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Dear Rose-Anne

Subject: SSI 9471 – Request for Modification (Appendix 1- Schedule of Land)

Background

Infrastructure Approval (SSI 9471) provides consent for the development of the Port Kembla Gas Terminal. The Terms of Approval requires the development to be undertaken generally in accordance with Environmental Impact Statement (EIS) and in accordance with the conditions of the approval.

The relocation of the Bunker Oil Line as described in Section 5.4.6 is due to commence in September 2021 and be completed in December 2021 as part of the Early Enabling Works for the project. The final route of the Bunker Oil Line has been determined during detailed construction planning and includes minor construction activities outside the AIE site boundary. It has been identified that the pipeline relocation works are proposed to be undertaken within two parcels of land not included on the schedule of land (Appendix 1 of SSI 9471) and are therefore not considered land subject to the terms of the approval.

The purpose of this document is to request a Modification of the Ministers Approval under Section 5.25 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) to incorporate Lot 101 DP 1013971 and Lot 2 DP 1040783 to Appendix 1 – Schedule of Land of SSI 9471. The proposed development will remain substantially the same as originally approved and the modification the Infrastructure Approval is required to enable ancillary works associated with utility realignments to be undertaken within adjoining land parcels.

Terms of Approval

The Infrastructure Approval (SSI 9471) provides consent for the development of the Port Kembla Gas Terminal. The Terms of Approval (Schedule 2, Condition 1) requires the development to be undertaken generally in accordance with EIS and in accordance with the conditions of the approval.

Chapter 5 of the EIS provides a detailed description of the development and specifically Section 5.4.6 of the EIS states:

Construction of new berth and wharf facilities would involve establishment of a temporary construction compound, demolition of existing wharf facilities, and building of quay wall and topside facilities. In addition, a number of existing utilities used by neighbouring tenants and/or the project will need to be realigned and reconnected prior to major construction disturbance. It is understood that the following utilities would need to be realigned and reconnected:

- *Bunker oil pipeline*
- *Domestic water pipeline*
- *Electricity supply*

- *Communications*

An indicative layout of the utilities realignment around the perimeter of the site was included in Figure 5-4 of the EIS based upon information available at the time as replicated below (Figure 1).

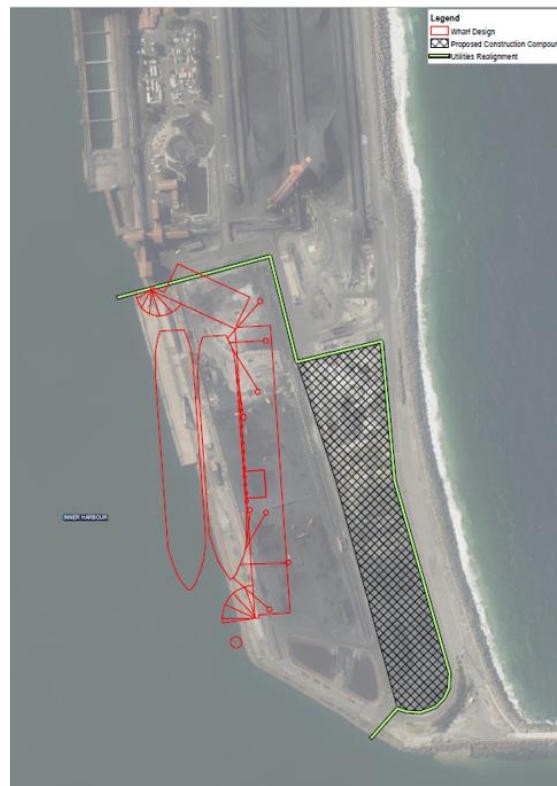


Figure 1: Indicative alignment of utilities including the Bunker Oil Line as shown in the EIS

The need for relocation of the Bunker oil pipeline has been described in the EIS to connect to neighbouring tenants and is considered an activity falling under the terms of the existing approval.

Schedule of Land

The Infrastructure Approval provides consent to undertake the project on land included in Appendix 1 – Schedule of Land and Appendix 2 – Development Layout Plan.

