



RESUMÉ

Max Kimber AM, BE(Hons), FIE Aust., FAIE

GENERAL

Max Kimber AM is a Director and Principal Consultant of M. J. Kimber Consultants Pty. Ltd. He has been closely involved in the development of Australia's natural gas pipeline industry since 1974, having held a variety of technical, commercial and senior executive positions in the Federal Government's Pipeline Authority until 1994, when the Authority was privatised. He now consults to governments and large Australian and international energy firms, investment banks and superannuation funds on commercial and technical matters, including the purchase, sale and financing of natural gas pipeline assets, the development of new pipelines and other energy infrastructure, the interaction between the gas and electricity markets, strategic planning, determination of tariffs, pipeline access and gas pricing. He also has been commissioned to act as an expert witness in hearings of cases in various courts and tribunals, including several state Supreme Courts, the Australian Competition Tribunal and the Administrative Appeals Tribunal and was a member of the panel of experts for the WA Energy Review Board for three years until December 2008.

Mr Kimber was a founding Director of the Victorian Gas Transmission Corporation from 1995 to 1997 and played a key role in the transition of that organisation from its role as part of a combined utility into a privatised gas transmission company. From 2001 to 2006 he was a Director of an investor owned pipeline company, Gorodok Pty Ltd, which owns the 1375 km long ethane pipeline from Moomba to Botany. He served as Chairman of that company from 2005 to 2006. In 2008 he was appointed as a Director of SEA Gas Pty Ltd, the owner of a major gas transmission pipeline from Port Campbell, Victoria to Adelaide, South Australia. He was appointed Chairman of SEA Gas in alternate years between 2010 to 2019. In 2012, he was appointed as a Director of Collgar Wind Farm Pty Ltd, the owner of a Western Australia's largest wind farm.

Mr Kimber has been closely associated with regulatory reform of the gas pipeline industry since 1990, when he provided advice to the Federal Government through the Pipeline Authority. He also was a member of some of the early gas reform committees and assisted in the development of the Council of Australian Governments' principles for gas reform.

He has extensive knowledge of the various regulatory processes for natural gas pipelines used by the Federal Energy Regulatory Commission in USA, the National Energy Board in Canada and by the various jurisdictions in Australia.

Mr Kimber has worked extensively with legal advisors and investment bankers on the development of many gas pipeline and electricity generation projects in Australia and sales and purchases of pipeline systems. He served as a Director of the Australian Pipeline Industry Association Ltd for four years and continued to hold positions on several key pipeline industry committees until 2017.

Mr Kimber has overseen the design, construction and operation of many high pressure gas pipeline facilities – pipelines, compressor stations, meter stations, SCADA systems – and has had considerable experience in the preparation and negotiation of contracts for the design, construction and operation

of such facilities. Further, he has prepared and negotiated contracts for the sale, purchase and transportation of gas from both conventional and coal seam gas sources, some of which has NPV in excess of \$100 million.

In 2003, Mr Kimber was awarded the annual Australian Pipeline Industry Association Award for his outstanding contributions to all aspects of the Australian pipeline industry. In 2013, he was granted Honorary Life Membership of the Australian Pipeline Industry Association – a rare and prestigious award in the industry.

In 2005 Mr Kimber was appointed for a three year term to the Australian Research Council's College of Experts for the assessment of grants to universities for engineering and environmental research. In 2006 he was appointed Chairman of this College. These appointments recognised Mr Kimber's extensive local and overseas experience in the management and application of industry-based engineering and environmental research.

In 2007 Mr Kimber was appointed as a Member of the Order of Australia in the Queen's Birthday Honours List for services to the natural gas pipeline industry through engineering and commercial development and the development of national and international technical and economic regulatory standards.

As a member of the Rotary Club of Canberra, during 2009 to 2018, Mr Kimber managed the transport and delivery of Foodbank goods to Canberra to provide staple food to the needy and disadvantaged. This required expertise in food transport and logistics management to deliver in excess of the equivalent of 800,000 meals per year. He managed grants from the ACT Government for this service and worked closely with government and charitable organisations in Canberra to ensure maximum benefit for minimum cost. For this work he was awarded the 2012 ACT Volunteer of the Year in the category of Community Care and Social Support and was made Rotarian of the Year by his Club.

