented evidence that appointment of consultant endorsed by Director-General.</p> <p>a) 2012 Audit report references Consultation with EPA (10 January 2012)</p> <p>b) The audit includes concluding statements on the effectiveness of odour controls</p> <p>c) The audits reviewed production data and complaints</p> <p>d) The audits reviewed the OMP</p> <p>e) The audits measured key odour sources and compared to the GHD baseline</p> <p>f) The audits provided an assessment of compliance</p> <p>g) The audits made recommendations for improvement</p>	<p>C</p> <p>The audits have been undertaken as required.</p> <p>Recommendation: Revise the relevant section of the Shoalhaven Starches management systems to ensure that compliance requirements that require follow-up actions (e.g. gaining written approval for use of specific consultants) are completed.</p>
6	<p>Within 6 weeks of the completion of this audit, the Proponent shall submit a copy of the audit report to both OEH and the Department with a response to any recommendations contained in the audit report.</p>		<p>No evidence of submission to the Director-General with response to recommendations.</p>	<p>NC</p> <p>No evidence of submission to the Director-General with response to recommendations.</p>
6A	<p>The Proponent shall ensure that any Independent Odour Audit submitted to the Director-General in accordance with Condition 5 of this Schedule includes:</p>	<p>John Studdert</p> <p><i>The work that is done for these two points (A and B) feeds into the odour audits. No odour audit has been</i></p>	<p>a) <i>"Quarter 4 EPL Odour Emission Survey"</i> dated 29 May 2012 by Stephenson Environmental Management Australia; <i>"Quarter 4 EPL Odour Emission Survey"</i></p>	<p>Inability to be determined</p> <p>No odour audit has</p>

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	<p>a) 3 monthly (quarterly) odour monitoring with samples taken from the carbon dioxide/ethanol recovery scrubber inlet/s and outlet/s; and</p> <p>b) annual odour monitoring with samples taken of single vent stack (direct to atmosphere) emissions from a filling fermenter tank at 10% intervals (up to 50%).</p>	<p><i>completed since this condition was inserted (September 2012).</i></p>	<p>dated 28 May 2013 by Stephenson Environmental Management Australia; and “<i>EPL Odour Emission Survey Quarter 1, 2013-2014</i>” dated 28 May 2013 by Stephenson Environmental Management Australia. All included results from CO2 inlet and outlet (except May 2012); and a fermenter vent.</p> <p>b) Email to Planning (Deana Burn) dated 30 July 2010 with report attached from PAE Holmes “<i>Odour Emissions from Continuous and Batch Fermentation</i>” which included a summary of the odour monitoring results undertaken by Stephenson Environmental Management and results from 10% interval monitoring</p>	<p>been completed since this condition was added to the consent.</p>

Table 8 Air quality

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
General				
7	The Proponent shall implement all reasonable and feasible measures to minimise the dust generated by the project.	<p>John Studdert</p> <p><i>We are currently undertaking a program to pave a large portion of the site that was previously dirt or gravel.</i></p> <p>Site visit for the audit was undertaken on a day with light winds, and dust was not observed to be an issue.</p>		<p>C</p> <p>No dust issues were observed on site.</p>
8	<p>During construction, the Proponent shall ensure that</p> <p>a) all trucks entering or leaving the site with loads have their loads covered; and NSW Government Department of Planning 7</p> <p>b) the trucks associated with the project do not track dirt onto the public road network.</p>		No works were underway during the audit.	<p>Inability to be determined</p> <p>No works were underway during the audit.</p>
Emission Limits - Boiler Stacks				

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
9	The Proponent shall ensure that the emissions from the combined boiler stacks for Number 5 and 6 Boilers on site comply with the limits in the EPL.		<p>“Stack Emission Survey – Quarter no. 3, 2012-2013 Emission Point 35 Serving Boilers no. 5 & 6” dated 5 February 2013</p> <p>“Stack Emission Survey – Quarter no. 2, 2012-2013 Emission Point 35 Serving Boilers no. 5 & 6” dated 4 September 2012</p> <p>“Stack Emission Survey – Quarter no. 1, 2012-2013 Emission Point 35 Serving Boilers no. 5 & 6” dated 11 July 2012</p> <p>Each concluded the emissions were in compliance with EPL limits.</p>	C Emissions from the combined boiler stacks for Number 5 and 6 Boilers on site comply with the limits in the EPL

Monitoring

10	<p>The Proponent shall prepare and implement an Air Quality Monitoring Program for the project to the satisfaction of the Director-General. This program must:</p> <p>a) be prepared in consultation with OEH;</p> <p>b) be submitted to the Director-General for approval within 3 months of this approval; and</p> <p>c) include a program to monitor the ongoing performance of the project.</p>		<p>“Air Quality Monitoring Procedure” by Shoalhaven Starches (undated)</p> <p>Letter from Deana Burn, Planning Officer, Industry, Major Development Assessment regarding approval of the above procedure dated 15 September 2009.</p> <p>a) No record of consultation was included in the Program.</p> <p>b) submitted as per above note – this approved 28 January 2009</p> <p>c) stipulates testing and monitoring requirements</p>	NC Evidence of consultation with OEH for this procedure was not provided.
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Table 9 Noise

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status						
Hours of Operation										
11	<p>The Proponent shall comply with the restrictions in Table 1.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td>Monday – Friday</td> <td>7:00am to 6:00pm</td> </tr> </tbody> </table>	Activity	Day	Time	Construction	Monday – Friday	7:00am to 6:00pm	<p>John Studdert</p> <p><i>No notices or infringements related to construction or operational noise times have been issued.</i></p>		C No evidence of non-compliance with the restrictions in Table 1 was observed.
Activity	Day	Time								
Construction	Monday – Friday	7:00am to 6:00pm								

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	Saturday	8:00am to 1:00pm		
	Sundays and Public Holidays	Nil		
Operation	All days	Any time		

Note: Construction activities may be conducted outside the hours in Table 1 provided that the activities are not audible at any residence beyond the boundary of the site.

Noise Limits

12 The Proponent shall ensure that noise from the project does not exceed the noise limits in Table 2.

Location	Day / Evening / Night LA10(15minute) dB(A)
1 - Terara on the south side of the Shoalhaven River	38
2,3 & 4 - Nowra on the south side of the Shoalhaven River	38
5 - Meroo Street, Bomaderry	42
6 - Other residential locations in Bomaderry	40

Note: To interpret the locations referred to Table 2, see the map in Appendix 4. Noise generated by the project is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy.

“Acoustic Compliance Monitoring” by The Acoustic Group for:

- 21 January 2011
- 29 July 2011
- 9 March 2012
- 25 September 2012
- 21 January 2013
- 13 August 2013

NC
One instance was recorded in which Starches did not comply with the noise limits in Table 2

All included results confirming compliance with the EPA Noise limits except the most recent, in August 2013:

...The results confirm that noise emission from Shoalhaven Starches complied with the EPA noise limits at all of the EPA monitoring locations with the exception of a minor exceedances at location 1 as a result of the plant influencing the background noise level in the mid frequencies.