Following detailed engineering and construction planning, the route for the relocation of the Bunker Oil Pipeline has been finalised and differs from the indicative route proposed in the EIS at the southern end of the development.

The Bunker Oil Pipeline relocation is located primarily within the AIE lease boundary, but also includes connections on neighbouring lease areas including the Port Kembla Coal Terminal and the NSW Ports PKPC meter compound.

The tie in point within the NSW Ports metering compound is located on Lot 101 DP 1013971. The pipeline traverses Road 8, NSW Ports land (Lot 2 DP 1040783) before running adjacent to the concrete retaining wall along the edge of Seawall Road within the AIE Lease Area (Lot 22 DP 1128396) as shown in figure 2 below.

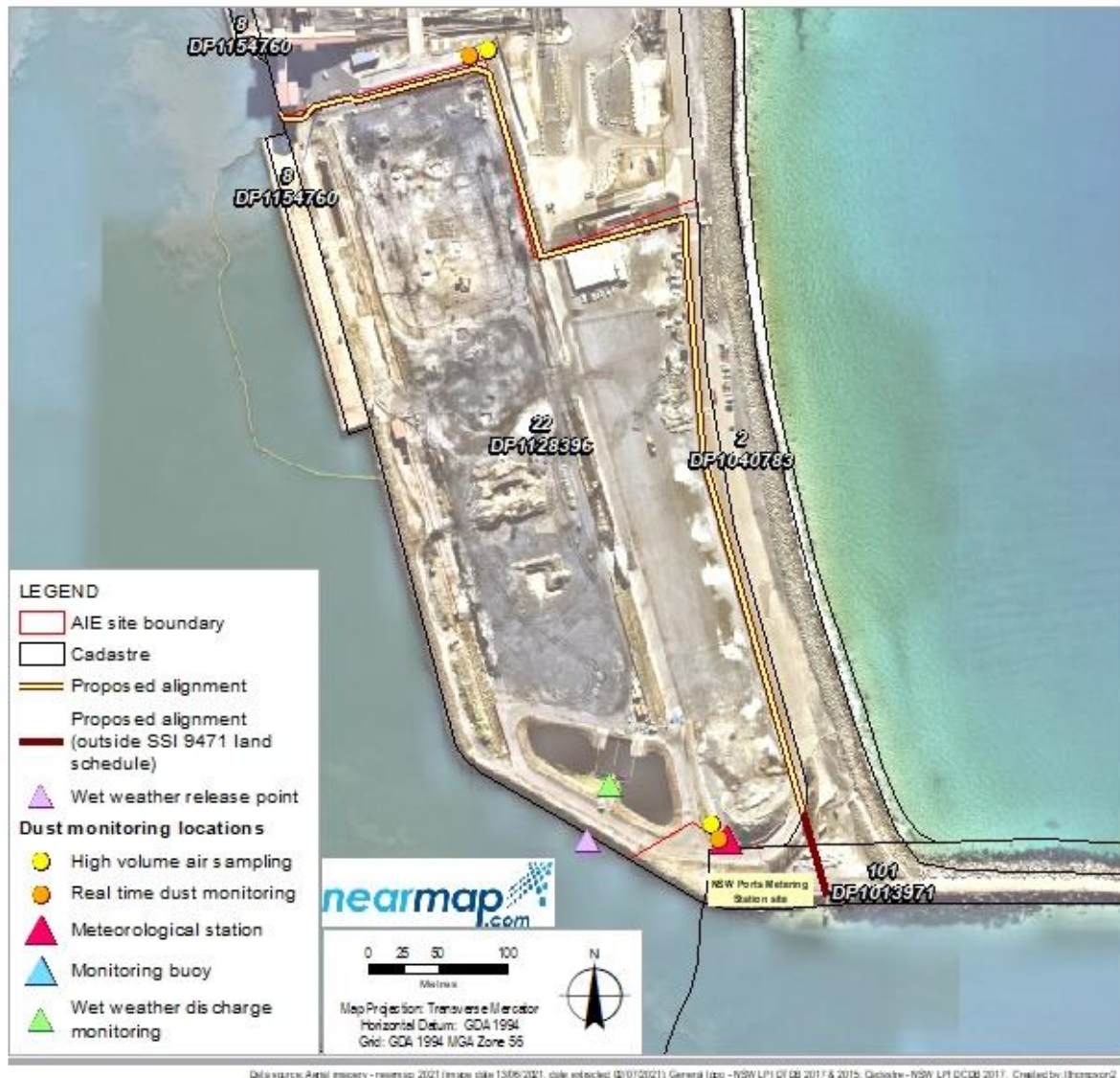


Figure 2: Final alignment of the Bunker Oil Line

The metering compound site (Lot 101 DP 1013971) and adjoining lot extending along the Coal Loader Seawall / Seawall Road (Lot 2 DP 1040783) lots are not listed in Appendix 1 - Schedule of Land and are therefore not land subject to the terms of the approval.

It should be noted that the finalised route of the Bunker Oil Line has been the subject of consultation with NSW Ports and they agree to the use of Lot 101 DP 1013971 and Lot 2 DP 1040783) for the relocation. A letter from NSW Ports confirming their agreement will be provided by NSW Ports directly to DPIE.

Project Activities

Work associated with the project is currently progressing under Stage 1, Early Enabling Works and associated approved Management Plans in accordance with Schedule 4, Condition 3 of SSI-9471. It is proposed that the relocation of the bunker oil pipeline be included in the Stage 1 Early Enabling works phase.

The pipeline installation will be primarily above ground with the pipeline installed on pipe supports fixed to the existing retaining concrete retaining wall adjoining sea wall road. Small sections of pipeline will be installed by open trenching under existing roads and accessways including trenching within the additional NSW Ports land parcels.

Construction activities within the metering compound site and adjoining Access Road 8 include:

- Relocation of existing stockpiles of spoil and container hut within the compound (NSW Ports to confirm location)