BACKGROUND & EXPERIENCE

Mr Kimber entered the natural gas pipeline industry in early 1974 after a career of 13 years in the telecommunications industry, during which time, as a senior project manager for Australia Post (the predecessor of Telstra), he designed and built long distance radio communications systems throughout South Australia, the Northern Territory and Queensland to provide subscriber trunk dialling and interstate and international television transmission. He joined the fledgling Pipeline Authority, and was immediately sent to United Kingdom, Canada and France for a 15 month intensive training assignment to understand the pipeline industry from offshore well heads to the burner tip. It was through this that he began to establish his many international contacts in all aspects of the gas pipeline industry.

For many years, Mr Kimber was responsible for planning and development of pipelines for the Pipeline Authority and was instrumental in the establishment of markets to justify the construction of lateral pipelines from the Moomba to Sydney pipeline to serve Wagga Wagga, Canberra and Lithgow. He oversaw the development of both technical and commercial modelling techniques to better define and optimise pipeline designs and to ensure commercial viability.

In 1978, he carried out a detailed natural gas supply and demand study for Australia that was the precursor to, and set the standards for subsequent studies. The results of the study were published by the National Energy Advisory Committee.

In 1985, Mr Kimber provided advice to the then State Energy Commission of Western Australia on easement acquisition and advised the Commonwealth Minister for Aboriginal Affairs on native title matters for parts of the Dampier to Bunbury Natural Gas Pipeline system.

In the early 1990s, Mr Kimber turned his attention to the commercial and regulatory aspects of the pipeline industry, and took on the role of the Secretary to a committee of pipeline owners that attempted to develop the first code of practice for third party access to pipelines. While it was ultimately overtaken by the Hilmer-initiated reform agenda, this code formed the basis of consideration by the Federal Government for gas industry reform. These years also heralded the push for privatisation. The Pipeline Authority's assets were the first government owned pipeline system to be privatised, and Mr Kimber played a major role in vendor due diligence and, in association with the Task Force on Asset Sales, worked on the necessary regulatory and legislative reform that was essential for the sale.

During 1993-94, Mr Kimber worked closely with representatives of ICI and Santos to develop the concept of the Moomba to Sydney ethane pipeline and to turn it into a reality.

He became a private consultant in 1994, at the time of the sale of the Pipeline Authority's assets, and was immediately asked by the South Australian Government to assist with sale of the Moomba – Adelaide pipeline system. Subsequently, he has been directly involved – either for vendor or bidder/purchaser – with the sales of:

- Moomba to Adelaide Pipeline (two transactions)
- Queensland State Gas Pipeline (two transactions)
- Dampier to Bunbury Pipeline (two transactions)
- Dongara to Perth Pipeline
- Goldfields Pipeline
- BHP's Pilbara Energy Pipeline System
- Transmission Pipelines Australia – the Victorian pipeline network
- PGT/PG&E's Queensland Pipeline System
- ICI's Moomba to Botany Ethane Pipeline
- Duke Energy Australia's pipeline assets
- Epic Energy's pipeline assets (both Dampier to Bunbury and Epic Rest)
- Carpentaria Pipeline (Ballera to Mt Isa)
- SEA Gas Pipeline (Port Campbell to Adelaide)
- Amadeus to Darwin Gas Pipeline
- Mortlake Pipeline, Victoria
- Iona Gas Storage Plant, Victoria

He has specialised in technical due diligence, market analysis, financial analysis, strategic planning, tariff setting, economic modelling, regulation and contracts associated with these transactions.

