

Infrastructure Approval

Section 5.19 of the *Environmental Planning & Assessment Act 1979*

I grant approval to the application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Minister for Planning

Sydney 21/12/2022

SCHEDULE 1

Application Number:	SSI-22338205
Proponent:	APA Transmission Pty Limited
Approval Authority:	Minister for Planning
Land:	See Appendix 1
Development:	Kurri Kurri Lateral Pipeline Project
Critical State Significant Infrastructure:	On 12 December 2020, the Kurri Kurri Gas-Fired Power Station was declared as a critical State significant infrastructure project by order under Clause 12 of Schedule 5 of <i>State Environmental Planning Policy (State and Regional Development) 2011</i> . The infrastructure subject to this application comprises "the construction and operation of a new gas transmission and storage pipeline, compressor station and delivery station" as described in the declaration.

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DEFINITIONS

The definitions below apply to terms used in this approval, unless otherwise stated or the context indicates otherwise.

Term	Definition
Ancillary facilities	A temporary facility for construction of the development including an office, accommodation, and amenities compound, access track, pipe laydown area, construction laydown area, stockpile area, truck turning bay, horizontal directional drill/bore exit and entry points and water storages.
BAM	The Biodiversity Assessment Method established under the <i>Biodiversity Conservation Act 2016</i>
BCA	Building Code of Australia
BCD	Biodiversity and Conservation Division within the Department
BCT	Biodiversity and Conservation Trust
Calendar Year	A period of 12 months from 1 January to 31 December
Conditions of this approval	Conditions contained in Schedules 1 to 2 inclusive
Construction	All physical works associated with the development, including but not limited to demolition and removal of buildings or works, erection or installation of buildings and infrastructure, road upgrades, and the carrying out of works; but excludes minor pre-construction and preliminary works such as road dilapidation surveys, installation of fencing, geotechnical drilling and/or surveying)
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
DCCEEW	Commonwealth Department of Climate Change, Energy, the Environment and Water
Decommissioning	The demolition and/or removal of buildings, infrastructure and works installed for the development and/or rehabilitation of the site
Department	Department of Planning and Environment (DPE)
Development	The development as described in the EIS
Development area	The area subject to disturbance and/or development, as shown on the development layout plans and depicted in the EIS
Development layout plans	The area of the development as depicted on the figures in Appendix 2
DPE Water	Water Group within the Department
EIS	The Environmental Impact Statement titled <i>Kurri Kurri Lateral Pipeline Project – Environmental Impact Statement</i> dated March 2022, as modified by the Submissions Report titled <i>Kurri Kurri Lateral Pipeline Project – Submissions Report</i> dated September 2022, <i>Kurri Kurri Lateral Pipeline Project – Amendment Report</i> dated September 2022, <i>Kurri Kurri Lateral Pipeline Project – Amendment Report</i> dated December 2022, and Proponent's additional information in support of the application and included in Appendix A of the Department's assessment report on Kurri Kurri Lateral Pipeline Project.
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
Feasible	Feasible relates to engineering considerations and what is practical to build or to implement
Heritage NSW - ACH	Heritage NSW – Aboriginal Cultural Heritage
Heritage item	An item as defined under the <i>Heritage Act 1977</i> and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i>
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Lower Hunter Freight Corridor	A future rail corridor dedicated to freight between Fassifern on the Main North Railway line, and the Hunter Valley Rail Line at Hexham, as proposed by TfNSW.
Material harm	Is harm that: <ul style="list-style-type: none"> involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)

Term	Definition
Maximise	Implement all reasonable and feasible measures to achieve the specified outcome
Minimise	Implement all reasonable and feasible measures to reduce the impacts of the development
Minister	NSW Minister for Planning (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Night	The period from 10 pm to 7 am Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this approval
Operation	The operation of the development, but does not include commissioning, trials of equipment or the use of temporary facilities
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
Planning Secretary's Approval	A written approval from the Planning Secretary and/or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Proponent	APA Transmission Pty Limited, or any person carrying out the development to which this approval applies
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, irrigation channels, drainage channels
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Remediation	Activities associated with partially or fully repairing or rehabilitating the impacts of the development or controlling the environmental consequences of this impact
Site	All land to which the development application applies as listed in Appendix 1 and shown in Appendix 2
TfNSW	Transport for NSW

SCHEDULE 2
PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance criteria established under this approval, the Proponent must implement all feasible and reasonable measures to prevent, and if prevention is not feasible and reasonable, minimise any material harm to the environment that may result from the construction, operation, decommissioning or rehabilitation required under this approval.

TERMS OF APPROVAL

- A2. The Proponent must carry out the development:
- (a) in accordance with the conditions of this approval;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) generally in accordance with the EIS; and
 - (d) generally in accordance with the development layout plans in Appendix 2.
- A3. If there is any inconsistency between the documents in condition A2 above, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this approval prevail to the extent of any inconsistency.
- A4. The Proponent must comply with any reasonable requirement/s of the Planning Secretary arising from the Department's assessment of:
- (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this approval;
 - (b) any reports, reviews or audits undertaken or commissioned by the Department regarding compliance with this approval; and
 - (c) the implementation of any actions or measures contained in these documents.
- A5. Any document that must be submitted within a timeframe specified in or under the terms of this approval may be submitted within a later timeframe agreed with the Planning Secretary. This condition does not apply to the immediate written notification required in respect of an incident under condition C5.

LAPSE OF APPROVAL

- A6. This approval will lapse five years after the date on which it is granted, unless construction has physically commenced on or before that time.

EVIDENCE OF CONSULTATION

- A7. Where conditions of this approval require consultation with an identified party, the Proponent must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Proponent and how the Proponent has addressed the matters not resolved.