Noise Management Plan

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
13	During construction, the Proponent shall implement all reasonable and feasible measures to minimise the construction noise impacts of the project.		No works were underway during the audit.	Inability to be determined No works were underway during the audit.
14	<p>The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Director-General. This plan must</p> <p>a) be prepared by a suitably qualified and experienced expert in consultation with DECC, and be submitted to the Director-General for approval within 3 months of this approval;</p> <p>b) describe the measures that would be implemented to control the noise impacts of the project;</p> <p>c) identify trigger levels for remedial action; and</p> <p>d) include a program to:</p> <ul style="list-style-type: none"> •investigate ways to reduce the noise impacts of the project; and •monitor the noise impacts of the project using a combination of real-time and supplementary attended monitoring measures, which includes a protocol for evaluating compliance with the noise limits. 		<p>“Noise Management Plan” dated 7 September 2010 by the Acoustic Group.\</p> <p>“Noise Management Plan” file dated 2013 author unknown.</p> <p>Letter from Department of Planning dated 19th May 2011, granting approval of the plan (pending its revision prior to next annual report).</p> <p>Viewed revision of Noise Management Plan prepared 2 July 2013</p> <p>The Plan:</p> <p>a) is prepared by a suitably qualified and experienced expert. Letter from Deana Burn (Planning) to Cowman Stoddart regarding review of various pre-construction management plans undated but referencing 28 July 2009 as a past date. Letter includes comments on the draft plan from DECCW.</p> <p>b) describes noise controls</p> <p>c) identifies trigger levels for remedial action</p> <p>d) includes program for noise reduction and monitoring</p>	<p>NC</p> <p>The plan was not initially submitted within 3 months of the approval.</p> <p>Recommendation:</p> <p>The auditor notes the project was postponed soon after gaining approval and recommends that the relevant component of the Shoalhaven Starches management system is revised to manage these compliance requirements and ensure that an extension, as would have been practical in this instance, is requested, or the document prepared in accordance with the timing requirements of the condition.</p>

Table 10 Soil, Water and Energy

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
Discharge Limits				
15	<p>Except as may be expressly provided in an EPL for the project, the Proponent shall:</p> <p>a) comply with Section 120 of the POEO Act; and</p> <p>b) not discharge any wastewater, including treated wastewater to the Shoalhaven River.</p>	<p>John Studdert</p> <p><i>No notices have been issued around soil and water management. We have not discharged wastewater</i></p>		<p>C</p> <p>No notices have been issued relevant to this requirement.</p>
Water & Energy Efficiency				
16	<p>The Proponent shall prepare and implement a Water Savings Action Plan and an Energy Savings Action Plan for the project to the satisfaction of the Director-General. These plans must be prepared:</p> <p>a) in consultation with DWE and be submitted to the Director-General for approval within 12 months of this approval; and</p> <p>b) in accordance with the Guidelines for Water Savings Action Plans (DEUS 2005) and Guidelines for Energy Savings Action Plans (DEUS 2005), respectively.</p>		<p>“<i>Water Savings Action Plan</i>” Dated 14th April 2010 by Coffey Environments Pty Ltd. Includes comment on level of consultation</p> <p>“<i>Energy Savings Action Plan</i>” Dated 2010 by Energy and Management Services Pty Ltd. Includes comment on level of consultation</p> <p>Letter from Department of Planning and Infrastructure dated 21st June 2011, granting approval of the Water Savings Action Plan and the Energy Savings Action Plan (relating only to the major project application MP06_0228)</p> <p><i>Water Savings Action Plan</i> includes action to repair “condensate recovery pump in dryer 2”.</p> <p>Energy</p> <p>Viewed June 2012 <i>Energy Efficiency Opportunities Program Assessment Plan</i>. Includes Assessment Framework Implementation (Part 4) that reports on what has been implemented.</p> <p>Viewed Report showing that KPI (KI water used per tonne of production is approximately 2.96. It was predicted to be 3.11). Showing that reliance on potable water use has decreased over time. Similarly KPI for energy use shows currently using less GJ per tonne of flour produced.</p>	<p>C</p> <p>The required plans have been approved by the Director-General</p>
Bunding				

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
17	<p>The Proponent shall store all chemicals, fuels and oils used on site in appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund. These bunds shall be designed and installed in accordance with the requirements of all relevant Australian Standards, and/or DECC's Storing and Handling Liquids: Environmental Protection manual.</p> <p><i>Note: To avoid any doubt, this condition does not apply to the fermenters on site.</i></p>	<p>Fuel and chemical storage on site was observed in a range of areas, with fuel refuelling points and caustic filling points observed to be bunded.</p> <p>The auditor notes that not all containers were stored in bunded areas.</p>	 <p>Bunded refuelling station with spill kits</p> <p>Bunded caustic filling point</p> <p>Fertiliser stored in open area</p> <p>Inappropriate storage of drums and containers</p>	<p>C</p> <p>Fuels and oils were observed in bunded areas, however a number of other containers of chemicals, including fertiliser were not stored in covered or bunded areas. However, it is noted that these chemicals were stored in areas that drained to the internal waste water treatment system and could therefore not impact on stormwater or other receiving waters.</p>
Importation of Fill				
18	<p>The Proponent shall ensure that all imported fill is VENM.</p>	<p>John Studdert <i>Only VENM has been imported.</i></p>	<p><i>"Virgin Excavated Natural Material (VENM) Declaration" dated 16th August 20131.</i></p>	<p>C</p> <p>No fill that is not VENM has been</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
Erosion and Sediment Control				
19	<p>The Proponent shall prepare and implement an Erosion and Sediment Control Plan for the project to the satisfaction of the Director-General. This plan must:</p> <p>a) be submitted to the Director-General before the commencement of construction on site;</p> <p>b) be prepared in accordance with Landcom's Managing Urban Stormwater: Soils and Construction manual;</p> <p>c) identify the works that could cause soil erosion and generate sediment;</p> <p>d) describe the location, function, and capacity of the erosion and sediment controls that would be implemented; and</p> <p>e) describe the measures that would be implemented to maintain these controls during the construction period.</p> <p><i>Note: the provisions of this plan shall be implemented for all construction works associated with the project and / or modification approved thereafter.</i></p>		<p>"Stormwater Management Plan (including erosion and sediment control)" dated March 2009 by Stephenson Environmental Management Australia</p> <p>Letter from Department of Planning dated 17th April 2009, granting approval of the Plan.</p> <p>The plan</p> <p>a) includes the construction program within Section 4, which indicates construction began in March 2009, an initial plan was submitted to the Director-General during February 2009 and was revised and re-submitted in March.</p> <p>b) states it has been completed in accordance Landcom's Managing Urban Stormwater: Soils and Construction manual</p> <p>c) contains causes, section 6.3 of Plan</p> <p>d) contains erosion and sediment control plans, section 6.5</p> <p>e) contains management practices/measures, section 6.4 of the Plan</p>	<p>imported.</p> <p>C</p> <p>The plan has been prepared to the satisfaction of the Director-General.</p>
Site Contamination				
20	<p>Prior to the commencement of construction, unless otherwise agreed by the Director-General, the Proponent shall demonstrate to the satisfaction of the Director-General that an accredited site auditor has prepared a site audit statement and summary site audit report and that the site is suitable for its intended use(s).</p>		<p>"Site Audit Report No.1-Shoalhaven Starches Plant Expansion" dated February 2009 by Manildra Group Pty Ltd</p> <p>"Site Audit Report No.2-Shoalhaven Starches Plant Expansion" dated April 2009 by Manildra Group Pty Ltd</p> <p>Letter from Department of Planning dated 17 April 2009 granting approval for both Site Audit Reports.</p>	<p>C</p> <p>The required audit statements and summaries were prepared to the satisfaction of the Director-General</p>
Acid Sulfate Soils				
21	<p>The Proponent shall prepare and implement an Acid Sulphate Soil Management Plan for the project to</p>		<p>"Acid Sulfate Soils Management Plan – Proposed Packaging Plant, Shoalhaven Starches Plant, Bolong</p>	<p>C</p> <p>The required plan</p>

