

# Modification of Infrastructure Approval

Section 5.25 of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I approve the modification of the State significant infrastructure approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Rose-Anne Hawkeswood  
**Acting Director – Resource Assessments**  
**Department of Planning and Environment**

Sydney 4 May 2022

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## SCHEDULE 1

**Infrastructure Approval:**

SSI 9973 transitioned by order on 3 May 2019

**For the following:**

Eastern Gas Pipeline

**Modification:**

Transfer of Port Kembla Gas Terminal Pipeline Segment and  
Addition of Cringila Lateral Pipeline

## SCHEDULE 2

1. In the list of definitions, delete the term “Modification Report”, including its definition and insert the following in alphabetical order:

DPE EH Group	The Environment and Heritage Group within the Department
Modification 1	The modification report titled <i>Eastern Gas Pipeline – Port Kembla Lateral Looping Modification Report</i> dated May 2020, the response to submissions report titled <i>Port Kembla Looping Lateral – Modification Report Response to Submissions</i> dated August 2020, and additional information provided in Appendix
Modification 2	Modification report titled <i>Eastern Gas Pipeline Modification 2 – Modification Report</i> dated November 2021 and the document titled <i>Eastern Gas Pipeline Modification 2 Clarification Note</i> submitted to the Department on 8 March 2022.

2. In the definition of “BDAR”, after “(23 September 2020)”, insert, “and Eastern Gas Pipeline Modification 2 – Modification Report – Appendix C – Biodiversity Update Report (GHD, November 2021).”
3. In the definition of “Department”, delete “, Industry”.
4. In the definition of “Minister”, delete “and Public Spaces”.
5. In the definition of “Port Kembla Lateral Looping Pipeline” delete “in the Modification Report” and insert “by Modification 1 and Modification 2”
6. In the definition of “Site corridor” delete “in the Modification Report” and insert “by the Modification 1 and Modification 2”
7. In condition A2 of Part A:  
(c) delete “the Modification Report” and insert “Modification 1 and Modification 2”.
8. After condition B5 of Part B insert:

### **Works in Road Reserve**

B5A. Prior to commencing works within the state classified road reserve, the Proponent must apply for, and obtain, consent from TfNSW for all works in the classified road reserve under Section 138 of the Roads Act 1993.

#### *Notes:*

- *The works must demonstrate compliance with TfNSW Technical Directions Trenchless Excavation within the Easement of Roads and Maritime Infrastructure and Excavation adjacent to Transport for NSW Infrastructure.*
- *A Road Occupancy Licence from TfNSW is also required prior to commencing works on a State road or any other works that impact a travel lane of a State road or impact the operation of traffic signals of any road.*
- *The design and construction of the pipeline under Five Islands Road and any other works within a classified road is to be prepared generally in accordance with TfNSW and to the satisfaction of TfNSW.*

9. In condition B14 of Part B delete “Heritage Council of NSW or DPIE EES Group” and insert “DPE EH Group”

10. In condition C2 of Part C:

(a) delete “in the Modification Report” and insert “by Modification 1 and Modification 2”

11. Following condition C4 of Part C insert:

C4A. The Soil and Water Management CEMP sub-plan must:

(a) include an acid sulfate soils management plan prepared in accordance with the Acid Sulfate Soils Manual 1998 and EPA Waste Classification Guidelines 2014;

(b) identify if the construction activities will intercept groundwater and, if required, include procedures for the management of groundwater including potentially contaminated groundwater and water licensing requirements for take of water; and

(c) include a sediment and erosion control plan for management of sediment from the construction footprint.

12. Delete condition C6 of Part C and insert:

**Incident Notification**

C6 The Proponent must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing via the Major Projects Website and identify the development (including the development application number and name) and set out the location and nature of the incident.

13. Delete condition C7 of Part C and insert:

**Non-Compliance Notification**

C7 Within seven days of becoming aware of a non-compliance, the Proponent must notify the Department of the non-compliance. The notification must be in writing via the Major Projects Website and identify the development (including the infrastructure approval number and name), set out the condition of this consent 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.

*Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance*

14. Delete Appendix 1, including the heading, and replace with the following:

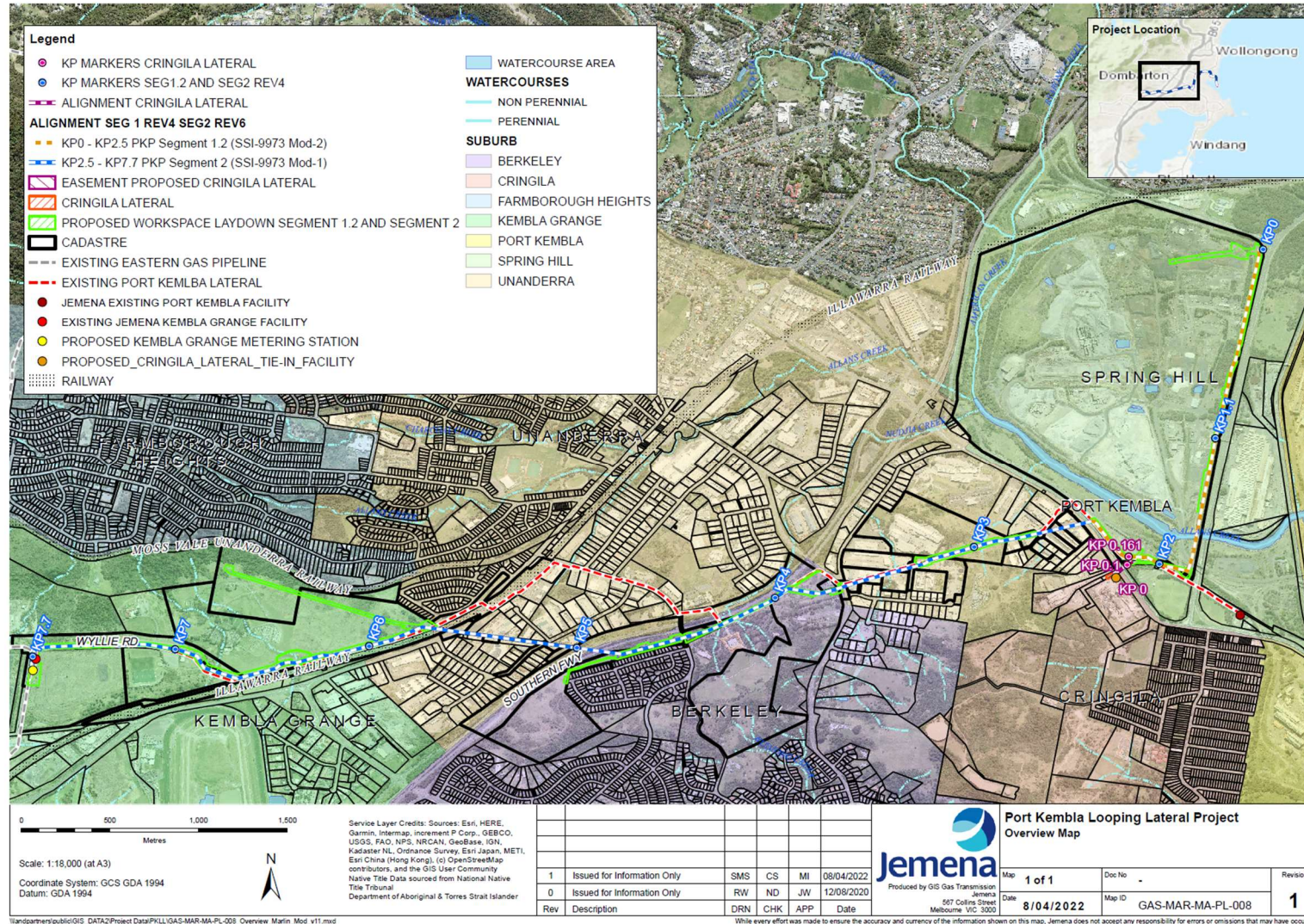
**APPENDIX 1: SCHEDULE OF LANDS**

<b>Port Kembla Lateral Looping Pipeline Site Corridor</b>		
<b>Lot</b>	<b>Plan</b>	<b>Parcel type</b>
2	DP792692	Lot parcel
104	DP617569	Lot parcel
	160058702	Road-road
	107980136	Road-road
	120158009	Rail
44	DP1189256	Lot parcel
2	DP609232	Lot parcel
	107979537	Road-road
114	DP28203	Lot parcel
100	DP713634	Lot parcel
	106735051	Road-road
34	DP217106	Lot parcel
9	DP258635	Lot parcel
	106757181	Road-road
48	DP261816	Lot parcel
	105313605	Road-road
	107201052	Road-road
	154370167	Road-road
	154370169	Road-road
127	DP817646	Lot parcel
	107201051	Road-road
	107999271	Road-road
	106710708	Road-intersection
22	DP1047513	Lot parcel
21	DP1047513	Lot parcel
1	DP1237278	Lot parcel
13	DP813368	Lot parcel
	170908958	Road-road
2	DP1237278	Lot parcel
210	DP811435	Lot parcel
	SP104173	Strata plan
14	DP1126042	Lot parcel
	105653947	Road-road
123	DP837651	Lot parcel
	SP98223	Strata plan
	SP76828	Lot parcel
	107201267	Road-road
1	DP606430	Lot parcel
2	DP569201	Lot parcel
4	DP258635	Lot parcel
1	DP203783	Lot parcel

3	DP606430	Lot parcel
1	DP785374	Lot parcel
2	DP706704	Lot parcel
1	DP1088411	Lot parcel

15. Delete Appendix 2, including the heading, and replace with the following:

## APPENDIX 2: GENERAL LAYOUT OF THE PORT KEMBLA LATERAL LOOPING PIPELINE



**End of Modification**  
**(SSI 9973 MOD 2)**