

Our ref: SSD-5544-Mod-7

Ms Keiran Fleming  
National Development & Transaction Manager  
Ampol Refineries (NSW) Pty Ltd  
2 Solander Street  
Kurnell NSW 2231

25 August 2025

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**Subject: Additional Matters for Response to Submissions Report – Infrastructure consolidation and remediation, Kurnell Refinery Conversion (SSD-5544-Mod-7)**

Dear Ms Fleming

I refer to the Modification Report submitted in support of the State Significant Development modification application for the above proposal. After careful consideration, the Department of Planning, Housing and Infrastructure (the Department) is requesting that you provide additional information.

You are requested to submit additional information that effectively addresses the issues identified by the Department in **Attachment 1**. The Department requires that you provide a response to the issues in **Attachment 1** of this letter as part of the Response to Submissions report requested in previous correspondence dated 8 August 2025.

If you have any questions, please contact Pamela Morales on 02 9274 6386 or via email at [pamela.morales@planning.nsw.gov.au](mailto:pamela.morales@planning.nsw.gov.au).

Yours sincerely,



Joanna Bakopanos  
A/Director  
Industry Assessments

## **Attachment 1: The Department's comments on the Modification Report**

The Department requires the following information to finalise its assessment of the application:

### **Project description and scope**

1. Conservation Programs and Heritage Regulation Group (CPHR) has raised concerns about the removal of vegetation in the RPIP Mountain area in the southern end of the site. Further justification is required on the works proposed in the RPIP Mountain area, and whether this element is necessary for the ongoing operation of the Kurnell Terminal.
2. Stage 4 of the proposed modification is described as follows: *“Grading: Landforming the Project Area following removal of infrastructure and ground remediation activities and preparing Zones 2 and 3 for future use”*. Figure 4-6 identifies the extent of earthworks for grading, but it does not show the level of change in ground levels proposed. Please clarify the extent of earthworks; significant earthworks intended for future land uses are not supported as this would no longer be consistent with the original consent.
3. Section 1.3.4 of the Modification Report (alternatives considered) includes discussion of whether hydrocarbon pipelines are to be relocated or not. However, it is not clarified in the project description what is proposed in relation to hydrocarbon pipelines.
4. Text on page 28 of the Modification Report indicates that the Firewater system (FWS) is proposed to be removed or augmented from Zones 2 and 3 of the site, and augmented in Zone 1, however wording is unclear in some sections re. what is proposed (e.g. *“If removed in Zone 2, installation of new firewater pipelines, relocated pumps ...”*, *“If required, the FWS would be relocated to one of the two siting options”*). Please clarify what is proposed regarding the FWS, and where there are multiple options, describe and assess all options being considered.
5. Please clarify the stormwater catchment area that will be directed to the proposed new onsite detention basin (OSD) shown in yellow on Figure C-18.
6. Please provide a concept drawing of the proposed new storage shed within Zone 1A, given the proximity to residential dwellings.

### **Community engagement**

7. The Department recommends that Ampol undertake further consultation with the local community given the significant number of objections received during the exhibition period. Detail the outcomes of any consultation undertaken, including actions taken and future consultation activities.

## Remediation of contaminated land

8. The Environment Protection Authority (EPA) has provided further comments regarding the proposed remediation / contamination management approach, requesting:
- the preparation of a detailed RAP that also considers remediation that reduces groundwater impacts
  - engagement of an EPA-accredited site auditor as early as possible.

Given the concerns raised in public submissions about legacy contamination issues on-site, the Department requires that a detailed RAP (including the carrying out of any additional investigations) be prepared and submitted as part of the Submissions Report. The detailed RAP and Submissions Report must address the issues raised by the EPA, specifically Attachment B of the EPA's advice letter. The Submissions Report must also include a copy of written interim advice issued by the Site Auditor on the detailed RAP.

9. Provide figures showing the indicative location of areas of known contamination and areas where data gaps exist.
10. Sections 3.3 and 6.3 of the Conceptual RAP indicate that numerous remediation activities have been undertaken recently and continue to be undertaken. Please clarify how or if these activities relate to the proposed remediation works that Ampol is seeking consent for.
11. Please clarify how the Remediation Action Strategy (RAS) endorsed by the EPA relates to the proposed remediation works that Ampol is seeking consent for.
12. The Conceptual RAP notes that the following reports were not available for review in full at the time of drafting. It is unclear why this is the case.
- Remediation Action Strategy 2022 update (Ampol, 2022)
  - Remediation Action Strategy 2023 update (Ampol, 2023)
  - Ampol Kurnell Terminal PFAS SAQP 2022-2023 Investigation: Summary Report (WSP, 2024b), CLOR South PFAS Soils investigation (WSP, 2024d)
13. Section 8.4.2 of the Conceptual RAP states that *“Where a vapour barrier is required, the design of the future mitigation system would depend on the future land use and building footprint and as such, the design and installation of the barrier would likely be a requirement of the EMP for the affected area”*. Given the future land use and building footprint will be subject to future development applications, the remediation methodology must not be dependent on unknown future developments.
14. Figure 4.3 of the Modification Report shows a triangular area proposed for Type 2 capping in the south-eastern corner of the site. In all other figures, there doesn't appear to be any works proposed in this area. Please clarify what works are proposed in this area.

### **Visual impact**

15. Please provide a concise visual impact assessment for dwellings located adjacent to the proposed new storage shed within Zone 1A.

### **Stormwater**

16. The proposed modification will redirect stormwater flow from a 4.1 hectare bunded area within Catchment F from the Oily Water Sewer to the Stormwater System. This catchment is located within areas mapped as 'proximity area for coastal wetlands', and Catchment F discharges into a wetland mapped as 'coastal wetlands' under the State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP). Per CPHR's advice, please assess the impact of proposed changes to stormwater flows on the mapped coastal wetland.
17. Provide further details of the proposed OSD located within the Refining Process Improvement Project Mountain area, including drawings and details of the volume / capacity of the basin.

### **Acid sulfate soils**

18. Provide a draft acid sulfate soils management plan for the proposed works

### **Guidelines**

19. The Surface Water, Wastewater and Flooding Assessment (Appendix I) references *Australian Rainfall and Runoff: A Guide to Flood Estimation (Ball et al., 2019)* as a key guideline. This guideline was updated in 2024 to update the climate change considerations chapter to incorporate the most recent and relevant climate science and projections. Please update flood modelling undertaken for the proposal in accordance with the updated guideline or justify why this is not required.
20. The Modification Report and the Conceptual RAP (Appendix H) reference the *PFAS National Environmental Management Plan, Version 2.0. (NEMP, 2020)*. The current version of this guideline is the *PFAS National Environmental Management Plan 3.0*. The application documents are to be amended taking into account this updated guidance.

### **Administrative comments**

21. Please show the two siting options for the FWS that are shown on Figure 4-7 of the Modification Report on Figure 4-1 as well.

22. The reference to the year of construction being 2026 in the text above Table 7-24 of the Modification Report appears to be an error?
23. The earthworks contingency excavation volumes described in Table 4-3 and on page 32 of the Modification Report do not all equal 50% of the estimated earthwork volumes as described. Please clarify.
24. Text within Table 14 on page 41 of the Conceptual RAP indicates that the figure in the right-hand column shows multiple test pits, however this is not the case.

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