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	the satisfaction of the Director-General. The plan must be prepared in accordance with the Acid Sulphate Soils Manual (Acid Sulphate Soils Management Advisory Committee, 1998), and be submitted to the Director-General for approval prior to the commencement of construction.		<p><i>Road, Bomaderry, NSW</i> dated 26 March 2009 by Coffey Environments. Prepared in accordance with the Acid Sulphate Soils Manual.</p> <p>Letter from Coffey Environments to Manildra Group "Advice on the occurrence of Acid Sulphate Soil Proposed Plant Upgrade Works" dated January 2009</p> <p>Letter from Coffey Environments to Manildra Group "Advice on the occurrence of Acid Sulphate Soil Proposed Plant Upgrade Works" dated 11 March 2009</p> <p>Letter from Department of Planning dated 17 April 2009 granting approval for Acid Sulphate Management Plan and Site Contamination Management Letter dated 11 March 2009</p>	has been prepared to the satisfaction of the Director-General
Stormwater				
22	<p>The Proponent shall prepare and implement a Stormwater Management Plan for the project to the satisfaction of the Director-General. This plan must:</p> <p>a) be prepared in consultation with Council and be submitted to the Director-General for approval prior to the commencement of construction;</p> <p>b) be prepared in accordance with the latest version of</p> <p>Managing Urban Stormwater: Council Handbook (DECC);</p> <p>c) outline measures to manage stormwater to prevent the pollution of waters; and</p> <p>d) include detailed plans of the stormwater system.</p>	<p>John Studdert</p> <p><i>Council was consulted however record of the consultation is no longer available.</i></p>	<p>"Stormwater Management Plan (including erosion and sediment control)" dated March 2009 by Stephenson Environmental Management Australia</p> <p>Letter from Department of Planning dated 17th April 2009, granting approval of the Plan.</p> <p>The Plan</p> <p>a) states there was a letter sent to Council on 2 March 2009 that meets this requirement</p> <p>b) states it has been completed in accordance with the latest version of Managing Urban Stormwater: Council Handbook (DECC)</p> <p>c) contains management measures, section 5.4</p> <p>d) includes a plan of the stormwater management system, figure 5-1</p>	<p>NC</p> <p>The plan was prepared to the satisfaction of the Director-General, however record of consultation with Council was not kept.</p> <p>Recommendation:</p> <p>Revise the relevant section of the Shoalhaven Starches management systems to ensure that compliance requirements that require follow-up actions (e.g. consultation with stakeholders and</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
				keeping records of consultation) are completed.
Wastewater				
23	The Proponent shall ensure runoff and spray from the irrigation of wastewater does not go beyond the boundary of the utilisation areas.	No evidence of runoff and spray from irrigation was observed, nor was any record of this provided.		C Runoff and spray from the irrigation of wastewater is not going beyond the boundary of the utilisation areas.
24	The Proponent shall ensure that the pollutants in the soils at the environmental farm do not exceed the soil quality impact assessment criteria outlined in the EPL for the project.		<i>Shoalhaven Starches – Environmental Farm: 2012 Environmental Monitoring Report</i> by Enman and Laurie dated April 2012. Includes assessment of salinity; nitrate-nitrogen; total nitrogen; phosphorus; sodicity (1999 only). There are no "soil quality impact assessment criteria outlined in the EPL" to exceed. The EPL requires only that samples are collected and analysed, and this is occurring.	C No soil quality impact assessment criteria are outlined in the EPL and the sampling required by the EPL is being undertaken.
25	The Proponent shall prepare and implement a Wastewater Management Plan for the project to the satisfaction of the Director-General. This plan must: a) be prepared in consultation with OEH and be submitted to the Director-General for approval within 12 months of this approval; b) be prepared in accordance with DECC's Environmental Guidelines: Use of Effluent by Irrigation; c) outline the location, design and management of the irrigation, crop and grazing system, including measures to minimise soil and groundwater degradation; and d) include:		<i>"Shoalhaven Starches Ethanol Upgrade, Wastewater Management Plan, Incorporating OEH Changes"</i> dated August 2011 by Dr. John Murtagh and Glenys Lugg Letter from Department of Infrastructure (undated) granting approval of the Plan The Plan a) Developed in consultation. Viewed email from Stefan Press of OEH to Planning dated 1 September 2011 providing comment on the Waste Management Plan. b) prepared in accordance with DECC's Environmental Guidelines: Use of Effluent by Irrigation (chapter 2 of the Plan)	C The plan has been prepared to the satisfaction of the Director-General