Mr Kimber maintains a close interest in the interaction between the engineering, design and technical operation of pipeline systems and the influence of Australia's commercial, statutory and regulatory environment. He advises both governments and industry on these matters and was influential in establishing risk based design of pipelines in the last decade. He chaired the committee of experts that wrote the companion document to the Australian Standard AS2885-1997 to explain to pipeline regulators, owners, operators and designers the application of risk based design. Mr Kimber was a member of the Australian Standards Committee ME38 (Gas & Liquid Petroleum Pipelines) and its

various sub-committees throughout the 1980s and 1990s and has chaired a number of committees for the development of new standards. From 1996 to 2007 he was Chairman of the Australian Pipeline Industry Association's Research and Standards Committee, the peak industry committee for determining the application of research to the development of new pipeline technologies and standards.

From the mid-1980s to 1994, Mr Kimber represented the Australian pipeline industry on various supervisory committees and the Executive Committee of the American Gas Association's Pipeline Research Committee, which managed international pipeline research projects worth in excess of \$US10 million per year. Through these links Mr Kimber was able to transfer new ideas and new technology to assist Australia's developing pipeline industry and to help ensure that its standards incorporated the best research based technology.

In 2002, Mr Kimber negotiated a memorandum of understanding between the Australian Pipeline Industry Association's Research and Standards Committee, the US based Pipeline Research Council – International and the European Pipeline Research Group that gave the Australian pipeline industry access to the world's best and most comprehensive research work on petroleum pipeline safety, integrity and cost minimisation techniques. Mr Kimber hosted a very successful international conference in Canberra on pipeline research in 2007.

During 2009, Mr Kimber was a key participant in the establishment of the Energy Pipelines Cooperative Research Centre, which received Commonwealth Government approval in August 2009. This CRC will be engaged in research applied to petroleum, natural gas, carbon dioxide and hydrogen pipelines. Its activities will be directed by the Australian Pipeline Industry Association's Research & Standards Committee and includes the Australian National University, the University of Adelaide, the University of Wollongong and Deakin University.

Mr Kimber has published a number of papers and commentaries on Australia's energy industry.

Max has been a member of the Rotary Club of Canberra since 1990 and in 1998 and 2011 was awarded Paul Harris Fellow, one of Rotary's high awards, for "furtherance of better understanding and friendly relations among peoples of the world", for community service.

Mr Kimber's client list and work carried out for those clients is as follows:

Client	Description of Professional Services
Acil Economics and Policy Pty Ltd	Joint consultancy to the Commonwealth Department of Primary Industries and Energy for the development of a pipeline access regulatory regime
ACT Electricity and Water Corporation	Advice on issues associated with entry to gas retail operation
Advance Energy	Advice on issues associated with entry to gas retail operation including access, gas purchases, new project development, pricing
AIDC Ltd	Development of bids to Governments for sale of pipeline assets
AlintaGas (pre-privatisation)	Advice in respect of compliance with Gas Transmission Regulations Budget review and cost audits Organisational review for operations and maintenance staff Selection of compressor units Selection of engineering consultants Preparation for privatisation Benchmarking study
Australian Competition and Consumer Commission	Advice on competitive markets on proposed takeover of gas distribution company in Queensland
Blake Dawson Waldron	Expert witness on dispute between regulated gas pipeline firm and regulator

