

## Shoalhaven Starches Response to Audit Findings

### Independent Environmental Audit, Project Approval 06\_0228, Malo Sustainability Consulting, June 2019

Tables 1 and 2 shows the non-compliances and opportunities for improvement received during the 2019 audit and the proposed actions by Shoalhaven Starches (SS) to address the audit findings.

**Table 1. Response to Non-compliances (NC)**

NC No.	Sched	Cond	Requirement	Finding	Recommendation	Shoalhaven Starches Response	Timeframe	Status
NC1	2	2	The Proponent shall carry out the project generally in accordance with the: a) EA and associated site plans (see Appendix 2); b) amended modification proposal MP 06_0228 MOD 1 et al.	The Proponent was issued a PIN for non-compliance with this condition. Notwithstanding additional non-compliances found during the audit for other specific conditions, the auditor considers the Proponent to have carried out the project generally in accordance with the requirements listed.	Consider developing a document that briefly describes each MOD and a summary of the approved works for distribution to key / relevant staff to minimise the risk of unapproved works being carried out on site.	Application submitted by SS to DPE on 1 <sup>st</sup> November 2016 to 'regularise' the storage of coal and woodchip stockpiles at the SS factory site and Environmental Farm.  DPE approval received on 1 <sup>st</sup> September 2017 (MOD 11)  Each project modification approval is distributed to the relevant staff.		Complete
NC2	2	8B	Within three (3) months of the date of approval of MP 06_0228 MOD 5, the Proponent shall: a) obtain and provide copies to the Secretary of all necessary building certificate(s) from Council for any structures proposed as part of MP 06_0228 MOD 5 that have been constructed or partially constructed prior to the approval of MP 06_0228 MOD 5; and 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.	Building certificate not yet obtained	Ensure all approval requirements are captured, tracked and assigned a responsibility in the compliance management system	Council building inspection on 9-10-18 and subsequent Council email dated 22-10-18 identifying two issues to be addressed.  Additional works by SS to address issues completed in April 2019.  Re-inspection by PCA due 8-7-2019.  Council to approve once PCA re-issues building compliance certificate.  The issue is being tracked in the Environmental Management System (EMS)	Sep-19	In progress
NC3	2	8C	By the end of July 2018, the Proponent shall provide copies of building certificates, where required, to demonstrate compliance with the	Building certificate applications were submitted in June 2018, however	Ensure all approval requirements are captured, tracked and assigned a responsibility in the	SS to follow-up with Council on building inspections.	Jul-19	Incomplete

NC No.	Sched	Cond	Requirement	Finding	Recommendation	Shoalhaven Starches Response	Timeframe	Status
			BCA for the alterations to structures and additional structures listed in Table A. If an item in Table A does not require a building certificate in accordance with the BCA, the Proponent shall provide written evidence, to the satisfaction of the Secretary.	inspections and certificates have not been issued.	compliance management system	The issue is being tracked in the Environmental Management System (EMS)		
NC4	2	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.	The requirements of the condition are generally being met; however, the Proponent was issued a fine by the NSW EPA during the audit period that resulted from activities not being carried out in a competent manner.	Appropriate corrective actions (including responses to the incident accepted by the EPA) have already been put in place. No further recommendation is considered necessary.	No further action required.		Complete
NC5	3	9	The Proponent shall ensure the emissions from boiler stacks 2, 4 and combined boiler stack 5 and 6 comply with the limits in the EPL.	One exceedance of the EPL opacity limit was recorded during the audit period.	Appropriate corrective actions (including preventative maintenance) have already been put in place. No further recommendation is considered necessary.	No further action required.		Complete
NC6	3	12	The Proponent shall ensure that noise from the project does not exceed the noise limits in Table 2.	On one occasion the noise for the plant marginally exceeded the current EPL limit.	Installed new silencer and low noise fan on Gluten Dryer No.2. No further recommendation is considered necessary.	No further action required.		Complete
NC7	3	17	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.	The Proponent has not yet completed a review of the hazardous substance storage depots as recommended in the 2016 audit.	The auditor notes that a consultant has been engaged to undertake the review of the hazardous substance storage depots and it is scheduled to be completed by December 2019. No further recommendation is considered necessary.	The review has commenced by a Dangerous Goods consultant.  Checklists have been prepared detailing requirements of the relevant Australian Standards.	Dec-19	Commenced