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	<ul style="list-style-type: none"> •baseline data on soil and groundwater quality and characteristics; •wastewater and soil quality impact assessment criteria and the effluent treatment and irrigation system performance measures; •details of the wastewater, soil, silage and ground water monitoring program; •procedures for the reporting the monitoring results against the criteria and to determine the annual site nutrient and analyte budgets and water balance; •contingency measures to address exceedances, pollutant triggers and problems with the wastewater management systems; and •a description how the effectiveness of actions would be monitored over time. 		<p>c) contains required information, Section 4</p> <p>d) contains</p> <ul style="list-style-type: none"> • baseline data on soil and groundwater quality, section 6 • wastewater and soil health impact assessment criteria, Section 8, treatment performance measures, Section 9 and 10 • monitoring program, Section 11 and 12 • procedures for reporting the monitoring results, Section 13 • Shoalhaven Starches Ethanol Upgrade Odour Management Plan" dated April 2013 by the Odour Unit. Included in Appendix C "Anaerobic/Aerobic Treatment System Process and Operations Manual" Table of Contents " by ADI, which includes measures for contingency. • effectiveness of reuse of time, Section 14 	
Flooding				
26	<p>The Proponent shall prepare a Flood Mitigation and Management Plan for the project to the satisfaction of the Director-General. This plan must</p> <p>a) be prepared in consultation with Council and be submitted to the Director-General for approval within 12 months of this approval;</p> <p>b) include:</p> <ul style="list-style-type: none"> •baseline data on local and regional flooding and the predicted flood impacts of the project; •details of all reasonable and feasible measures that would be implemented to minimise on-site and off-site flooding; •procedures for the monitoring, assessment and compensation of any flood impacts caused by the project; 		<p>"Flood Mitigation and Management Plan" dated June 2009 by WMA Water</p> <p>Letter from the Department of Planning And Infrastructure dated 28 September 2011, granting conditional approval for the Plan.</p> <p>a) Shoalhaven Council email dated 2 June 2010 from Daniela Heubusch providing comment on the Plan.</p> <p>b) The plan includes</p> <ul style="list-style-type: none"> • baseline data on local and regional flooding and flood impacts, Section 2 • mitigation measures, Section 3 • procedures for monitoring etc., Section 3.2 • program for ALERT flood warning system, Section 3.3 • procedures for collaboration and 	<p>C</p> <p>The plan has been prepared to the satisfaction of the Director-General</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	<ul style="list-style-type: none"> •a program for contribution toward the ALERT Flood Warning System operated by Council and the Bureau of Meteorology; and •procedures for collaboration and coordination with the paper mill with respect to flood emergency planning 		coordination with the paper mill, Section 3.4	

Table 11 Transport

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
Upgrade Existing Accesses to Factory				
27	<p>Within 12 months of this approval, the Proponent shall:</p> <ul style="list-style-type: none"> a) upgrade the three accesses to the site off Bolong Road (marked in colour on the map in Appendix 5); and b) clear and profile the road verges at the intersection of the site's access road and Hannigan's Lanes, to the satisfaction of Council and the RTA. <p><i>Note: Site accesses referred to in this condition are illustrated by the figure in Appendix 5.</i></p>		<p>Letter from Cowman Stoddart Consultants to Deana Burn of Department of Planning and Infrastructure dated 20 July 2012 providing response to the Submissions Report for Mod 3</p> <ul style="list-style-type: none"> a) Viewed upgraded access points whilst on site. Roadworks included removal of right turn lanes, upgrade to driveways, fencing along median strip. b) turn off and entrance into the farm itself were completed 	<p>C</p> <p>The required works were undertaken.</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
27A	<p>The Proponent shall provide works-as-executed plans to the Director-General and Council for:</p> <p>a) the road upgrade works completed in accordance with condition 27, no later than 31 October 2012; and</p> <p>b) the intersection upgrade works required by condition 27B, within 1 month of completion of the upgrade works, to the satisfaction of Council and RMS.</p>	<p>Brian Hanley</p> <p><i>Meetings with Council took place last week to discuss works-as-executed plans for all the Bolong Rd road works.</i></p>	<p>Letter from Council to Planning dated 12 November 2012, received by Shoalhaven Starches on 25 January 2013. Provides comments on the submitted works-as-executed plans issued 9 October 2012.</p> <p>Letter from Manildra Group to Planning dated 23 August 2013 providing the works-as-executed plans and requesting a letter from Council confirming the works are to their satisfaction. Letter from Manildra Group to Council dated 23 August 2013 with drawing attached showing works-as-executed and referencing a meeting with Council GM, and Director of Planning as well as other staff (and Planning Project Manager Ado Zanella). Also states number of car parking spaces provided on site.</p> <p>Viewed "Site Plan showing Car Parking Areas" dated 23 August 2013.</p>	<p>NC</p> <p>The original plans were submitted to the Director-General by 31 October 2012, however not to Council.</p> <p>Discussions are currently underway to finalise the requirements of this condition.</p>
Upgrade Access to Car Park (MOD 3)				
27B	<p>Prior to operation of the car park described in MOD 3, the Proponent shall complete the following upgrades in accordance with Austroads Guide to Road Design – Part 4a: Unsignalised and Signalised Intersections:</p> <p>a) upgrade the right turn in to the 'Dairy Farmers' site from Bolong Road to a Channelised Right (CHR) intersection; and</p> <p>b) upgrade the left turn in to the 'Dairy Farmers' site from Bolong Road to an Auxiliary Right (AUL), to the satisfaction of Council and RMS.</p>		<p>MOD 3 not yet built. When we build it we have to upgrade the entrance to the dairy farmers' site.</p> <p>a) we have upgraded the right turn into Dairy Farmers</p> <p>b) left turn in to the 'Dairy Farmers' site from Bolong Road to an Auxiliary Right.</p> <p>Works-as-executed drawings submitted some time ago. They have commented and we have actioned the revisions.</p> <p>Letter from Council to Planning dated 12 November 2012, received by Shoalhaven Starches on 25 January 2013. Provides comments on the submitted works-as-executed plans issued 9 October 2012.</p>	<p>Inability to be determined.</p> <p>This condition has not yet been triggered (MOD 3 has not yet been built.)</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
27C	The Proponent shall remove the informal access point located to the east of Access Point 1 and reinstate the road verge to the satisfaction of Council, by the end of April 2013.		<p>Inspection of site showed that fencing has been installed across the pre-existing informal access point to the east of point 1-Eastern.</p> <p>Road verge was reinstated, however no evidence of Council satisfaction of the extent of the works.</p>	<p>NC</p> <p>Whilst the works have been undertaken as required by the condition, no evidence of Council satisfaction was provided.</p> <p>Recommendation:</p> <p>Revise the relevant section of the Shoalhaven Starches management systems to ensure that compliance requirements that require follow-up actions (e.g. gaining written approval from Council) are completed</p>
Road Works to the Packing Plant				
28	<p>Prior to the commencement of operations at the proposed packing plant, the Proponent shall:</p> <p>a) construct the proposed left turn only access to the packing plant site from Bolong Road with appropriate physical barriers and signage;</p> <p>b) provide alternative access arrangements for the vehicles from the adjoining Shoalhaven Water site, and dedicate any land additional land required for these alternative access arrangements to Council as a road reserve; and</p> <p>c) upgrade the access from the packing plant site to Railway Street; and</p>		Packing Plant on hold, therefore not yet triggered.	<p>Inability to be determined.</p> <p>This condition has not yet been triggered (packing plant on hold.)</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	d) construct the proposed bridge over Abernethy Creek, to the satisfaction of Council and the RTA.			
29	Prior to the commencement of construction on the proposed packing plant site, the Proponent shall prepare a Construction Traffic Management Plan for the construction works on site to the satisfaction of Council.		Packing Plant on hold, therefore not yet triggered.	Inability to be determined. This condition has not yet been triggered (packing plant on hold.)
Upgrade Pedestrian Facilities				
30	<p>Within 12 months of this approval, the Proponent shall:</p> <p>a) provide a 1.2 metre pedestrian pathway along the southern boundary of Bolong Road between the Central Access Point (see map in Appendix 5) and the western boundary of Lot 62 DP 1078788;</p> <p>b) provide a pedestrian refuge on Bolong Road between the factory and the:</p> <ul style="list-style-type: none"> •CO2 gas plant; and •the proposed packing plant; and <p>c) upgrade the street lighting along Bolong Road, in accordance with AS/NZS 1158: Lighting for Roads and Public Spaces to ensure that the pedestrian pathways, including the bridge over Abernethy Creek, and refuges are suitably lit after dark, to the satisfaction of the Council.</p> <p><i>Note: The pedestrian pathway over Abernethy Creek must be designed and constructed in accordance DWE's Guidelines for Controlled Activities – Watercourse Crossings, dated February 2008.</i></p>	The works required by this condition were viewed in place during the site visit.		C The works required by this condition were viewed in place during the site visit.
Pedestrian Access from Car Park (MOD 3)				
30A	<p>The Proponent shall provide a formal pedestrian access from the car park described in MOD 3 to the existing pedestrian footpath adjacent to Bolong Road, as shown on the plans in Appendix 2C. The pedestrian access shall be:</p> <p>a) completed prior to operation of the car park;</p> <p>b) designed in consultation with Council; and</p>		Not yet triggered as MOD 3 has not yet been built.	Inability to be determined. This condition has not yet been triggered (MOD 3 has not yet been

