

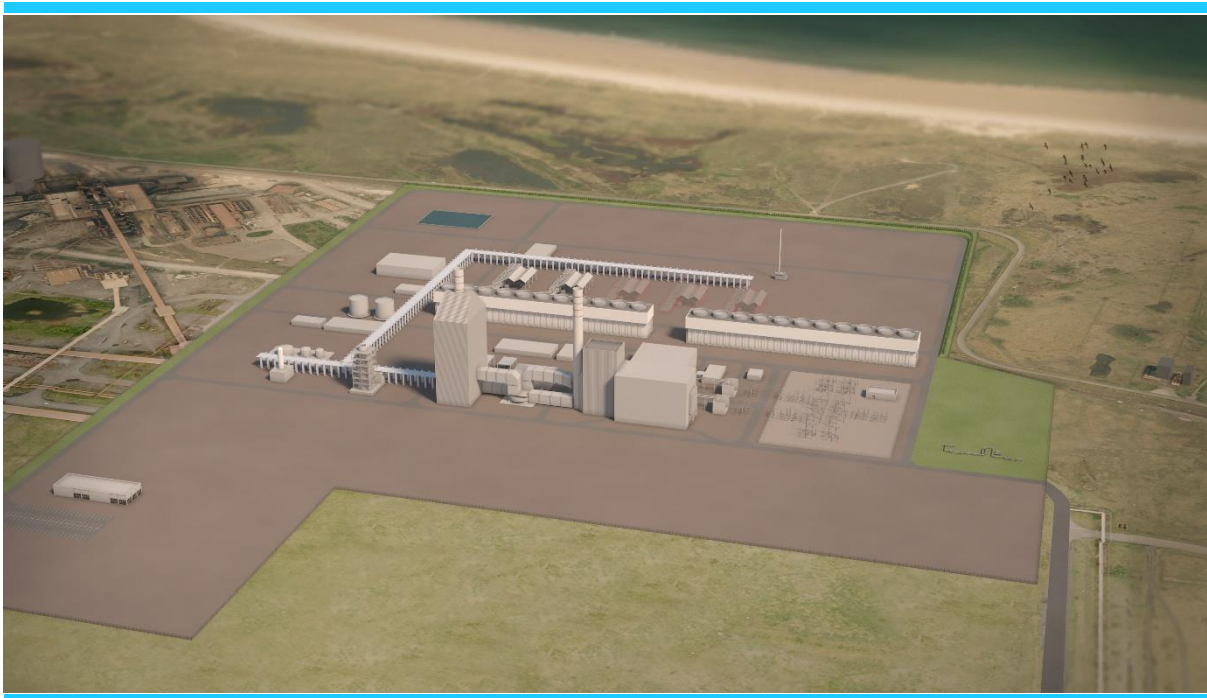
Net Zero Teesside Project

Planning Inspectorate Reference: EN010103

Land at and in the vicinity of the former Redcar Steel Works site, Redcar and in Stockton-on-Tees, Teesside

The Net Zero Teesside Order

Document Reference: 2.1e - Schedule of Changes to the draft Development Consent Order



Applicants: Net Zero Teesside Power Limited (NZN Power Ltd) & Net Zero North Sea Storage Limited (NZNS Storage Ltd)

Date: September 2022

THE NET ZERO TEESSIDE ORDER

EXPLANATION OF CHANGES MADE TO THE DRAFT DEVELOPMENT CONSENT ORDER ('DCO') AT DEADLINE 8 (20 SEPTEMBER 2022)

Due to the insertion of new paragraphs/requirements in the updated draft DCO, the numbering and internal cross referencing (including the contents) within the draft DCO have been updated accordingly. These changes, along with minor typographical amendments for clarity and consistency are not set out below. The numbering referred to below is to that in the updated draft DCO.

Article / Requirement number in draft DCO	Explanation of Change
Preamble	The words “[single appointed person]” have been replaced with “appointed panel”. The Applicants committed to make this change in its response to DCO.2.1 in the Applicants’ Response to the Examining Authority’s Second Written Questions [REP6-121].
Articles and Schedules (Various)	Uses of the word “landscaping” in relation to landscaping and biodiversity have been updated to “landscape” throughout the DCO. The Applicants committed to make these changes in its response to BIO.2.5 in the Applicants Response to the Examining Authority’s Second Written Questions [REP6-121].
Article 2 (Interpretation)	The definition of “Sembcorp operations” has been deleted. This follows changes to Requirement 37 in Schedule 2 to extend consultation on certain Requirements to circumstances where there is an impact on Sembcorp’s “interests” (whether those are within the Order Limits or not). That replaces reference to “Sembcorp operations” (which relates only to Sembcorp’s land within the Order Limits). The definition of “Sembcorp’s operations” is only now used in the protective provisions for the benefit of Sembcorp in Part 16 of Schedule 12 of the DCO. Accordingly the definition has been inserted in that part of the Order instead of Article 2.
Article 2 (Interpretation)	Definition of “TG entities” has been inserted, as Teesside Gas & Liquids Processing and Teesside Gas Processing Plant Limited have been added as consultees to certain Requirements. This follows a request by the TG entities and as noted in the Statement of Common Ground [Document Reference 8.37].
Article 8(13) (Consent to transfer benefit of this Order)	The words “to be” have been added to clarify that the MMO and EA must be notified of the powers “to be” transferred under a deemed marine licence within 10 working days of an agreement to that effect. This removes some potential ambiguity as to the timing of the notice.

