

# Notice of Modification

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

As delegate of the Minister for Planning, I modify the Project Approval referred to in Schedule 1, as set out in schedule 2.



David Kitto  
Director  
Mining and Industry Projects

Sydney

7 SEPTEMBER

2011

### SCHEDULE 1

Application Number:	18/1995 MOD 1
Applicant:	Cargill Australia Ltd
Approval Authority:	Minister for Planning
Land:	Lot 2 DP 858206
For the following:	Biofilter odour control system

## SCHEDULE 2

1. Replace condition 1 with the following:

### Terms of Approval

1. The Applicant shall carry out the development generally in accordance with the:
  - a) environmental impact statement (EIS) dated May 1995, prepared by HLA Envirosiences Pty Limited;
  - b) modification application 18/1995 MOD 1 titled '*Proposed modification to odour control system at existing Grain and Oilseed Processing Facility*' prepared by Worley Parsons and dated 30 June 2011;
  - c) conditions of this approval.
2. Replace condition 7 with the following:

### Pollution Emissions and Monitoring

7. The Applicant shall design, operate and maintain the plant in a manner that would achieve compliance with the Environment Protection Licence (EPL). The Applicant must advise the Department of any variations to the EPL as approved by Office of Environment and Heritage (OEH).

3. Insert condition 7.1 following condition 7:

### Odour

- 7.1. The Applicant must not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the *Protection of the Environment Operations Act 1997*.

4. Insert condition 7.2 immediately following condition 7.1:

- 7.2. Within 6 months of the operation of the Biofilters related to 18/1995 MOD1, or within a timeframe otherwise approved by the Director-General, the Applicant shall commission and pay the full cost of an Independent Odour Audit and Validation. This audit must:
  - a) be conducted by a suitably qualified, experienced and independent expert whose appointment has been endorsed by the Director-General;
  - b) include odour sampling and analysis for all potential odour sources at the Facility. Odour sampling and analysis must be undertaken in accordance with the requirements of *Approved Methods For Sampling And Analysis Of Air Pollutants In NSW* or alternate methods approved by the OEH;
  - c) validate the emissions and impacts predicted in modification application (18/1995 MOD1);
  - d) audit the effectiveness of the biofilters in regard to protecting receivers against offensive odour;
  - e) determine whether the plant is complying with the requirements in this approval; and if necessary,
  - f) recommend and prioritise reasonable and feasible measures to either improve the odour controls on site, such that receivers would be protected against offensive odour from the site.

Within 6 weeks of the completion of an odour audit, the Applicant 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.

5. Insert condition 7.3 immediately following condition 7.2:

- 7.3 Unless otherwise directed by the Director-General, the Applicant shall implement the necessary reasonable and feasible odour controls and recommendations of the Independent Odour Audit and Validation.

6. Insert condition 13.1 following condition 13:

- 13.1. The Applicant shall prepare and implement a Construction Environmental Management Plan (CEMP) to outline environmental management practices and procedures to be followed during the construction of the biofilter (18/1995 MOD 1). The CEMP shall include, but not necessarily be limited to:
  - a) a description of all activities to be undertaken on the site during construction of the biofilter including an indication of stages of construction, where relevant;
  - b) statutory and other obligations that the Applicant is required to fulfil during construction;
  - c) detailed management measures that would be implemented to address environmental issues i.e., noise, air and water quality,
  - d) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts; and
  - e) a description of the roles and responsibilities for all relevant employees involved in the construction of the biofilter.

The CEMP shall be submitted for the approval of the Director-General prior to the commencement of construction of the biofilter.

**7. Delete condition 20.**