NC No.	Sched	Cond	Requirement	Finding	Recommendation	Shoalhaven Starches Response	Timeframe	Status
NC8	3	22D	Stormwater controls were not implemented within 3 months of the date of the approval.	Stormwater controls were not implemented within 3 months of the date of the approval.	Ensure all approval requirements are captured, tracked and assigned a responsibility in the compliance management system	Stormwater controls were completed in August 2018.  Compliance conditions are tracked in the 'Project Status' spreadsheet for each modification.		Complete
NC9	3	22E	Prior to the commencement of construction of MOD 12, the Proponent shall re-instate the table drain on the southern side of Bolong Road to the east of the distillery access. The works shall be completed to the satisfaction of Council.	MOD 12 construction commenced prior to re-instating the table drain.	Ensure all approval requirements are captured, tracked and assigned a responsibility in the compliance management system	Construction of the table drain has commenced as part of the road works required under condition 27A.  Estimated date of completion is the end of September 2019.	Sep-19	Commenced
NC10	3	26	The Proponent shall prepare a Flood Mitigation and Management Plan for the project to the satisfaction of the Secretary. This plan must: a) be prepared in consultation with Council and be submitted to the Secretary for approval within 12 months of this approval; b) include: 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; 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.	The flood marker required by the Plan had not been installed.	The auditor notes that the Proponent receives an early flood warning from the SES when the level in the Shoalhaven River near the Nowra Bridge reaches a rising level of 1.3m AHD and responsibility for receiving SES and Flood Watch warnings has been assigned to the WHS Manager. Accordingly, the auditor recommends that the Proponent either installs the marker, or reconsiders, in consultation with Council, whether this management measure is necessary as part of the overall flood warning system.	The flood marker has been ordered and will be installed as per the flood plan.	Sep-19	Incomplete

NC No.	Sched	Cond	Requirement	Finding	Recommendation	Shoalhaven Starches Response	Timeframe	Status
NC11	3	27A	<p>Prior to the commencement of operation of any part of MOD 12, or no later than 31 March 2018, the Proponent shall complete the road and parking works in accordance with the plans approved by Council, as described in Condition 27. The Proponent shall submit works-as-executed plans to Council one month after the completion of the works, or no later than 30 April 2018.</p> <p>Note: The works-as-executed plans shall show the completed works compared to the approved plans.</p>	The works have not been carried out in the agreed time.	Ensure all approval requirements are captured, tracked and assigned a responsibility in the compliance management system	<p>Works are underway.</p> <p>SS to prepare updated status of road works including estimated dates of completion and submit to the DPE.</p>	Sep-19	Commenced
NC12	3	27B	No later than 31 May 2018, the Proponent shall provide written evidence to the Secretary of Council's acceptance of the works-as-executed plans and Council's acceptance of care and maintenance responsibilities for the section of Bolong Road from Railway Street to the Dairy Farmers site access.	The works have not been carried out in the agreed time.	Ensure all approval requirements are captured, tracked and assigned a responsibility in the compliance management system	To be completed once works under condition 27A have been completed.	Oct-19	Incomplete
NC13	3	43	<p>The Proponent shall prepare and implement a Vegetation Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>a) be prepared in consultation with DWE and Council and be submitted to the Secretary for approval within 6 months of this approval;</p> <p>b) be prepared in accordance with DWE's Guidelines for Controlled Activities – Vegetation Management Plans; and</p> <p>c) include:</p> <ul style="list-style-type: none"> <li>• a Landscape Plan for the project, which identifies screen plantings to minimise visual impacts;</li> <li>• detailed plans and procedures to:</li> </ul>	The plan was not submitted within the required timeframe.	Ensure all approval requirements are captured, tracked and assigned a responsibility in the compliance management system	<p>The updated plan was submitted to the DPE on 1<sup>st</sup> May 2019 and approved by DPE on 15<sup>th</sup> May 2019.</p> <p>The plan is tracked in the EMS.</p>		Complete

