



SSI-22338205 – Kurri Kurri Lateral Pipeline Minor Modification Scoping Request for Stormwater Discharge and Creek Stabilisation

22 December 2023

NSW Department of Planning & Environment (DPE)
Director Social and Infrastructure Assessments

Attention: Jack Turner

SSI22338205 – Kurri Kurri Lateral Pipeline Minor Modification Scoping Request for Stormwater Discharge and Creek Stabilisation

Dear Jack,

The Kurri Kurri Lateral Pipeline (KKLP) project was approved as Critical SSI-22338205 by the then New South Wales (NSW) Minister for Planning and Public Spaces on 23 December 2022. As discussed with DPE on 24 November 2023, APA wish to undertake a minor modification of the Project, pursuant to Section 5.25 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), in accordance with the details provided in this letter.

Scope of the modification

Operational stormwater management

Part of the approved KKLP project is located on land owned by Snowy Hydro Limited (SHL) with APA operating under an easement agreement with SHL to construct and operate the compressor station (refer to **Figure 1**). Snowy Hydro obtained approval for the full stormwater management of Lot 1 DP 1276814 and Lot 2 DP1286098 (hereafter referred to as 'Lot 1' and 'Lot 2') as part of the Hunter Power Project (HPP) EIS with the discharge point to the north west into the unnamed tributary of Black Waterholes Creek. The APA EIS approval did not include operational stormwater management from Lot 2 as at the time of writing, it was to be managed as part of HPP.

SHL have since directed APA to manage operational stormwater from Lot 2. A proposed discharge point has been identified north of the Hydro Aluminium haul road culvert over the unnamed creek where stormwater can be pumped and discharged during operation. APA are required to modify the KKLP Critical SSI approval to enable Lot 2 stormwater to be managed and discharged to a location about 200 metres upstream from the approved HPP stormwater discharge location.

Additional creek stabilisation works

Feeder and storage gas pipelines run in a northerly direction from the KKLP site. These pipelines run for about 120 metres in a 20 metre wide easement to the west of the HPP site. The easement includes the eastern bank and a portion of the bed of the unnamed creek. Construction of the gas pipelines by means of open cut trenching and stabilisation of the eastern bank by means of gabions is deemed to be part of the approved KKLP project. However design development and learnings from other projects have identified the need to implement further protective works. Gabions are proposed to be used across the entire bed of creek as well as the western bank of the unnamed creek over a distance of some 120 metres. These gabions would prevent undercutting of the protective works on the eastern banks and hence minimise the risk of damage to the gas pipelines during large flood events. APA are required to modify the existing critical SSI approval to increase the KKLP footprint by some 15 metres by 150 metres and to stabilise the bed and western bank of the unnamed creek.

Proposed minor modification

APA proposes modifying the approved Project to enable stormwater discharge from Lot 2 and bank stabilisation, which together will be referred to as the 'Proposed Modification'. The Proposed Modification would occur within a small extension to the Project area of about 0.3 ha, as shown in **Figure 1**.

Key elements of the Proposed Modification are shown in **Figure 1** and include the following:

- Approval to discharge stormwater from Lot 2 at a point downstream of the culvert over the unnamed creek
- Stabilisation of the western bank and a portion of the creek bed of the unnamed tributary of Black Waterholes Creek, over a 150 metre section immediately downstream of the existing culvert.

Figure 2 provides a cross section of the final creek form following work under the EIS and Proposed Modification. Note that it is proposed to construct the Proposed Modification simultaneously with the gas pipelines (including the crossing under the creek) and the gabions on the eastern side of the unnamed creek.