STATUTORY REQUIREMENTS

- A8. The Proponent must ensure that all licences, permits and approvals are obtained and maintained as required throughout the life of the development. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent must ensure that a copy of this approval and all relevant environmental approvals are available on the site at all times during the life of the development.
- A9. For the purpose of section 188 of the EP&A Regulation, the relevant provisions, as defined in section 188(4) of the EP&A Regulation, apply to this approval.

NOTIFICATION

- A10. At least two weeks prior to the commencement of the following activities, unless otherwise agreed by the Planning Secretary, the Proponent must notify the Department in writing of the date of commencement of:
- (a) construction of the development;

- (b) commissioning of the transmission pipeline;
- (c) commissioning of the storage pipeline;
- (d) operations; and
- (e) the decommissioning of the development and rehabilitation of the site.

STRUCTURAL ADEQUACY

- A11. The Proponent must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with:
- (a) the relevant requirements of the BCA;
 - (b) where the BCA is not applicable, to the relevant Australian Standard;
 - (c) any additional requirements of Subsidence Advisory NSW where the building or structure is located on land within a declared Mine Subsidence District.

Notes:

- *Under Part 6 of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.*
- *The Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.*
- *Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Proponent is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District.*

DEMOLITION

- A12. The Proponent must ensure that all demolition work on site is carried out in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A13. Unless the Proponent and the applicable public authority agree otherwise, the Proponent must:
- (a) undertake any works on or in the vicinity of public infrastructure in consultation with the applicable public authority or service provider responsible for that public infrastructure;
 - (b) undertake any works within or adjacent to the Lower Hunter Freight Corridor in consultation with TfNSW;
 - (c) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - (d) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.
- A14. Prior to commencing construction within any road reserve, the Proponent must prepare detailed design plans for the relevant works to the satisfaction of the appropriate roads authority.
- A15. Prior to commencing construction within any State road reserve, the Proponent must enter into an Infrastructure Deed with TfNSW.
- A16. Prior to the commencement of construction within any State road reserve, the Proponent must agree on the form and terms of an easement to be registered over State road reserves and other land controlled by TfNSW.
- A17. The Proponent must ensure that pipeline crossings of the Lower Hunter Freight Corridor and each State classified road are by trenchless methodology at a nominal depth below existing surface of approximately 10 metres or more, or as otherwise agreed by TfNSW.
- A18. Prior to commencing construction of works within the Lower Hunter Freight Corridor and State classified road reserves, the Proponent must:
- (a) provide to TfNSW a dilapidation report documenting the surface conditions at all pipeline crossing points of the Lower Hunter Freight Corridor and each State road, with photographs, and (in the case of material defects) relevant measurements;
 - (b) provide certification and a supporting report by a qualified and experienced geotechnical engineer that the pipeline as designed will not be adversely affected by, and will not adversely affect, the existing operation and reasonably anticipated future construction and operation of infrastructure within the Lower Hunter Freight Corridor and each State classified road corridor; and

- (c) obtain final TfNSW concurrence for the 'Issued For Construction' detailed design and specifications, which shall not be unreasonably withheld.
- A19. To the extent temporary works have potential to affect State road traffic operations, the Proponent is to ensure Road Occupancy Licences are obtained from TfNSW.
- A20. Prior to the commencement of the commissioning of the transmission pipeline, the Proponent must register the easement in condition A16 with the NSW Land Registry Services.
- A21. Within 1 month of commissioning the pipeline, the Proponent must provide a post-construction dilapidation report to TfNSW.
- A22. Prior to abandoning or decommissioning the pipeline, the Proponent must perform works to make stable in a long-term condition all sections of the pipeline within the Lower Hunter Freight Corridor and State classified roads, to the satisfaction of TfNSW.

UTILITIES AND SERVICES

- A23. Utilities, services and other infrastructure potentially affected by construction and operation must be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. The Proponent must conduct consultation with the relevant owner and/or provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements must be borne by the Proponent.

COMPLIANCE

- A24. The Proponent must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this approval relevant to activities they carry out in respect of the development.

OPERATION OF PLANT AND EQUIPMENT

- A25. The Proponent must ensure that all plant and equipment used on site, or in connection with the development, is:
 - (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

APPLICABILITY OF GUIDELINES

- A26. References in the conditions of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this approval.
- A27. However, consistent with the conditions of this approval and without altering any limits or criteria in this approval, the Planning Secretary may, when issuing directions under this approval in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A28. With the approval of the Planning Secretary, the Proponent may:
 - (a) prepare and submit any strategy, plan or program required by this approval on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this approval (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined);
 - (c) update any strategy, plan or program required by this approval (to ensure the strategies, plans and programs required under this approval are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development); and
 - (d) combine any strategy, plan or program required by this approval with any similar strategy, plan or program required by a consent or approval for any adjoining mine subject to common, shared or related ownership or management.
- A29. If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this approval if those requirements are not applicable to the particular stage.

- A30. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this approval.

ENVIRONMENTAL REPRESENTATIVE

- A31. Prior to the commencement of the development, an environmental representative (ER) must be approved by the Planning Secretary and engaged by the Proponent.
- A32. The Planning Secretary's approval of an ER must be sought no later than one (1) week before commencing the development.
- A33. The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the documents listed in condition A2, and is independent from the design and construction of the development. The ER must meet only the requirements set out in sections 2.2, 2.3, 2.4 and 3 in the *Environmental Representative Protocol* (Department of Planning and Environment, October 2018).
- A34. From commencing the development, until commencing operation, or as agreed with the Planning Secretary, the approved ER must:
- (a) review the documents identified in conditions B1, C1, B8 and B12, and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so:
 - (i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or
 - (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Department for information or are not required to be submitted to the Department);
 - (b) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints; and
 - (c) consider any minor amendments to be made to the plans / strategies in conditions B1, C1, B8 and B12 that involve updating or are of an administrative nature and do not increase impacts to nearby sensitive receivers, and ensure they are consistent with the terms of this approval and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this approval.
- A35. The Proponent must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in condition A34, as well as the complaints register for any complaints received (on the day they are received).