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	c) appropriately lit in accordance with the requirements of condition 30c).			built)
Internal Roads & Parking				
31	The Proponent shall: a) ensure that all internal roads and parking on site complies with AS2890.1:2004 and AS2890.2:2002, or their latest versions; b) construct at least 60 new parking spaces on the factory site, in accordance with the plans in Appendix 2C, by the end of April 2013.; and c) construct at least 30 new parking spaces at the proposed packing plant prior to the commencement of operations at the plant, to the satisfaction of the Director-General.		a) Awaiting sign-off from Council that internal roads are not required to be in compliance with Australian Standard. b) Viewed "Site Plan showing Car Parking Areas" dated 23 August 2013. c) Viewed "Site Plan showing Car Parking Areas" dated 23 August 2013.	NC Works are not currently in compliance with the requirements of this condition, however approval has been requested from Council that internal roads/parking not be required to meet AS2890.1:2004 and AS2890.2:2002, or their latest versions.
32	The Proponent shall ensure that vehicles associated with the project do not park or queue on the public road network at any time.	No vehicles were observed parking or queuing on public roads during the audit.		C No vehicles were observed parking or queuing on public roads during the audit.
Night-time Heavy Vehicle Restrictions				
33	The Proponent shall ensure that heavy vehicles travelling to and from the site between 8pm and 7am only use Bolong Road and Princes Highway.	John Studdert: No drivers have been issued penalty notices for using incorrect routes. This requirement is covered in driver's annual site induction.	"Road Traffic and Noise Management Protocol" includes route map showing only Bolong Rd and Princes Highway for Heavy vehicles and B-Doubles. Dated 1 July 2004. Does not show time specific route alternatives.	C No evidence of heavy vehicles travelling to and from the site did not use Bolong Road and Princes Highway. Opportunity for improvement: Revise the relevant

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
				section of the Shoalhaven Starches management systems to ensure that training requirements are correctly documented and records of completion of training are kept for training carried out to meet compliance requirements.
Railway Crossings				
34	Within 12 months of this approval, the Proponent shall undertake an assessment of the safety of the rail level crossing of Bolong Road, in consultation with the RTA, Council, NSW Rail Level Crossing Unit and the Independent Safety and Reliability Regulator, and to the satisfaction of the Director-General.		<p><i>"Bolong Road Level Crossing Risk Assessment Workshop"</i> dated 06 August 2009 by Shoalhaven Starches (part 1 or 2 and part 2 or 2)</p> <p><i>"Minutes of Risk Management Workshop, Bolong Road Level Crossing Upgrade"</i> dated 21 July 2010 by Coffey Rail</p> <p>Risk Assessment Workshop included attendees from the RTA, Shoalhaven City Council, NSW Railcorp – Level crossing unit however did not contain a representative from ISRR, they were not able to attend the workshop.</p> <p>The Risk Management Workshop included the ISRR representative</p>	C An assessment of the safety of the rail level crossing of Bolong Road was undertaken.
35	The Proponent shall implement all reasonable and feasible recommendations in the rail level crossing safety assessment to the satisfaction of the Director-General.	<p>Brian Hanley:</p> <p><i>All rail drawings had to be submitted to Council and stamped before construction. The boom gates, and foundations, for example, went to Council for their approval.</i></p>	<p>No evidence of Director-General approval, however Planning were present at the Risk Management workshop.</p>	NC Evidence of Director-General satisfaction of the implementation of these works has not been obtained.

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
				Recommendation: Revise the relevant section of the Shoalhaven Starches management systems to ensure that compliance requirements that require follow-up actions (e.g. gaining written approval from the Director-General) are completed

Table 12 Hazards

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
Pre-construction Studies				
36	The Proponent shall prepare and implement a Construction Safety Study in accordance with the Department's Hazardous Industry Planning Advisory Paper No.7 - Construction Safety Guidelines, for the Project to the satisfaction of the Director-General. <i>Note: The commissioning portion of the Construction Safety Study may be submitted to the Department prior to the commencement of commissioning.</i>		“Construction Safety Study” dated February 2009 by Manildra Group in conjunction with Beca Pty Ltd Letter from the Department dated 17 th April 2009, granting approval for the study subject to the submission of an addendum covering the commissioning process of Stage 1. The addendum requested was not viewed.	NC An initial study has been submitted, however an addendum required by the Director-General has not yet been provided. Recommendation: Revise the relevant section of the Shoalhaven Starches management