Client	Description of Professional Services
Centrecorp Aboriginal Investment Corp.	Provision of advice on Centrecorp's minority holding in the Amadeus to Darwin Gas Pipeline
Clayton Utz	Expert witness in a land access dispute and pipeline damage protection methods before the Administrative Appeals Tribunal
Coastal Corporation	Strategic advice on entry to Australian pipeline industry Technical advice on pipeline construction Due diligence on pipeline purchases Market forecasts and regulatory issues associated with pipeline acquisitions
Collgar Wind Farms	Member of the Board
CS Energy	Advice on gas purchase contracts – with specific reference to coal seam methane Due diligence on natural gas pipelines with a view to purchase
DBNGP(WA) Transmission Pty Ltd	Recommendations on gas quality issues for the design of \$1bn expansion of the Dampier to Bunbury Natural Gas Pipeline
Department of Mines and Energy – New South Wales	Possible amendments to the National Third Party Access Code for Natural Gas Pipeline to promote gas swaps at Moomba
Department of Mines and Energy – Northern Territory and The Timor Sea Consultative Group	Comprehensive natural gas supply and demand study for the development of Timor Sea gas
Department of Primary Industries and Energy	Audit of Moomba – Sydney pipeline easement management practices Advice to Gas Reform Group on upstream issues in Cooper Basin
Department of Resources, Energy & Tourism	Preparation of a report for the Carbon Storage Taskforce on models for government assistance to carbon capture and storage to facilitate its adoption.
Duke Energy International and Duke Energy Australia	Strategic advice Management of Regulatory Affairs and Government Policy Group Management legal, economic and engineering advisers for the hallmark regulatory dispute with National Competition Council – the “Duke Case” Regulatory risk analysis Market risk analysis Due diligence for pipeline acquisitions Gas purchases for Trading Group Market forecasts Development of the gas pipeline to Tasmania, the development of the proposed magnesium refinery and gas firing of Bell Bay Power Station Development of haulage tariffs Technical advice on pipeline construction Electricity and gas supply and demand studies – business opportunities Development of coal seam gas resources, including gas purchases and pricing
East Australian Pipelines Limited	Efficiency audit of operation and maintenance of Moomba to Sydney Pipeline System for Access Arrangement
Ebsworth & Ebsworth	Expert witness for the assessment of insurers' liability in respect of professional indemnity cover in a very large contractual dispute involving many parties
Energex	Advice of gas specification matters, particularly in respect of mercury contamination
Enertrade	Advice on regulatory matters, business structures, gas purchases, gas transport contracts, pipeline access principles Gas and electricity market analysis Delivery of training on entry into gas market

Client	Description of Professional Services
Epic Energy	Advice on gas specification issues
ERM Power Pty Ltd	Advice for the development of gas fired generation stations including reviews of gas purchase agreements, power purchase agreements, tolling methodology and gas specifications
Freehill Hollingdale & Page	Expert witness for gas supply litigation
Gas Transmission Corporation of Victoria	Member of the Board Chairman of joint committee of EAPL and GTC for development of the Interconnect pipeline between Wagga Wagga and Wodonga Development of organisational structure with CEO and recruitment of staff Readying GTC for privatisation
Gorodok Pty Ltd	Chairman of the Board until July 2006, as a representative of UniSuper, one of the shareholders of the Moomba to Botany ethane pipeline Advice on organisational and budget matters for the operation of the Moomba to Botany ethane pipeline Preparation for sale of pipeline to new owner
Incitec Ltd	Gas measurement studies
Indigenous Business Australia	Advice on a gas pipeline investment
Lees Marshall Warnick	Expert witness on a dispute over the basis of calculating over-riding royalties on petroleum production.
Mallesons	Expert advice on gas price dispute between seller and purchaser
Minter Ellison	Advice on gas industry issues Expert witness for Australian Competition Tribunal hearing on Eastern Gas Pipeline Adviser on gas pricing dispute between Santos and Xtrata
MIT(SWA) Pty Ltd	Advice on information technology systems for pipeline management and control
Nova Gas Australia	Strategic development, due diligence for asset purchases, bid preparation and tariff studies
Optima Energy (South Australia)	Advice on gas purchase and transport contracts
PB Associates	Sub-consultant to PB Associates: <ul style="list-style-type: none"> • carry out due diligence for Macquarie Bank, GasNet and Hastings Funds Management for bids for Duke Energy and Epic Energy assets • Assessment of gas supply and transport arrangements for debt providers contemplating gas-fired electricity generating projects in Queensland and New South Wales • in association with ACIL-Tasman prepare report on industrial development opportunities in Tasmania • advice to debt providers on a proposal to bid to Alcan for the development of the Trans Territory Pipeline • due diligence on behalf of Babcock & Brown and Singapore Power for bids for the gas transmission pipeline assets of Alinta • due diligence on behalf of Babcock & Brown Power for the financing of a gas pipeline asset

