

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

The Independent Planning Commission, as the declared consent authority under clause 8A of the State Environmental Planning Policy (State and Regional Development) 2011 and section 4.5(a) of the *Environmental Planning and Assessment Act 1979*, approves the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Mr John Hahn
Member of the Commission (Chair)



Soo-Tee Cheong
Member of the Commission

Sydney

9 August 2018

File: EF18/8796

SCHEDULE 1

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| Application No: | SSD 5544 MOD 4 |
| Applicant: | Caltex Petroleum Australia Pty Ltd |
| Consent Authority: | Minister for Planning |
| Development: | Conversion of the existing Kurnell Refinery to a finished product import and distribution terminal |
| Date of Original Consent: | 7 January 2014 |
| Modification: | SSD 5544 MOD 4 – Extension of the Demolition Works Period |

SCHEDULE 2

This consent is modified as follows:

1. Delete the definitions for “Development” and “Secretary” and insert the following definitions in alphabetical order:

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| Development | The development described in the EIS and RTS and depicted in Appendix A, being for the conversion of the existing Kurnell Refinery to a finished product import and distribution terminal, as modified by the conditions of this consent |
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| Planning Secretary | The Secretary of the Department of Planning and Environment, or nominee |
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2. Insert the following definition in alphabetical order:

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| MOD 4 | Modification application to SSD 5544 for the extension of the demolition works period, as described in <i>Section 4.55(1A) Modification – Extension of Time for SSD 5544 MOD 1 Demolition Works</i> , prepared by AECOM Australia Pty Ltd, dated 15 June 2018 |
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3. Delete all references to “Secretary” and replace with “Planning Secretary”.
4. Delete all references to “shall” and replace with “must”.

In Schedule B: Administrative Conditions

5. Delete Condition B2 and replace with the following:

- B2. The Applicant must carry out the Development in accordance with the:
- (a) EIS;
 - (b) RTS;
 - (c) site layout plans and drawings in the EIS (see Appendix A);
 - (d) MOD 1;
 - (e) MOD 2;
 - (f) MOD 3; and
 - (g) MOD 4.

6. Delete Condition B7A and replace with the following:

- B7A. The demolition works associated with the development must not extend beyond 10 June 2019.

In Schedule D: Environmental Management, Reporting and Auditing

7. Delete Condition D9 and replace with the following:

- D9. The Applicant must, to the satisfaction of the Planning Secretary:
- (a) make the following information publicly available on its website:
 - the EIS;
 - MOD 1 and its accompanying documents;
 - MOD 2 and its accompanying documents;
 - MOD 3 and its accompanying documents;
 - MOD 4 and its accompanying documents;
 - current statutory approvals for the Development;
 - approved strategies, plans or programs;
 - a summary of the monitoring results of the Development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;
 - a complaints register, updated on a quarterly basis;
 - copies of any annual reviews (over the last 5 years);
 - any independent environmental audit, and the Applicant’s response to the recommendations in any audit; and
 - any other matter required by the Planning Secretary; and
 - (b) keep this information up to date.

Note: This requirement does not require any confidential information to be made available to the public.