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
37	<p>The Proponent shall not commence construction on site before the Construction Safety Study has been approved by the Director General.</p> <p><i>Note: Preliminary construction works outside the scope of the hazard studies may be undertaken prior to the approval of the Construction Safety Study referred to above.</i></p>	<p>John Studdert</p> <p><i>The Water Treatment Plant was the first part of the works constructed, in mid-2009 after submission of the initial Study.</i></p>		<p>systems to ensure that compliance requirements that require follow-up actions (e.g. submission of plan or study revisions) are completed</p> <hr/> <p>C</p> <p>An initial study was submitted prior to the commencement of works.</p> <p>Recommendation:</p> <p>Revise the relevant section of the Shoalhaven Starches management systems to ensure that compliance requirements that require follow-up actions (e.g. submission of plan or study revisions) are completed</p>
Pre-construction Studies for MP 06_0228 MOD 2				
37A	<p>The Proponent shall prepare and implement a Construction Safety Study in accordance with the Department's Hazardous Industry Planning Advisory Paper No.7 - Construction Safety Guidelines, for MP 06_0228 MOD 2 to the satisfaction of the Director-General. The Proponent shall not commence any construction on site associated with MP 06_0228 MOD 2 before the Construction Safety Study has been approved by the Director General.</p>	<p>John Studdert</p> <p><i>This was not updated for MOD 2</i></p>	<p>"Construction Safety Study" dated February 2009 by Manildra Group in conjunction with Beca Pty Ltd</p>	<p>NC</p> <p>The Study was not updated as required.</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	<i>Note: Preliminary construction works outside the scope of the hazard studies may be undertaken prior to the approval of the Construction Safety Study referred to above.</i>			
Pre-Commissioning Hazard Studies				
38	<p>The Proponent shall prepare and implement the following to the satisfaction of the Director-General:</p> <p>a) an updated Fire Safety Study for the project as modified by MP 06_0228 MOD 2 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.</p> <p>The Fire Safety Study shall also be prepared and implemented to the satisfaction of the NSW Fire Brigade;</p> <p>b) a Hazard and Operability Study 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 Director-General, includes a program for the implementation of all recommendations made during the study; and if the Proponent intends to defer the implementation certain recommendations, then provide justification for the proposed deferral; and</p> <p>c) a Final Hazards Analysis (FHA) prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis.</p> <p>d) a Transport of Hazardous Materials Plan, which details arrangements for the transport of hazardous materials including routes to be used by vehicles carrying hazardous materials, selected in accordance with the Department's draft Route Selection' Guidelines;</p> <p>e) an updated Emergency Plan for the project as modified by MP 06_0228 MOD 2 prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No.1- Industry Emergency Planning Guidelines; and</p> <p>f) a Safety Management System prepared in accordance</p>		<p>Letter from Azmeena Kelly, Manager Compliance at Department Planning and Infrastructure dated 20 August 2013 providing comments on representations by Shoalhaven Starches made in regards to the Department's draft Order issued on 15 July 2013.</p> <p>Final Order No 18 issued by Department of Planning dated 20 August 2013</p> <p>a) "Site Wide Fire Safety Study" dated 28 June 2010 by Norman Disney and Young.</p> <p>States that in accordance with the Hazardous Industry Planning Advisory Paper No.2.</p> <p>Letter from NSW Fire Brigade to Shoalhaven Starches dated 7 April 2010 commenting on the Study. Page missing from letter provided to auditor. Auditor takes in good faith that information on missing page reflected in email referenced below (and no requirements were left unactioned).</p> <p>Email from Norman Disney and Young Consultants to Marc Onfray (Manildra) dated 14 September 2011 outlining how NSWFB comments had been incorporated into an updated version of the Study.</p> <p>"Site Wide Fire Safety Study" revision dated 14 September 2011 by Norman Disney and Young.</p> <p>Letter from Department of Planning dated 22nd September 2010 approving the Fire Engineering Assessment.</p> <p>Updated FFS has not been completed. Required to be completed by 30 September 2013 as per Order</p> <p>b) "HAZOP Study Report - Ring Dryer For Wheat Gluten And Product Dryer Grinding Circuit" dated 9 September 2010 by Norman Disney and Young.</p>	<p>NC</p> <p>Requirements for the Fire Safety Study and updated Emergency Plan were not updated as required for MOD2. Revised dates for new submissions have now been agreed with Planning</p>

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	with the Department's Hazardous Industry Planning Advisory Paper No.9 - Safety Management, and specifies all safety-related procedures, responsibilities and policies, along with mechanisms for ensuring adherence to these procedures.		<p>Letter from Department of Planning dated 15 December 2010 approving.</p> <p>c) "Ethanol Stage 1 Upgrade Final Hazard Analysis" dated 5 September 2010 by Norman Disney and Young.</p> <p>Letter from Department of Planning dated 29 July 2011 approving.</p> <p>d) "Transport Of Hazardous Materials Plan" dated 25 May 2009 by Norman Disney and Young.</p> <p>Letter from Department of Planning dated approx. 21 September 2009 approving (originally undated but subsequent email issued providing estimated date).</p> <p>e) No updated Emergency Plan</p> <p>"Emergency fire Response Plan and Fire crew Standard Operating Procedures" undated by Manildra Group.</p> <p>Letter from Department of Planning dated 8 April 2010 approving as per Order</p> <p>Updated emergency plan due by 25 November 2013.</p> <p>f) Safety Management System</p> <p>"Safety Management Compliance" extract from Safety Management System.</p> <p>Letter from Department of Planning dated 30 June 2011 approving SMS.</p>	
39	The Proponent shall not commence the commissioning of the project before these plans and systems have been approved by the Director-General.	John Studdert <i>Initial plans were submitted prior to the commencement of commissioning</i>		C Initial plans were submitted prior to the commencement of commissioning
Pre-Commissioning Hazard Studies for MP 06_0228 MOD 2				
39A	The Proponent shall prepare and implement the following to the satisfaction of the Director-General: a) a Hazard and Operability Study for MP 06_0228 MOD 2 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 Director-General, includes a program for	John Studdert <i>HAZOP is scheduled to be completed by 21st October 2013.</i> <i>FHA is scheduled to be completed by 25th November 2013.</i>	Final Order No 18 issued by Department of Planning dated 20 August 2013 HAZOP MOD 2 not yet completed. Now required to be conducted by 21 October 2013. Final Hazards Analysis to be prepared by 25 November 2013.	NC Studies not updated prior to commissioning. The studies are being updated but has not yet been

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	the implementation of all recommendations made during the study; and if the Proponent intends to defer the implementation certain recommendations, then provide justification for the proposed deferral; and b) a Final Hazards Analysis (FHA) for MP 06_0228 MOD 2 prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis.			completed.

Hazard Audit				
39B	<p>Twelve months after the commencement of operations of MP 06_0228 MOD 2 and every three years thereafter, or at such intervals as the Director General may agree, the Proponent shall carry out a comprehensive Hazard Audit of the project as modified by MP 06_0228 MOD 2 and the site and within one month of each audit submit a report to the Director General. The initial Hazard Audit should report on the effectiveness of the upgraded deluge system and the effectiveness of the location of the hydrocarbon detectors.</p> <p>The audits shall be carried out at the Proponent's expense by a qualified person or team, independent of the project, prior to commencement of each audit and shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'.</p>	<p>John: <i>The audit has not yet been undertaken.</i> <i>The Hazard Audit will be conducted after the completion of the updated MOD 2 studies as per Order No 18.</i></p>	<p>Cover letter to Final Order No 18 issued by Department of Planning dated 20 August 2013 noting that Shoalhaven Starches intends to undertake the audit by 31 March 2014.</p>	<p>NC The audit has not yet been undertaken.</p>