Article / Requirement number in draft DCO	Explanation of Change
Schedule 2, (Requirements), Requirement 3(2) and (3) (Detailed design)	The TG entities have been added as a consultee to these parts of the Requirement. This follows a request by the TG entities and as noted in the Statement of Common Ground [Document Reference 8.37].
Schedule 2, (Requirements), Requirement 3(2)(b), (7)(b) and (9)(b) (Detailed design)	The exact number of cathodic protection posts will be determined at the detailed design phase and as such the word “approximate” has been removed from this Requirement. The Applicants committed to make these changes in its response to DCO.2.2 in the Applicants Response to the Examining Authority’s Second Written Questions [REP6-121].
Schedule 2, (Requirements), Requirement 3(2)(d), 3(d), 4(c), 5(b), 6(b), 7(c), and 9(c).(Detailed design)	Details of the works involving trenchless technologies including their location must now be provided as part of the detailed design process for WN2A, 2B, 3, 4, 5, 6, and 8. The Applicants committed to make these changes in its response to DCO.2.8 in the Applicants Response to the Examining Authority’s Second Written Questions [REP6-121].
Schedule 2, (Requirements), Requirement 4(5) (Landscape and biodiversity protection management and enhancement)	<p>A new limb has been added to specify that the landscape and biodiversity management and enhancement plan approved must including monitoring measures that are in accordance with the measures and timeframes included in the indicative landscape and biodiversity strategy and include a process for submission to and approval by the relevant planning authority of an annual monitoring report and provision of the annual monitoring report to STDC. These drafting amendments ensure that that the monitoring measures proposed in the Indicative Landscape and Biodiversity Strategy are secured in the DCO.</p> <p>The Applicants committed to make these changes in its response to BIO.2.6 in the Applicants Response to the Examining Authority’s Second Written Questions [REP6-121].</p>
Schedule 2, (Requirements) Requirement 11(3) (Surface and foul water drainage)	Sembcorp has been added as a consultee on the approval of details of the permanent surface and foul water drainage systems. This was requested by Sembcorp at Deadline 6 [REP6-130]. The Applicants agreed to make the change at Deadline 7 [REP7-009].
Schedule 2, (Requirements), Requirement 13(2)(a) (Contaminated land and groundwater)	Minor amendment made to specify that the preliminary risk assessment will include a desk top study and full risk assessment. This follows a request for these changes by the EA in their Deadline 5 submission [REP5-032] Deadline 6 submission [REP6-132] and Deadline 7 submission [REP7-012].

Article / Requirement number in draft DCO	Explanation of Change
<p>Schedule 2, (Requirements), Requirement 13(2) (Contaminated land and groundwater)</p>	<p>New limbs have been added to specify that where a risk assessment indicates that remediation is required then the remediation strategy must also include an update to the hydrogeological impact assessment, a long term monitoring and maintenance plan in respect of contamination and a plan for managing or otherwise decommissioning any boreholes installed for the investigation of soils, groundwater or geotechnical purposes.</p> <p>The limb specifying that details of ongoing monitoring must be included in the risk assessment has been removed.</p> <p>This is to reflect the outputs of the ground investigations which are currently being undertaken by the Applicants.</p> <p>This follows a request for these changes by the EA in their Deadline 5 submission [REP5-032]. The Applicants committed to these changes in its response at Deadline 6 [REP6-122].</p>
<p>Schedule 2, (Requirements), Requirement 16(2) (CEMP)</p>	<p>The Applicants have updated the details of what must be included in the full CEMP to include a</p> <ul style="list-style-type: none"> - a groundwater monitoring plan which must take into account the updated hydrogeological impact assessment and any further ground investigation reports and groundwater monitoring required by requirement 13(2)(f); - a materials management plan in accordance with paragraph 5.3.76 of chapter 5 of the environmental statement; - a hazardous materials management plan in accordance with paragraph 10.5.3 in Chapter 10 of the environmental statement; and - any other management or mitigation plans set out in the framework construction environmental management plan. <p>The Applicants committed to include the groundwater monitoring plan taking into updated assessments in its response to the EA at Deadline 6 [REP6-122]. The other changes were committed to by the Applicants in its response to GEN.2.12, WE.2.3 and DCO.2.19 in the Applicants Response to the Examining Authority's Second Written Questions [REP6-121].</p>