NC No.	Sched	Cond	Requirement	Finding	Recommendation	Shoalhaven Starches Response	Timeframe	Status
			<ul style="list-style-type: none"> <li>- restore and maintain the waterways and riparian zones of Shoalhaven River, Bomaderry Creek, Abernethy's Creek and Broughton Creek on the site;</li> <li>- manage weeds in the vicinity of the riparian zones;</li> <li>- integrate works into the proposed landscaping for the rest of the site;</li> <li>- manage impacts on fauna; and</li> <li>- monitor the performance of the proposed restoration works.</li> </ul>					
NC14	4	2A	The Proponent shall notify the Secretary and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the facility immediately after the Proponent becomes aware of the incident.	On one occasion an incident was not reported to Planning	Ensure all notification requirements are assigned a responsibility and appropriate systems are in place to trigger them when an incident occurs.	<p>Incident (on 14-12-2017) reported to the EPA was not submitted to the Secretary. This was self-reported by SS as a non-compliance in the Annual Report 2018 and a subsequent warning letter issued by the DPE on 29-11-18.</p> <p>No further action taken.</p>		Complete
NC15	4	2B	Within 7 days of the date of this incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident.	On one occasion an incident was not reported to Planning within 7 days.	Ensure all notification requirements are assigned a responsibility and appropriate systems are in place to trigger them when an incident occurs.	As above.		Complete

**Table 2. Response to Opportunities for Improvement (OFI)**

OFI No.	Sched	Cond	Opportunity for Improvement	Shoalhaven Starches Response	Timeframe	Status
OFI-1	3	10	Ensure that consultation requirements for conditions are complied with and recorded in relevant plans and documents.	No evidence of consultation with the EPA was detailed in the original plan approved by the DPE (2009)  SS to seek clarification with the DPE if original approved plans require consultation for each revision of the plan.	Sep-19	Incomplete
OFI-2	3	13A	Consider a monthly review of subcontractor pre start / toolbox talks to check that noise issues (and any other high-risk impacts) are discussed either from time to time or to coincide with noisy works.	SS will implement this recommendation for current and future project modifications.	Aug-19	Incomplete
			Consider revision of CNMPs to ensure proposed mitigation measures are suitable for the nature of works being undertaken and their location.	Future CNMPs will be revised accordingly.	As required	As required
OFI-3	3	14	Consider including the requirement to respond to "noise exceedances", from the original NMP rather than more generally "excessive noise" to ensure that specific remedial actions are linked to actual trigger levels.	SS will update the operational Noise Management Plan to include this audit recommendation.	Sep-19	Incomplete
OFI-4	3	18	Maintain a fill-import register for all material import activities.	SS will implement a fill-import register.	Sep-19	Incomplete
OFI-5	3	20F	When the UFP is next updated, include a note that the procedure on p5 covers bonded asbestos.	SS will implement this recommendation for the next UFP update.	Dec-19	Incomplete
OFI-6	3	22	Discuss the requirements for the approval of plan revisions with Planning and revise this approval to remove any doubt as to the requirement for Planning approval for Plan revisions.	SS to seek clarification with DPE if original plans approved by the DPE require consultation for each revision of the plan.	Sep-19	Incomplete
OFI-7	3	22B	Update the Stormwater Management Plan to reflect the changes that have occurred on site and submit to Council for information.	Stormwater plan will be updated and submitted to Council.	Dec-19	Incomplete
OFI-8	3	24	Consider, in consultation with Planning, rewording the condition to ensure that the department objectives are met.	SS to seek rewording of this condition.	Sep-19	Incomplete
OFI-9	3	26C	Include scope for the consultant undertaking the hazardous materials storage assessment to confirm that all hazardous materials are stored above the 1% AEP flood level.	SS will implement this recommendation.	As required	As required
OFI-10	3	36a	In consultation with Planning, develop a new process for obtaining Fire and Rescue NSW approval for Fire Safety Studies that is timely and meets the Departmental objectives for the requirements of this condition.	SS to follow-up with DPE and Fire & Rescue NSW on this matter.	Sep-19	Incomplete
OFI-11	4	5A	Ensure the review process following each of the triggers in this condition is documented.	SS to document this review process.	Sep-19	Incomplete