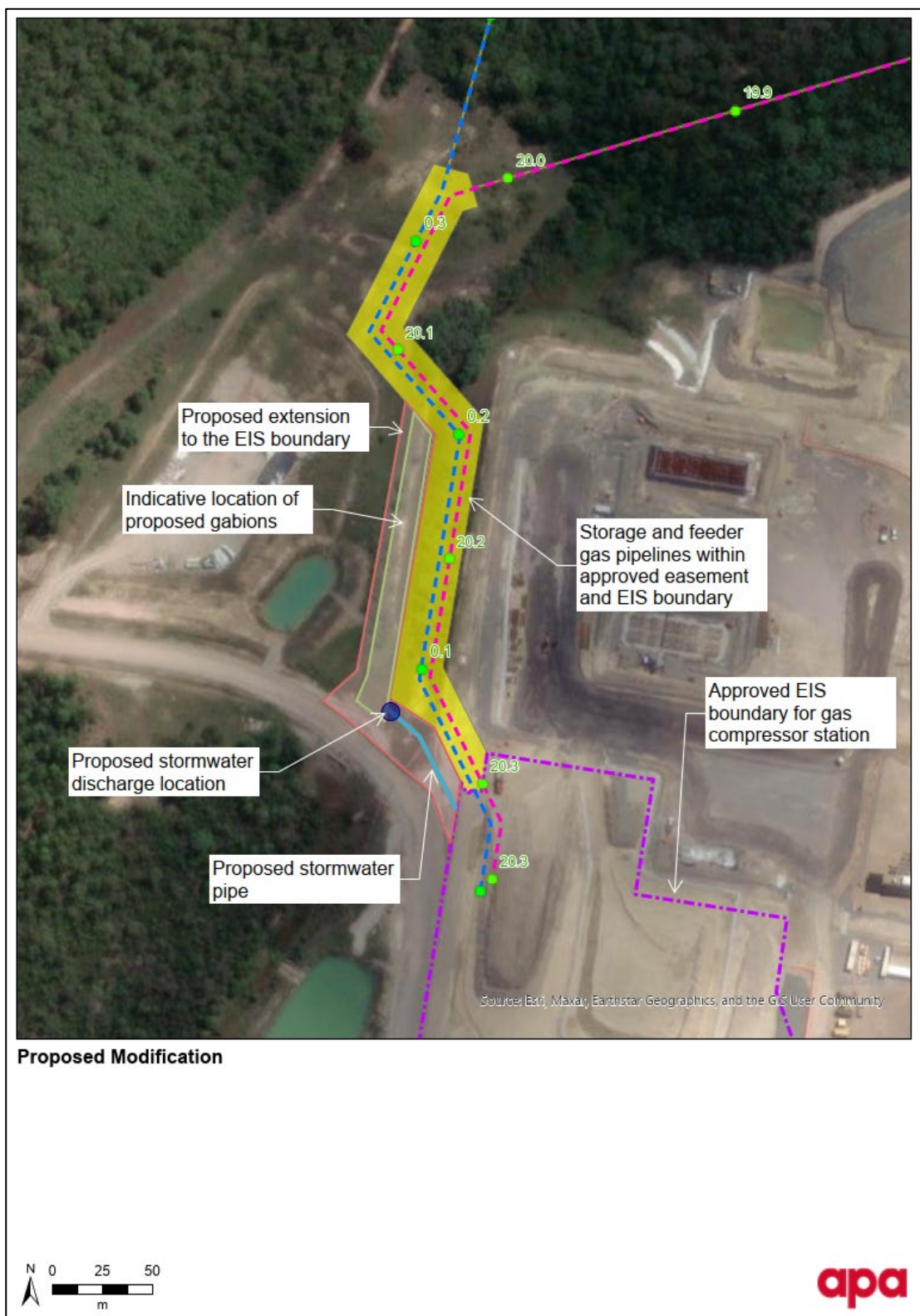
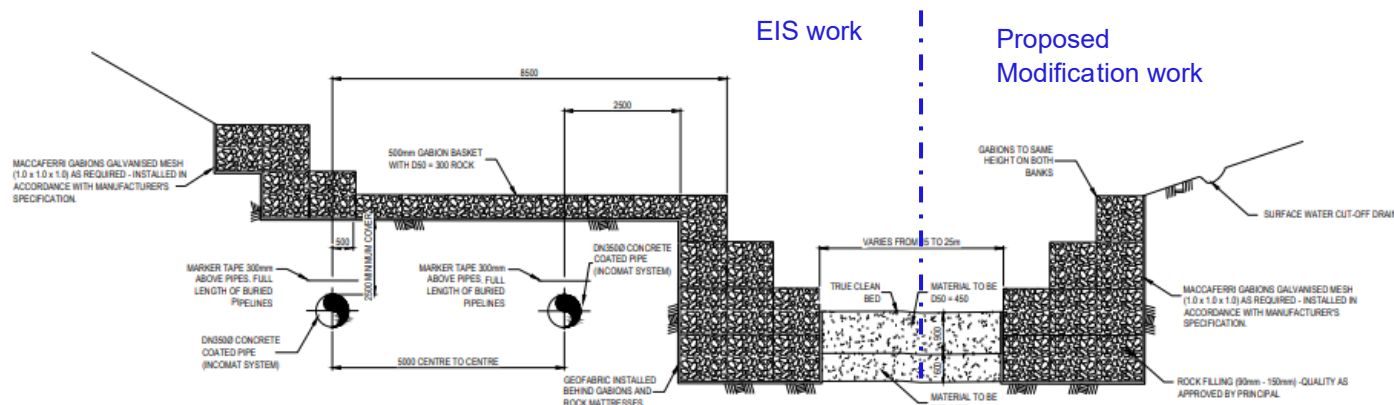