PAYMENT OF REASONABLE COSTS

- A36. The Proponent must pay all reasonable costs incurred by the Department to engage a suitably qualified, experienced and independent expert(s) to review the adequacy of any strategy, plan, program or report required under the approval.

PIPELINE ALIGNMENT WITHIN MINING TENEMENTS

- A37. Prior to the commencement of construction, the Proponent must consult with the license holders of the mining leases for the Donaldson Mine and the Bloomfield Mine and provide the Planning Secretary details of:
- (a) the final alignment of the pipeline through the Donaldson Mine to address mine rehabilitation concerns associated with the Donaldson open cut (see condition A39);
 - (b) notification to the Resources Regulator to address Occupational Health and Safety management within approved pipeline construction areas within the mining lease boundaries; and
 - (c) proposed risk management procedures to manage interactions within the mining lease boundaries during pipeline construction, located outside approved pipeline construction areas.
- A38. Prior to commencing commissioning of the pipeline, the Proponent must consult with the license holders of the mining leases for the Donaldson Mine and the Bloomfield Mine and provide the Planning Secretary details of:
- (a) notification to the Resources Regulator to address Occupational Health and Safety management within the operational easement of the pipeline; and
 - (b) proposed risk management procedures to manage interactions within the mining lease boundaries during pipeline operations and decommissioning, in areas located outside the operational easement of the pipeline.

- A39. With the agreement of the Planning Secretary, the Proponent may construct the EIS pipeline alignment within the Donaldson Mine shown in **Appendix 3**, or another pipeline alignment in this locality. In finalising the alignment, the Proponent must ensure that the biodiversity offset credit requirements in conditions B5 and B6 are not exceeded.

PART B ENVIRONMENTAL CONDITIONS – GENERAL

CONSTRUCTION ENVIRONMENTAL MANAGEMENT

Construction Environmental Management Plan

- B1. Prior to commencing construction, the Proponent must prepare a Construction Environmental Management Plan (CEMP) for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) clearly describe the activities to be undertaken during construction;
 - (b) identify training and induction provisions for ensuring that employees, including contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval;
 - (c) include an environmental risk analysis to identify the key environmental performance issues associated with the construction phase;
 - (d) detail how the performance outcomes, commitments and mitigation measures specified in the document(s) listed in condition A2(c) will be implemented and achieved during construction;
 - (e) include a program to monitor and report on the:
 - (i) impacts and environmental performance of the development (including a table summarising all the monitoring and reporting obligations under the conditions of this approval); and
 - (ii) effectiveness of the management measures set out pursuant to condition B1(d);
 - (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (g) include the following subplans:
 - (i) **Soil and water**, including:
 - preparation in consultation with DPE Water;
 - baseline data on surface water flows and quality of watercourses and/or water bodies potentially impacted by the development;
 - a detailed description of the surface water management system including erosion control measures;
 - ensuring that pipeline construction is consistent with the *Guidelines for Controlled Activities on Waterfront Land* including the *Guidelines for laying pipes and cables in watercourses on waterfront land* (NSW Office of Water, 2012);
 - design, install and maintain creek crossings in accordance with the *Fisheries NSW Policy and Guidelines for Fish Habitat Conservation and Management* (DPI, 2013) and *Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings* (NSW Fisheries, 2003), or their latest versions
 - measures to minimise impacts on water resources in accordance with commitments in the document(s) listed in condition A2(c) and the soil and water conditions of this approval;
 - (ii) **Traffic**, including
 - preparation in consultation with TfNSW
 - details of the transport route(s) to be used for all construction traffic;
 - details of the measures that would be implemented to minimise traffic safety issues and disruption to local users of the transport route/s;
 - oversize overmass requirements and management;
 - a driver's code of conduct that addresses:
 - travelling speed;
 - driver fatigue;
 - procedures to ensure that drivers adhere to the designated transport routes; and
 - procedures to ensure that drivers implement safe drive practise;
 - include a program to record and track vehicle movements; and
 - measures to minimise impacts on traffic in accordance with commitments in the document(s) listed in condition A2(c) and the traffic and transport conditions of this approval;
 - (iii) **Air quality**, including measures to minimise dust emissions in accordance with commitments in the document(s) listed in condition A2(c) and the air conditions of this approval;
 - (iv) **Noise**, including measures to minimise noise emissions in accordance with commitments in the document(s) listed in condition A2(c) and the noise conditions of this approval;

- (v) **Waste management**, including management of any contaminated materials disturbed during construction and management of waste in accordance with commitments in the document(s) listed in condition A2(c) and the waste conditions of this approval; and
- (vi) **Rehabilitation**, including:
 - progressive rehabilitation of construction areas following completion of construction;
 - restoring creek crossings to ensure the water course is geomorphically stable, including a watercourse monitoring and response strategy and watercourse remediation and reconstruction strategy;
 - ongoing surveillance monitoring to demonstrate rehabilitation success; and
 - measures for rehabilitation in accordance with commitments in the document(s) listed in condition A2(c) and the rehabilitation conditions of this approval.

B2. The Proponent must implement the approved Construction Environmental Management Plan.

HAZARDS AND RISKS

Pre-construction Documentation

- B3. Prior to the commencement of construction, the Proponent must prepare and submit to the Planning Secretary:
- (a) A **Construction Safety Plan** consistent with Australian Standard 2885 Pipelines – Gas and liquid petroleum (AS 2885). The construction safety plan must specifically address all safety measures related to construction, testing and commissioning; and
 - (b) A **Hazard and Operability Study (HAZOP)** for the pipeline and ancillary facilities, chaired by a suitably qualified and experienced person, independent of the development. The study must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 8, 'HAZOP Guidelines' and AS 2885.