Article / Requirement number in draft DCO	Explanation of Change
Schedule 2, (Requirements), Requirement 18 (Construction traffic management plan) (1)	Sembcorp and the TG entities have been included as consultees to this Requirement. This follows a request by Sembcorp and the TG entities, and in relation to the latter as noted in the Statement of Common Ground [Document Reference 8.37].
Schedule 2, (Requirements), Requirement 18 (Construction traffic management plan) (2)	A new limb has been added to specify that the final construction traffic management plan must include details of the monitoring to be undertaken as included in the framework construction traffic management plan. The Applicants committed to make this change in its response to TT.2.2 in the Applicants Response to the Examining Authority's Second Written Questions [REP6-121].
Schedule 2, (Requirements), Requirement 23 (Piling and penetrative foundation design) (1)	Minor amendment to specify that the piling and penetrative foundation design method statement will be consistent with any details included in any approved ground monitoring plan. The Applicants committed to make this change in its response to the EA at Deadline 6 [REP6-122].
Schedule 2, (Requirements), Requirement 25 (Restoration of land used temporarily for construction) (3)	New paragraph inserted to specify that the scheme submitted must take into account the updated hydrogeological impact assessment and any further ground investigation reports and groundwater monitoring that is required by Requirement 13. The Applicants committed to make this change in its response to the EA at Deadline 6 [REP6-122].
Schedule 2, (Requirements), Requirement 29 (Local liaison group) (2)	The TG entities must be invited to join the local liaison group liaise with local residents and organisations about matters relating to the authorised development. This follows a request by the TG entities and as noted in the Statement of Common Ground [Document Reference 8.37].
Schedule 2, (Requirements), Requirement 32(1) (Decommissioning)	The Environment Agency has been added as a consultee to this Requirement. The Applicants committed to make this change in its response to DCO.2.10 in the Applicants Response to the Examining Authority's Second Written Questions [REP6-121].
Schedule 2, (Requirements), Requirement 32 (Decommissioning) (4)(i)	Changes have been made to require that the decommissioning environmental management plan submitted pursuant to R32(1) must now include details of the apparatus to be removed, and where apparatus is proposed to be left in-situ and not removed, the steps to be taken to decommission such apparatus and ensure it remains safe. These drafting changes were requested by Sembcorp at Deadline 6 [REP6-130]. The Applicants agreed to make the changes at Deadline 7 [REP7-009].

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Schedule 2, (Requirements), Requirement 32 (Decommissioning) (4)(i)	An additional limb has been included to specify that the plan submitted must include details of mitigation for any potential noise impacts. The Applicants committed to make this change in its response to NV.2.1 in the Applicants Response to the Examining Authority's Second Written Questions [REP6-121].
Schedule 2, (Requirements), Requirement 37 (Consultation with Sembcorp Utilities (UK) Limited (1)	Amendments made to the wording to extend the consultation of Sembcorp to include a requirement to consult where there is an impact on Sembcorp's operations outside the Order limits. These drafting changes were requested by Sembcorp at Deadline 6 [REP6-130]. The Applicants agreed to make the changes at Deadline 7 [REP7-009].
Schedule 2, (Requirements), Requirement 38 (Consultation with Teesside Gas & Liquids Processing and Teesside Gas Processing Plant Limited)	<p>This is a new Requirement to reflect the inclusion of TGLP and TGPP as consultees to various Requirements. The requirement to consult TG entities applies only where the Requirement could affect TG's interests in the reasonable opinion of the relevant planning authority. The undertaker and the TG entities must provide information to the relevant planning authority on the location and nature of the TG entities' interests following a request by the relevant planning authority.</p> <p>This follows a request by the TG entities and as noted in the Statement of Common Ground [Document Reference 8.37].</p>
Schedule 10, (Deemed Marine Licence under the 2009 Act: Project A), and Schedule 11, (Deemed Marine Licence under the 2009 Act: Project B),	<p>A number of amendments have been made to the deemed marine licences to address drafting comments made by the MMO in its Deadline 7 response [REP7-013]. For full details of the changes to address the comments from the MMO, see the Applicants' Comments on Deadline 7 Submissions [Document Reference: 9.35].</p> <p>The Applicants have undertaken a full review of the DMLs as part of addressing the MMO comments and made a number of other drafting changes. These are largely to clarify timescales for notices, and to ensure there is a requirement to implement schemes that are approved by the MMO. Other changes have been made to ensure that the drafting is consistent with requirements related to legislative drafting.</p>
Schedule 12, (Protective Provisions), Various Parts	For consistency, the registered addresses have been inserted into the definition of named beneficiaries of protective provisions where these had not already been provided.

Article / Requirement number in draft DCO	Explanation of Change
	The Applicants have also provided substantive updates to a number of the sets of protective provisions in Schedule 12 where appropriate, to reflect the discussions with the relevant parties and to provide an update on the Applicants' position on the protections required where necessary.
Schedule 14	A new "shared areas plan" has been included as a certified document. This plan is referenced in the DCO in order to give effect to parts of the protective provisions for the benefit of Anglo American under Part 17 of Schedule 12.