Figure 1 The approved Project and key elements of the Proposed Modification



Proposed scope of the assessment

Table 1. Environmental risk assessment

Further detail on the proposed method for addressing the environmental risks is detailed below for the higher environmental risks. A brief discussion on changes to the remaining lower environmental risks will be included as a section within the Modification Report and will largely be a review of the changes against mitigation measures proposed to ensure that these are adequate to manage any potential impacts.

The Proposed Modification has the potential to result in some additional direct impacts to aquatic habitat as a result of stabilisation works on the bed and western bank of the unnamed creek during construction. A walkover by an aquatic ecologist and preparation of an assessment report is proposed to assess the changes in impacts to aquatic habitat. Downstream and upstream implications would also be considered.

Given that the water quantity and quality implications for stormwater discharges from Lot 2 have already been assessed in the HPP EIS, the Modification Report would address the stormwater discharge impacts at a high level, focusing on any incremental impacts and pollution risks.

Water quality and aquatic ecology impacts and mitigation measures from the HPP EIS and KKLP EIS would be reviewed as part of the Modification Report as well as the SEARs and KKLP Conditions of Approval.

Terrestrial ecology

The Proposed Modification would add about 0.3 hectares to the Project Footprint, requiring an additional clearing of some plant community types that were identified as threatened ecological communities (TECs) under the *Biodiversity Conservation Act 2016*. A site walkover by a Biodiversity Assessment Method accredited ecologist and preparation of an assessment report is proposed to assess the change in impacts. Measures proposed in the Project Biodiversity Development Assessment Report (BDAR) would be reviewed as part of the Modification Report. Impacts and mitigation measures from KKLP EIS, SEARs and Conditions of Approval of the KKLP as well as the biodiversity offset strategy would also be reviewed. Key questions that will be answered are whether the condition of the TECs triggers the requirement for further offsetting and any *Environment Protection Biodiversity Conservation Act 1999* implications associated with the vegetation clearing.

Soils and contamination

Construction within the unnamed creek would require disturbance, extraction and management of potentially contaminated sediments. Investigations to understand the potential contamination of these sediments are proposed and an assessment against the waste classification guidelines would be included in the Modification Report. Soil and contamination management measures from the EIS, the SEARs, and the KKLP Conditions of Approval would be reviewed as part of the Modification Report. Additional measures will be proposed where required.

Aboriginal cultural heritage

The Proposed Modification would add additional area to the Project Footprint outside the area previously assessed by the Project Aboriginal Cultural Heritage Assessment Report (ACHAR). A site walkover with Registered Aboriginal Parties (RAPs) for the project and an addendum to the ACHARs proposed. RAPs would be invited to comment, with any additional management measures identified incorporated into the existing Aboriginal Cultural Heritage Management Plan.

Consultation

No consultation prior to exhibition of the Modification Report is proposed, although meetings with key agencies are envisaged. It is not anticipated that the public would be affected or interested in the Proposed Modification and therefore no public engagement has been planned. The landowners and Commonwealth DCCEE would be notified as part of the application.

We look forward to your consideration of this request. Please advise APA of any additional requirements to be addressed in the proposed minor Modification Report.

Best regards

A handwritten signature in blue ink, appearing to read 'Trent Williams', is positioned above the typed name.

Trent Williams

KKLP Access and Approvals Manager

APA Group