Table 13 Waste

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
Waste				
40	<p>Except as expressly permitted by an EPL, the Proponent shall:</p> <p>a) not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment,</p>	<p>John: <i>We don't receive any waste from outside the premises, other than those we have exemption for.</i> <i>General waste goes to landfill and is collected by SITA.</i></p>	<p>a) Letter from NSW EPA to Brian Hanley dated 23 November 2012 providing Specific Exemption for the use of virgin timber residues from forestry or sawmilling operations as fuel at Shoalhaven Starches facility at</p>	<p>C Non-approved wastes are not received on site.</p>

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	processing, reprocessing or disposal; and b) ensure that all waste generated on the site is classified and managed in accordance with the DECC's Environmental Guidelines: Waste Classification Guideline.	<i>Timber, paper, steel are also collected & recycled. Clinical waste is collected by Steri-Health (from microbiological sampling undertaken)</i>	Bomaderry. EPL 883 includes permission to receive following wastes: <ul style="list-style-type: none"> • non-liquid sugar products, solely for use in fermentation • biomass material for exclusive use in the Bulk Volume Fermentation Unit. b) observed wastes of several streams separated effectively on site. Invoice 1239378 from SteriHealth received 9 July 2013 for monthly clinical waste services through June.	
Waste Management Plan				
41	The Proponent shall prepare and implement a Waste Management Plan for the project to the satisfaction of the Director-General. This plan must: <ol style="list-style-type: none"> a) be submitted to the Director-General for approval within 3 months of this approval; b) identify the various waste streams of the project; c) describe what measures would be implemented to reuse, recycle or minimise the waste generated by the project; and d) include a program to monitor the effectiveness of these measures. 		<p><i>"Waste Management Plan"</i> dated May 2009 by Stephenson Environmental Management Australia.</p> <p>Letter from Department of Planning undated approving but noting concerns over volumes of some materials.</p>	<p>C</p> <p>The plan has been prepared to the satisfaction of the Director-General.</p> <p>No evidence of follow up on the concerns raised over volumes was provided.</p> <p>Recommendation: Revise the relevant section of the Shoalhaven Starches management systems to ensure that compliance requirements that require follow-up actions (e.g. responding to Director-General</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
				concerns) are completed

Table 14 Landscape

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
Lighting				
42	The Proponent shall ensure that the lighting associated with the project a) complies with the latest version of AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting; and b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.		Letter Principal Certifying Authority from Bass Electrical's Adam Shepherd dated 30 January 2012 confirming compliance with both requirements of this condition.	C The lighting on site complies with the relevant standards.
Landscape and Vegetation Management				
43	The Proponent shall prepare and implement a Vegetation Management Plan for the project to the satisfaction of the Director-General. This plan must: a) be prepared in consultation with DWE and Council and be submitted to the Director-General for approval within 6 months of this approval; b) be prepared in accordance with DWE's Guidelines for Controlled Activities – Vegetation Management Plans; and c) include: •a Landscape Plan for the project, which identifies screen plantings to minimise visual impacts; •detailed plans and procedures to: - restore and maintain the waterways and riparian zones of Shoalhaven River, Bomaderry Creek, Abernethy'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;		<p>"Shoalhaven Starches Ethanol Plant Landscape and Vegetation Management Plan" dated July 2009 by Coffey Environments.</p> <p>"Shoalhaven Starches Ethanol Plant Landscape And Vegetation Management Plan" by Coffey Environments dated 26 May 2009. Potential September 2009 revision (no year provided).</p> <p>Letter from Department of Planning dated 8 April 2010 approving subject to submission of annual reports detailing implementation of the plan.</p> <p>Letter from Manildra Group to Mr David Kitto (delegate of the Director-General) dated 28 May 2010 responding to above letter.</p> <p>Attachment 1 – Current Status of Implementation of the Landscape and Vegetation Management Plan as at 26 May 2010.</p> <p>Letter from Cowman Stoddart Consultants to Department of Planning and Infrastructure dated 4 May 2012 providing a response to the Submission Report for</p>	NC Whilst the plan has been developed and approved by the Director-General, the requirement to submit annual reports detailing the implementation of the plan has not been met each year. Recommendation: Revise the relevant section of the Shoalhaven Starches

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
	<ul style="list-style-type: none"> - manage impacts on fauna; and - monitor the performance of the proposed restoration works. 		Mod 2.	management systems to ensure that compliance requirements that require follow-up actions (e.g. meeting ongoing reporting requirements) are completed
44	<p>The Proponent shall, to the satisfaction of the Director-General, ensure that:</p> <ul style="list-style-type: none"> a) all landscaping works proposed in the Landscape Plan/s in Appendix 2B of this approval are completed within 6 months of the date of approval of MP 06_0228 MOD 2 in consultation with Council; b) the Landscape Plan/s in Appendix 2B of this approval are incorporated into the approved Landscaping and Vegetation Management Plan for the project; and c) suitable measures are in place and detailed in the Landscaping and Vegetation Management Plan to ensure vegetation at the site is maintained for the life of the project. 	<p>John Studdert:</p> <p>Our plan is to do the landscaping works in stages and go back to Council to inform them of the plan and obtain their approval.</p>	<p>Evidence?</p> <p>a) all landscape works in Appendix B have not yet been completed.</p> <p>However it should be noted that the construction works are not yet completed, and it is therefore not practical to complete the works in all areas.</p> <p>b) Viewed internal "Landscape and Vegetation management plan" which is intended to incorporate the new MODs into the original approved L&VMP as prepared by Coffey. This will need OK from the D-G and consultation with Council</p> <p>c) Original Coffey's L&VM Plan included requirement for maintenance (watering, mulch and weed control). Viewed monthly order's for Chewyings Weed Control and maps provided that show areas across site that require weed management.</p>	<p>NC</p> <p>The landscaping works were not completed within the required timeframe.</p> <p>It is noted that the construction works are not yet completed, and it is therefore not practical to complete the works in all areas.</p> <p>Recommendation:</p> <p>Request extension on due dates for requirements that may not be practical to be completed within the timeframe stipulated in the consent.</p>

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
45	<p>The Proponent shall:</p> <ul style="list-style-type: none"> a) commence landscaping as proposed in the Landscape Plans in Appendix 2C within 6 weeks of commencing construction of the car park described in MOD 3; b) update the Vegetation Management Plan for the project, in consultation with Council, to include the Landscape Plan in Appendix 2C, including details of the measures to be implemented to ensure that landscaping is maintained for the life of the project; and c) submit the updated Vegetation Management Plan to the Director-General for approval, by the end of April 2013. 	<p>John Studdert</p> <p><i>Works not yet started, this condition not yet triggered.</i></p>		<p>Inability to be determined.</p> <p>The MOD 3 works have not yet been commenced.</p>