Pre-commissioning Documentation

- B4. Prior to the commencement of commissioning of the pipeline the Proponent must prepare and submit to the Planning Secretary:
- (a) An **Emergency Plan** in accordance with AS 2885; and
 - (b) A **Pipeline Management Plan** in accordance with AS 2885 that details all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the safety procedures.

BIODIVERSITY

Biodiversity Offsets

- B5. Prior to the commencement of native vegetation clearing, the Proponent must retire the biodiversity credits in **Table 1** and **Table 2** in accordance with the *Biodiversity Offsets Scheme* of the BC Act, including the application of any ancillary rules published under clause 6.5 of the *Biodiversity Conservation Regulation 2017*. Written evidence of the retirement of these credits must be provided to the Department prior to commencing construction activity.

The ecosystem credit requirements in **Table 1** and species credit requirements in **Table 2** may be modified subject to condition B7.

Table 1: Ecosystem Credit Requirements

PCT ID	Vegetation Community	Credits Required
1071	<i>Phragmites australis</i> and <i>Typha orientalis</i> coastal freshwater wetlands of the Sydney Basin Bioregion	2
1568	<i>Blackbutt - Turpentine - Sydney Blue Gum mesic tall open forest on ranges of the Central Coast</i>	26
1590	<i>Spotted Gum – Broadleaved Mahogany - Red Ironbark shrubby open forest</i>	412
1592	<i>Spotted Gum - Red Ironbark - Grey Gum shrub - grass open forest of the Lower Hunter</i>	203
1594	<i>Cabbage Gum-Rough-barked Apple grassy woodland on alluvial floodplains of the lower Hunter</i>	59
1598	<i>Forest Red Gum grassy open forest on floodplains of the lower Hunter</i>	58
1600	<i>Spotted Gum - Red Ironbark - Narrow-leaved Ironbark - Grey Box shrub-grass open forest of the lower Hunter</i>	493

PCT ID	Vegetation Community	Credits Required
1619	<i>Smoothbarked Apple – Red Bloodwood - Brown Stringybark - Hairpin Banksia heathy open forest of coastal lowlands</i>	23
1633	<i>Parramatta Red Gum – Narrowleaved Apple - Prickly-leaved Paperbark shrubby woodland in the Cessnock-Kurri Kurri area</i>	54
1728	<i>Swamp Oak – Prickly Paperbark – Tall Sedge swamp forest on coastal lowlands of the Central Coast and Lower North Coast</i>	15
1736	<i>Water Couch - Tall Spike Rush freshwater wetland of the Central Coast and lower Hunter</i>	78

Table 2: Species Credit Requirements

Species	Credits Required
Fauna	
Regent Honeyeater	24
Squirrel Glider	301
Gang-gang cockatoo	225
Eastern pygmy possum	185
Brush-tailed phascogale	185
Little eagle	181
Square-tailed kite	169
Flora	
Netted Bottle Brush	30
Small-flower Grevillea	416
<i>Eucalyptus parramattensis subsp. Decadens</i>	22
Pine donkey orchid	30
Large-leafed Monotaxis	173
Ozothamnus tessellatus	99
Singleton mint bush	225
<i>Pterostylis chaetophora</i>	225
Tall knotweed	92
Black-eyed Susan	185
<i>Austral toadflax</i>	100

- B6. If the Proponent selects an alternative pipeline route option as described in condition A38, prior to the commencement of vegetation clearing for that option, the Proponent must retire the biodiversity credits in **Table 3** and **Table 4** in accordance with the *Biodiversity Offsets Scheme* of the BC Act, including the application of any ancillary rules published under clause 6.5 of the *Biodiversity Conservation Regulation 2017*. Written evidence of the retirement of these credits must be provided to the Department prior to commencing construction activity.

Table 3: Ecosystem Credit Requirements

Vegetation Community	PCT ID	Credits Required
<i>Spotted Gum – Broadleaved Mahogany - Red Ironbark shrubby open forest</i>	1590	19
<i>Smoothbarked Apple – Red Bloodwood - Brown Stringybark - Hairpin Banksia heathy open forest of coastal lowlands</i>	1619	18

Table 4: Species Credit Requirements

Species	Credits Required
Squirrel Glider	34

- B7. The Proponent may review and update the ecosystem and species credit requirements in **Tables 1, 2, 3** and **4** to reflect additional survey effort, the final construction footprint, and the resulting extent and type of plant community types to be cleared. Amendments to the ecosystem and species credit requirements must be undertaken in consultation with BCD and DCCEW and submitted to the Planning Secretary prior to the commencement of construction.

Biodiversity Management Plan

- B8. Prior to commencing construction, the Proponent must prepare and submit a Biodiversity Management Plan to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced biodiversity expert/s;

- (b) be prepared in consultation with the BCD;
- (c) describe the short, medium and long-term measures to be undertaken to manage vegetation and fauna habitat on the site;
- (d) describe measures to be implemented within the site to minimise:
 - (i) the amount of clearing;
 - (ii) impacts on fauna, including undertaking pre-clearance surveys and maximising the salvage of resources for habitat enhancement;
 - (iii) impacts on threatened flora and fauna species or ecological communities within the development area and its surrounds;
 - (iv) the spread of weeds and fungal pathogens;
 - (v) light spill from night works; and
- (e) include a program to monitor, evaluate and report on the effectiveness of the measures.

B9. The Proponent must implement the approved Biodiversity Management Plan.