- Demolition of redundant Bunker Oil Line and replace existing Valve 201 with new gate valve
- Excavate trench and installation of underground bunker oil piping, including within the PKPC compound
- Cathodic protection for new pipeline
- Reinstatement of excavated pipeline trench and make good the ground surface
- Reinstatement of pavement, walkway, retaining wall and landscaping

Landscape plantings comprising a mix of *Banksia integrifolia*, *Acacia longifolia* and *Casuarina glauca* have been planted in a thin band adjoining Seawall Road. It is anticipated that three to four shrub / trees will require removal as part of the works and will be reinstated with equivalent seedlings at the completion of the works. The metering compound site is disturbed terrain, containing a number of small soil / rock stockpiles, which will be relocated to facilitate access to the pipeline alignment. The site is located within reclaimed land established during the formation of the Inner Harbour and is likely to comprise fill consisting of gravelly sand and sandy gravel above reclaimed sands and revetment material closer to the harbour.

All management plans approved for the Stage 1 Construction scope of works will be applied to the relocation works for the Bunker Oil Pipeline. This includes the Spoil Management Plan including a Remedial Works Plan which outlines detailed procedures for management of any unexpected contamination finds encountered during the works.

Implementing the environmental management and monitoring requirements in the Stage 1 Management Plans will ensure the works will be implemented with minimal potential for environmental impacts.

Modification requested

AIE requests that DPIE facilitate a modification to SSI 9471 under Section 5.25 of the EP&A Act as follows:

Update Appendix 1 – Schedule of Land to include Lot 101 (DP 1013971) and Lot 2 (DP 1040783) in the Berth 101 section of the Appendix.

Approval for commencement of works

AIE request approval from DPIE to proceed with the relocation of the Bunker Oil Line as party of the Stage 1 Early Enabling Works in accordance with all relevant, approved management plans.

I trust you find the above information satisfactory to allow both the progression of the Modification and approval of commencement of works. Please do not hesitate to contact me should you require further information.

Your sincerely



Alexandra LOVELL