SCHEDULE 4 – ENVIRONMENTAL MANAGEMENT, REPORTING & AUDITING

Table 15 Environmental Management

Condition	Requirement	Interviews and Inspections	Documentation viewed	Compliance status
Environmental Management				
1	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:</p> <p>a) be submitted to the Director-General for approval within 3 months of this approval;</p> <p>b) identify the statutory requirements that apply to the project;</p> <p>c) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> •keep the local community and relevant agencies informed about the operation and environmental performance of the project; •receive, handle, respond to, and record complaints; •resolve any disputes that may arise during the course of the project; •respond to any non-compliance; •manage cumulative impacts; and •respond to emergencies; and <p>d) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the project.</p>		<p>“<i>Environmental Management Strategy</i>” dated April 2009 by Stephenson Environmental Management Australia. Letter from Department of Planning undated approving but noting two items have not been addressed:</p> <ul style="list-style-type: none"> • Reference to odour control staging • Reference to Energy and Sustainability Manager . <p>The Department confirmed in the letter that the Strategy complied with this condition.</p>	<p>C</p> <p>The strategy has been prepared to the satisfaction of the Director-General</p>

Table 16 Environmental Reporting

Condition	Requirement	Interviews	Documentation viewed	Compliance status
Incident Reporting				
2	<p>The Proponent shall notify the Director-General of any incidents associated with the project as soon as practicable after the Proponent becomes aware of the</p>		<p><i>Notice of Clean Up Action 1113256</i> issued by the EPA on 3 May 2010 requiring that the protective cover on Pond 4 be reinstalled no later than 31 May 2010.</p>	<p>NC</p> <p>Only one incident has been reported</p>

C – Compliance; NC – Non-compliance

Condition	Requirement	Interviews	Documentation viewed	Compliance status
	incident. Within 7 days of the date of the incident, the Proponent shall provide the Director-General with a detailed written report on the incident, and any action that has subsequently been taken in relation to this incident.		<p>Letter from the Manildra Group to the EPA dated 25 June 2010 advising that the cover had been reinstalled (on 22 June 2010, following correspondence discussing the requirement for an extension of time.)</p> <p>Letter from the EPA to Shoalhaven Starches dated 9 July 2010 stating they were satisfied with action taken on the Clean Up Notice.</p> <p>Letter from the Manildra Group to Mr David Kitto (delegate to the Director-General) dated 16 April 2010</p>	to the Director-General; notification was not provided within 7 days of the date of the incident.
Annual Reporting				
3	<p>The Proponent shall submit an Annual Report to the Director-General and other relevant agencies. This report must:</p> <p>a) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;</p> <p>b) include a summary of monthly production levels over the year;</p> <p>c) include a summary of the monitoring results obtained during the past year, and a comparison of these results against the relevant:</p> <ul style="list-style-type: none"> • impact assessment criteria/limits; • monitoring results from previous years; and • predictions/assumptions in the EA; <p>d) identify any trends in the monitoring results over the life of the project;</p> <p>e) identify any non-compliance during the previous year; and</p> <p>f) describe what actions were, or are being, taken to ensure compliance.</p>	<p>John:</p> <p><i>No formal annual reports submitted to Planning as per this condition. We submit an annual report to NSW EPA which meets these conditions. We don't currently report on production levels.</i></p>	<p>Report not submitted.</p> <p>Annual returns to EPA does not include item (b) of this requirement.</p> <p>recommend that Annual returns that go to EPA are sent to Director-General also,</p>	<p>NC</p> <p>The reports required by this condition are not being submitted.</p> <p>Recommendation:</p> <p>Submit the annual returns that currently go to the EPA to the Director-General also, with any additional information required to comply with this condition, and others in the consent that stipulate annual reporting.</p>

Table 17 Independent Environmental Audit

Condition	Requirement	Interviews	Documentation viewed	Compliance status
Independent	Environmental Audit			
4	<p>Within 12 months of the commencement of operations, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:</p> <p>a) be conducted by a suitably qualified, experienced, and independent team of experts whose appointment has been endorsed by the Director-General;</p> <p>b) be undertaken in consultation with OEH, DWE and Council;</p> <p>c) include, in the initial audit, a Hazard Audit that has been conducted in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 5 – Hazard Audit Guidelines;</p> <p>d) assess the environmental performance of the project and undertake any works necessary to determine whether it is complying with the relevant standards, performance measures, and statutory requirements;</p> <p>e) review the adequacy of any strategy/plan/program required under this approval; and, if necessary,</p> <p>f) recommend measures or actions to improve the environmental performance of the project, and/or any strategy/plan/program required under this approval.</p> <p><i>Note: Wherever possible, the timing of the Independent Environmental Audit, Independent Odour Audit and Hazard Audit should be co-ordinated to avoid duplication, and the experts conducting the Independent Odour Audit and Hazard Audit should be included in the broader audit team. In the initial years, the Independent Environmental Audit team should include experts in Odour, Noise, and Wastewater Irrigation.</i></p>			<p>Inability to be determined.</p> <p>This audit represents Shoalhaven Starches intention to comply with this condition.</p>

Condition	Requirement	Interviews	Documentation viewed	Compliance status
4*	Within 6 weeks of completing this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General with a response to any recommendations contained in the audit report.			Inability to be determined. This audit represents Shoalhaven Starches intention to comply with this condition.
5	Within 3 months of submitting an audit report to the Director-General, the Proponent shall review and if necessary revise the strategy/plans/programs and undertake additional mitigation measures as required under this approval to the satisfaction of the Director-General.			Inability to be determined. This audit represents Shoalhaven Starches intention to comply with this condition.

Independent Environmental Audit

5A	<p>Within 3 months of:</p> <p>a) a modification to this approval; and/or</p> <p>b) any audit required under this approval,</p> <p>the Proponent must review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Director-General.</p> <p><i>Note: this is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</i></p>	<p>John Studdert</p> <p><i>We'll only change the Plans upon request from Director-General.</i></p> <p><i>Plans and programs have, however, been incorporated into the Environmental Management System (EMS) for regular review.</i></p> <p><i>We are currently intending to have a certified EMS by December 2013. We have had the Stage 1 certification.</i></p>		<p>NC</p> <p>Evidence of all plans being reviewed and revised following modifications to this approval was not available.</p>
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*listed as condition 4 twice in consent

Table 18 Access to Information

Condition	Requirement	Interviews	Documentation viewed	Compliance status
Access to Information				

Condition	Requirement	Interviews	Documentation viewed	Compliance status
6	<p>Within 3 months of the approval of any strategy / plan / program required under this approval (or any subsequent revision of these strategies / plans / programs), or the completion of the audits or annual reports required under this approval, the Proponent shall provide a copy of the relevant documents/data to:</p> <p>a) the relevant agencies, and b) any interested party upon request.</p>	<p>John:</p> <p>We sent copies of the plans as required under the approval for comments.</p> <ul style="list-style-type: none"> • The EPA were given copies of the Odour Audits. • NSWFB given copy of completed Fire Safety Study and Emergency Plan. • Council receive approved plans for roadworks, landscaping and carparks. <p>Not all plans submitted as final. No additional requests were received.</p>		<p>NC</p> <p>Not all finalised plans were submitted to the relevant stakeholders as required.</p>