HERITAGE

Protection of Heritage Items

- B10. The Proponent must ensure the development does not cause any direct or indirect impacts on heritage items located outside the approved development area.
- B11. If Aboriginal archaeological heritage items are unexpectedly discovered during construction of the development, all works must cease, and a suitably qualified and experienced archaeologist be brought in to assess the find. Depending on the nature of the discovery, additional assessment, recording and management measures may be required prior to the recommencement of works in the affected area. Heritage NSW - ACH and/or members of the relevant Local Aboriginal Land Council must be notified of this discovery in writing.

Aboriginal Cultural Heritage

- B12. Prior to the commencing construction, the Proponent must prepare and submit an Aboriginal Cultural Heritage Management Plan for the development to the satisfaction of the Planning Secretary. The plan must:
- (a) be prepared by suitably qualified and experienced persons and in consultation with Registered Aboriginal Parties and Heritage NSW - ACH;
 - (b) include a Test Excavation and Salvage Program prepared generally in accordance with the *Guide to Investigation, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011) and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*;
 - (c) describe the measures to be implemented on the site including:
 - (i) that all workers receive suitable Aboriginal cultural heritage inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions;
 - (ii) protect, monitor, manage and/or salvage Aboriginal objects if discovered during construction, including an unexpected finds protocol;
 - (iii) protect Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development;
 - (iv) manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, including provisions for burials, over the life of the development; and
 - (v) facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site.
- B13. The Proponent must implement the approved Aboriginal Cultural Heritage Management Plan.
- B14. Following the completion of the Test Excavation and Salvage Program, the Proponent must prepare an Aboriginal Cultural Heritage Excavation Report. The report must:
- (a) be provided to the Planning Secretary, Heritage NSW - ACH, the relevant Local Aboriginal Land Council and Registered Aboriginal Parties within 12 months of the completion of the Aboriginal archaeological collections and excavations (both test and salvage);
 - (b) document the results of the archaeological test excavations and any subsequent salvage excavations (with artefact analysis and identification of a final repository for finds); and
 - (c) be provided to Registered Aboriginal Parties a minimum of 28 days to consider the report and provide comments before the report is finalised.

SOIL AND WATER

Water Supply

- B15. The Proponent must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.

Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Proponent is required to obtain the necessary water licences for the development.

Pollution of Waters

- B16. Unless otherwise authorised by an EPL, the Proponent must ensure the development does not cause any water pollution, as defined under Section 120 of the POEO Act.
- B17. The Proponent must minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur.
- B18. The Proponent must ensure that any groundwater dewatering activities do not discharge to watercourses.

Erosion and Sedimentation

- B19. The Proponent must:
- (a) minimise erosion and control sediment generation; and
 - (b) ensure all land disturbances have appropriate drainage and erosion and sediment controls designed, installed and maintained in accordance with *Managing Urban Stormwater - Soils and Construction Volume 1* (Landcom, 2004).

Watercourse crossings

- B20. Watercourse crossings must be designed, where reasonable and feasible, to be consistent with *Guidelines for Controlled Activities on Waterfront Land* (2012).
- B21. The Proponent must design, construct, operate and maintain the development to avoid impacts on bank stability along any watercourse to be crossed by the pipeline.
- B22. Where watercourses are trenched, they must be stabilised as soon as practicable after the pipeline has been laid and backfilled.

Flooding

- B23. The Proponent must ensure that the development:
- (a) does not materially alter the flood storage capacity, flows or characteristics in the development area or off-site; and
 - (b) is designed, constructed and maintained to reduce impacts on surface water, localised flooding and groundwater at the site.

Acid Sulfate Soils

- B24. The Proponent must ensure that any construction activities in identified areas of acid sulfate soil risk are undertaken in accordance with the *Acid Sulfate Soil Manual* (Acid Sulfate Soil Management Advisory Committee, 1998).

AIR QUALITY

General operating conditions

- B25. In addition to the performance outcomes, commitments and mitigation measures specified in the document(s) listed in condition A2(c), the Proponent must take all reasonable and feasible steps to minimise the:
- (a) off-site dust, fume and other air pollutants of the development;
 - (b) surface disturbance of the site; and
 - (c) Scope 1 and Scope 2 greenhouse gas emissions of the development.

Odour

- B26. The Proponent must not cause or permit the emission of offensive odours from the site in accordance with the provisions of Section 129 of the POEO Act.

NOISE

Construction noise

- B27. The Proponent must minimise the noise generated by any construction, upgrading or decommissioning activities in accordance with the best practice requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009), or its latest version.

Hours of Construction

- B28. All construction work must be conducted between 7 am and 6 pm Monday to Friday and between 8 am and 1 pm Saturdays and at no time on Sundays and public holidays.

Exceptions to Construction Hours

- B29. The following activities may be carried out outside the construction hours in condition B28:
- (a) construction that causes $L_{Aeq(15\text{minute})}$ noise levels that are:
 - (i) no more than 5 dB above Rating Background Level at any residence in accordance with the *Interim Construction Noise Guideline* (DECC, 2009); and
 - (ii) no more than the Noise Management Levels specified in Table 3 of the *Interim Construction Noise Guideline* (DECC, 2009) at other sensitive land uses; or
 - (b) for the delivery of materials required by the police or other authorities for safety reasons; or
 - (c) emergency work to avoid loss of life, damage to property and/or environmental harm; or
 - (d) out of hours works approved under condition B30 of this approval.

Variation of Construction Hours

- B30. The hours of construction activities specified in condition B28 of this approval may be varied with the prior written approval of the Planning Secretary. Any request to alter the hours of construction must be:
- (a) considered on a case-by-case or activity-specific basis;
 - (b) accompanied by details of the nature and justification for activities to be conducted during the varied construction hours;
 - (c) accompanied by written evidence that appropriate consultation with potentially affected sensitive receivers and notification of relevant Council(s) (and other relevant agencies) has been and will be undertaken;
 - (d) all feasible and reasonable noise mitigation measures have been put in place; and
 - (e) accompanied by a noise impact assessment consistent with the requirements of the *Interim Construction Noise Guideline* (DECCW, 2009), or latest version.

