



25 August 2020

Rose-Anne Hawkeswood
Team Leader — Energy & Resources
Department of Planning, Industry and Environment
320 Pitt Street, Sydney NSW 2000

Dear Rose-Anne

Port Kembla Gas Terminal — Modification 2 Compliance reporting guideline

Australian Industrial Energy (AIE) proposes to develop the Port Kembla Gas Terminal, involving the development of a liquefied natural gas import terminal and gas pipeline at Port Kembla, NSW.

The project was declared critical State significant infrastructure (CSSI) under section 5.13 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and received approval from the Minister for Planning and Public Spaces in April 2019. Modification of the approval to increase the capacity of the project and allow for seasonality was then sought and approved under section 5.25 of the EP&A Act.

AIE is now seeking a further minor modification to Schedule 4, Condition 7 of the approval to make reference to the Department of Planning, Industry and Environment's current compliance reporting guideline. The existing condition of approval and proposed condition of approval is provided in Table 1.

The development as proposed to be modified is substantially the same development as the development for which consent was granted because there is no change to any elements of the development. There is no change to the purpose of the development, no change to the footprint, proposed construction or operational methodologies, no change in land use or its interaction with the surrounding land uses, and no changes to any other parameters of the project. As such the proposed modification is considered to be a minor matter and does not require any further environmental assessment.

Table 1 Proposed modification

Existing condition	Proposed condition
The Proponent must provide regular compliance reporting to the Department on the development in accordance with the relevant Compliance Reporting requirements (DPE 2018).	The Proponent must provide regular compliance reporting to the Department on the development in accordance with the relevant Compliance Reporting requirements (<u>DPE 2020</u>) or the <u>most current Compliance Reporting guidelines</u> .