Operational noise

- B31. The Proponent must minimise the operational noise generated by the development.

WASTE

- B32. Waste generated during construction, operation, upgrading and decommissioning must be dealt with in accordance with the following priorities:
- (a) waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced;
 - (b) where avoiding or reducing waste is not possible, waste must be re-used, recycled, or recovered; and
 - (c) where re-using, recycling or recovering waste is not possible, waste must be treated or disposed of.
- B33. The importation of waste and the storage, treatment, processing, reprocessing or disposal of such waste must comply with the POEO Act, the *Protection of the Environment Operations (Waste) Regulation 2014*, and orders or exemptions under the regulation.
- B34. Chemicals, fuels and oils used on-site must be kept in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environment Protection- Participants Manual* (Department of Environment and Climate change, 2007).

CONTAMINATION

- B35. Construction cannot commence within the area shown in Appendix 4 until a copy of the Site Audit Statement that covers this area is provided to the Planning Secretary. The Site Audit Statement must be prepared by a suitably accredited person(s) and demonstrate the area is suitable for the development.

Note: This condition has been included because the remediation of the site subject to the development is being carried out under a separate consent.

- B36. The Proponent must ensure the development is constructed to minimise the potential for contaminant mobilisation.

TRAFFIC AND TRANSPORT

Traffic Management Requirements

B37. The Proponent must:

- (a) maintain all roads and utility-related infrastructure on site in a safe and serviceable condition;
- (b) provide sufficient parking on site for all vehicles;
- (c) ensure heavy vehicles entering and leaving the site have loads covered or contained;
- (d) minimise dust and/or sediment being tracked onto the public road network;
- (e) minimise the traffic noise impacts of the development; and
- (f) keep the public informed of any road or infrastructure upgrades, disruptions to traffic, the closure of roads or other infrastructure, oversize overmass vehicle use, peak construction periods, and any emergencies.

VISUAL AND LIGHTING

B38. The Proponent must:

- (a) minimise the off-site visual and lighting impacts of the development, including the potential for any glare or reflection;
- (b) ensure the visual appearance of infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and
- (c) not mount any commercial advertising signs or logos on site, except where this is required for identification or safety purposes.

B39. The Proponent must:

- (a) minimise the off-site lighting impacts of the development; and
- (b) ensure that any external lighting associated with the development:
 - (i) is installed as low intensity lighting (except where required for safety or emergency purposes);
 - (ii) does not shine above the horizontal; and
 - (iii) complies with *Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version.

REHABILITATION

B40. Within 6 months of completing construction, upgrading or decommissioning, or other timeframe agreed by the Planning Secretary, the Proponent must rehabilitate the areas disturbed by the development. This rehabilitation must comply with the objectives in Table 5 unless otherwise agreed by the Planning Secretary.

Table 5: Rehabilitation Objectives

Feature	Objective
Ancillary facilities	<ul style="list-style-type: none">• Safe, stable and non-polluting• Progressively rehabilitate the site as soon as possible following disturbance• To be decommissioned and removed, unless the Planning Secretary agrees otherwise
Land use	<ul style="list-style-type: none">• Restore land capability to pre-existing use
Community	<ul style="list-style-type: none">• Ensure public safety at all times
Transmission and storage pipeline	<ul style="list-style-type: none">• Long-term stable• Restore land capability to pre-existing use

PART C ENVIRONMENTAL MANAGEMENT AND REPORTING

ENVIRONMENTAL MANAGEMENT STRATEGY

- C1. Prior to commencing construction, the Proponent must prepare and submit an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must:
- (a) provide the strategic framework for environmental management of the development;
 - (b) identify the statutory approvals that apply to the development;
 - (c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (d) describe the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
 - (e) include:
 - (i) references to any strategies, plans and programs approved under the conditions of this approval; and
 - (ii) a clear plan depicting monitoring to be carried out under the conditions of this approval.
- C2. The Proponent must implement the approved Environmental Management Strategy.

MANAGEMENT PLAN REQUIREMENTS – GENERAL

- C3. Management plans required under this approval must be prepared in accordance with relevant guidelines, and include where relevant:
- (a) summary of relevant background or baseline data;
 - (b) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (c) any relevant commitments or recommendations identified in the document/s listed in condition A2(c);
 - (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (e) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to condition C1(d);
 - (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (g) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (h) a protocol for managing and reporting any:
 - (i) incident, non-compliance or exceedance of any impact assessment criterion or performance measure;
 - (ii) complaint; or
 - (iii) failure to comply with other statutory requirements;
 - (i) a description of the roles and responsibilities for relevant employees involved in the development; and
 - (j) a protocol for periodic review of the plan.

Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C4. Within 3 months, unless the Planning Secretary agrees otherwise, of:
- (a) the submission of an incident report under condition C5;
 - (b) the submission of an audit report under condition C16;

- (c) the approval of any modification to the conditions of this approval; or
- (d) a direction of the Planning Secretary under condition A4 of Schedule 2;

The Proponent must review and, if necessary, revise the studies, strategies or plans required under the conditions of approval to the satisfaction of the Planning Secretary.

Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Planning Secretary for approval, unless otherwise agreed with the Planning Secretary.

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 development.

COMPLIANCE

Incident Notification, Reporting and Response

- C5. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Proponent becomes aware of an incident. The notification must identify the development (including the application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 5.

Non-Compliance Notification

- C6. The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Proponent becomes aware of any non-compliance.
- C7. A non-compliance notification must identify the development and the application number for it, set out the condition of approval that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- C8. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Compliance Reporting

- C9. Compliance Reports of the development must be carried out in accordance with the Compliance Reporting Requirements outlined in the *Compliance Reporting Post Approval Requirements* (2020) or its latest version.
- C10. Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the *Compliance Reporting Post Approval Requirements* (2020) or its latest version, unless otherwise agreed to by the Planning Secretary.
- C11. The Proponent must make each Compliance Report publicly available within 60 days of submitting it to the Planning Secretary, unless otherwise agreed by the Planning Secretary.
- C12. Notwithstanding the requirements of the *Compliance Reporting Post Approval Requirements* (2020) or its latest version, the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.

NOTIFICATIONS

Notification of Department

- C13. Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Proponent must notify the Department via the Major Projects website portal of the date of commencement, or cessation, of the relevant phase.

If any of these phases of the development are to be staged, then the Proponent must notify the Department in writing prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.

Final Layout Plans

- C14. Prior to commencing construction, the Proponent must submit detailed plans of the final layout of the development to the Department via the Major Projects website, including:
 - (a) details on ancillary infrastructure and / or ancillary facilities; and
 - (b) showing comparison to the approved layout.

The Proponent must ensure that the development is constructed in accordance with the Final Layout Plans.

- C15. Prior to commencing operations, the Proponent must submit plans that confirm the constructed layout of the development and showing comparison to the final layout plans to the Planning Secretary, via the Major Projects website.

INDEPENDENT ENVIRONMENTAL AUDIT

- C16. Independent Audits of the development must be conducted and carried out at the frequency described and in accordance with the *Independent Audit Post Approval Requirements* (2020) or its latest version, unless otherwise agreed or directed by the Planning Secretary.

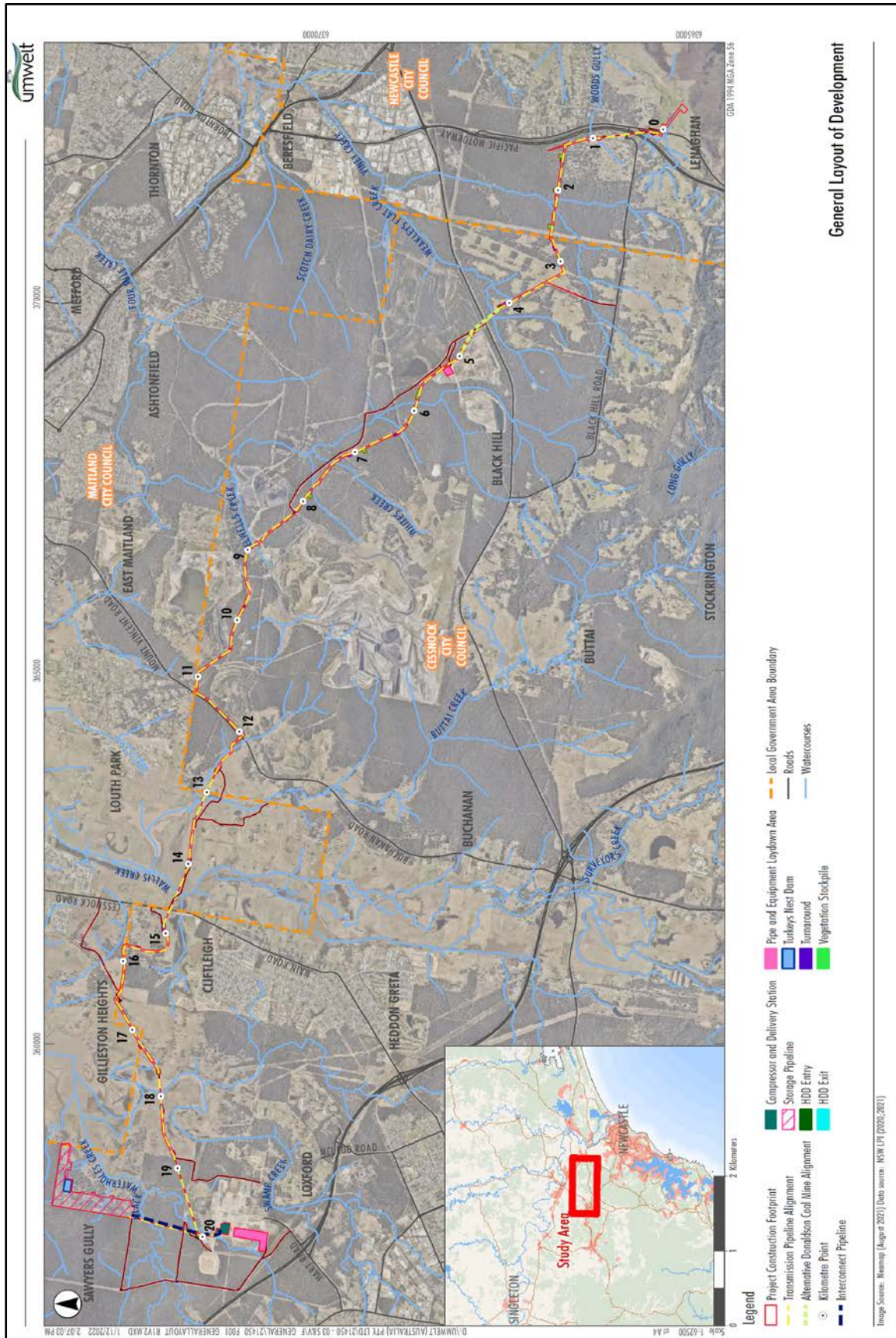
ACCESS TO INFORMATION

- C17. Before the commencement of construction until the completion of all rehabilitation required under this approval, the Proponent must:
- (a) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this approval) publicly available on its website:
 - (i) the document(s) listed in condition A2(c);
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this approval;
 - (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - (v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this approval;
 - (vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this approval, or any approved plans and programs;
 - (vii) a summary of the current phase and progress of the development;
 - (viii) contact details to enquire about the development or to make a complaint;
 - (ix) a complaints register, updated monthly;
 - (x) the Annual Reviews of the development;
 - (xi) audit reports prepared as part of any Independent Environmental Audit of the development and the Proponent's response to the recommendations in any audit report;
 - (xii) any other matter required by the Planning Secretary; and
 - (b) keep such information up to date.

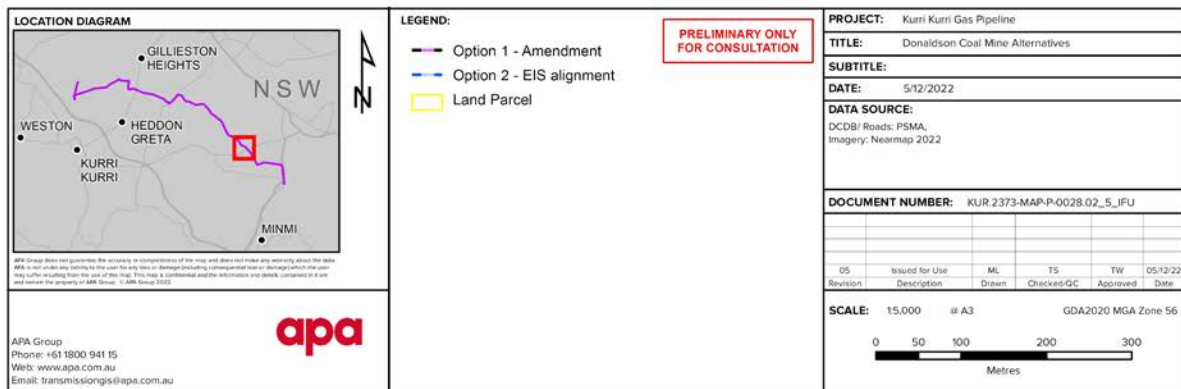
APPENDIX 1: SCHEDULE OF LAND

Development site			
Lot	Deposited Plan	Lot	Deposited Plan
1	DP1045719	2	DP62332
1	DP1276814	2	DP779342
1	DP1045723	2	DP976895
1	DP1206034	22	DP1181574
1	DP1260203	29	DP755237
1	DP136865	3	DP1045720
1	DP166625	3	DP456769
1	DP241097	3	DP456946
1	DP42349	3	DP71130
1	DP456769	30	DP1113350
1	DP456946	30	DP870411
1	DP456999	31	DP755237
1	DP543057	316	DP755231
1	DP62332	317	DP755231
1	DP722209	318	DP755231
1	DP724270	319	DP755231
1	DP73597	37	DP755237
1	DP779342	38	DP755237
1	DP797210	39	DP755237
1	DP976896	4	DP1249763
10	DP456946	4	DP456946
10	DP829154	4	DP62332
105	DP1131098	41	DP755231
119	DP1154904	415	DP755231
12	DP241097	451	DP573791
13	DP241097	453	DP807778
13	DP1141781	5	DP456946
1392	DP1126633	51	DP1158920
14	DP241097	54	DP975994
15	DP241097	55	DP975994
16	DP1082775	6	DP241097
19	DP998606	69	DP975994
2	DP1129888	7	DP456946
2	DP1276814	70	DP975994
2	DP1045720	769	DP755231
2	DP1249763	8	DP456946
2	DP1260203	9	DP456946
2	DP233125		
2	DP601226		

APPENDIX 2: GENERAL LAYOUT OF DEVELOPMENT



APPENDIX 3: DONALDSON MINE ALTERNATIVE ROUTE OPTION



APPENDIX 4: AREA SUBJECT TO SITE AUDIT STATEMENT



<p>LOCATION DIAGRAM</p> <p>NSW</p> <p>APA Group Phone: +61 1800 941 15 Web: www.apa.com.au Email: transmissioninfo@apa.com.au</p> <p>apa</p>	<p>LEGEND:</p> <ul style="list-style-type: none"> Area Subject To Site Audit Land Parcel <p>PRELIMINARY ONLY FOR CONSULTATION</p>	<p>PROJECT: Kurri Kurri Gas Pipeline</p> <p>TITLE: Area Subject to Site Audit</p> <p>SUBTITLE:</p> <p>DATE: 5/12/2022</p> <p>DATA SOURCE: DCCB/ Roads: PSMA Imagery: Nearmap 2022</p> <p>DOCUMENT NUMBER: KUR.2373-MAP-P-0028.01.5_IFU</p> <table border="1"> <thead> <tr> <th>OS</th> <th>Issued for Use</th> <th>ML</th> <th>TS</th> <th>TW</th> <th>05/12/22</th> </tr> <tr> <th>Revision</th> <th>Description</th> <th>Drawn</th> <th>Checked/QC</th> <th>Approved</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>SCALE: 1:1500 @ A3 GDA2020 MGA Zone 56</p> <p>0 12.5 25 50 75 Metres</p>	OS	Issued for Use	ML	TS	TW	05/12/22	Revision	Description	Drawn	Checked/QC	Approved	Date						
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APPENDIX 5: INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Proponent becomes aware of an incident. Notification is required to be given under this condition even if the Proponent fails to give the notification required under condition C5 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - (a) identify the development and application number;
 - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - (c) identify how the incident was detected;
 - (d) identify when the Proponent became aware of the incident;
 - (e) identify any actual or potential non-compliance with conditions of approval;
 - (f) describe what immediate steps were taken in relation to the incident;
 - (g) identify further action(s) that will be taken in relation to the incident; and
 - (h) identify a development contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Proponent must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - (a) a summary of the incident;
 - (b) outcomes of an incident investigation, including identification of the cause of the incident;
 - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - (d) details of any communication with other stakeholders regarding the incident.