Client	Description of Professional Services
PGT/ PG&E Corporation	Strategic development for entry into Australian gas pipeline industry Due diligence on acquisitions Compliance with regulatory issues Negotiation of contracts for gas transport Gas purchases – including development coal seam gas resources Development of information technology guidelines for pipeline capacity and gas trading Response to Gas Reform Implementation Group during the development of the National Third Party Access Code for Natural Gas Pipelines Gas and electricity market analysis Regulatory risk analysis Market risk analysis
Pipeline Authority	Oversight of construction of the Moomba to Botany Ethane Pipeline
Rust PPK Engineers - Queensland Office of Coordinator General	Joint study for multi-use transport corridors for industrial development in the vicinity of Gladstone, Queensland
Santos Ltd	Provision of advice and preparation of statements for litigation following the failure of the Moonie to Brisbane Pipeline 17/18 March 2003 Strategic studies on development of Santos' gas resources Provision of advice on gas pricing disputes
SEA Gas Pty Ltd	Member of the Board
South Australian Asset Management Task Force	Vendor due diligence, land tenure matters, technical and pipeline integrity analysis, contract negotiation and data room management for sale of the Moomba to Adelaide pipeline system Preparation of staff and assets for privatisation
South Eastern Utilities (NZ)	Due diligence for acquisition of the Wagga Wagga gas utility Gas purchase contracts
Super Investment Management Pty Ltd (Retail Employees Superannuation Trust)	Purchase of a share of a pipeline company and representation on the Board of the company purchased. Representation on the Board of a wind farm company Advice on infrastructure investments and review of due diligence processes
Terra Gas Trading (South Australia)	Gas purchase contracts
Tubemakers of Australia	Development of a technical marketing package for new pipeline steels Litigation associated with a Northern Territory pipeline
Western Australian Government	Joint consultancy with Worley Limited on technical regulation of gas pipelines, risk and safety Member of the Western Australian Gas Review Board to hear appeals against the decisions of the Economic Regulatory Authority – 2003 to 2008

Disclaimer:

M.J. Kimber and M.J. Kimber Consultants Pty. Ltd. accept no liability or responsibility whatsoever for the contents of this document or its attachments in respect of any use of or reliance upon it by any party.

PERSONAL DETAILS

Name: Maxwell James KIMBER
 Address: PO Box 5121, Garran ACT 2605
 Telephone: 02 6282 1084 (Home)
 Mobile: 04 1132 1084
 e-mail: max@kimber.com.au
 Awards: Member in the General Division of the Order of Australia (AM)
 Honorary Life Membership of Australian Pipeline Industry Assoc.
 ACT Volunteer of the Year 2012 community services category
 Qualifications: Bachelor of Electrical Engineering (Honours), University of Adelaide
 Development Program for Managers, AGSM, University of NSW
 Professional Associations: Fellow of the Institution of Engineers, Australia
 Fellow of the Australian Institute of Energy
 Personal Associations: Member of the Rotary Club of Canberra since 1990. Board member for
 a number of years. Paul Harris Fellow x 2.
 Countries of Work: Australia, Canada, United Kingdom, France

EMPLOYMENT HISTORY

2012 - 2013	Director, Collgar Wind Farm Pty Ltd – owner of WA’s largest wind farm
2009,2011,2013, 2014, 2016, 2019	Chairman, SEA Gas Pty Ltd
2008 - 2016 -	Director, SEA Gas Pty Ltd – owner of Pt. Campbell to Adelaide gas pipeline
2016 -	Director, SEA Gas (Mortlake) Pty Ltd – owner of Mortlake gas pipeline
2005 - 2007	Director, Australian Pipeline Industry Association Ltd
2005 - 2006	Chairman, Gorodok Pty Ltd
2001 - 2006	Director, Gorodok Pty Ltd – owner of the Moomba to Botany ethane pipeline
1999 - 2001	Executive Committee – Australia Pipeline Industry Assoc. Inc.
1994 -	Director, M.J. Kimber Consultants Pty. Ltd.
1997 - 1998	Director, PG&E Australia Limited
1995 - 1997	Director, Gas Transmission Corporation (Victoria)
1974-1994:	Employer : The Pipeline Authority, Canberra
1990 - 1994	General Manager, Operations, Engineering and Business Development (Chief Operating Officer)
1983 - 1990	Planning & Engineering Manager
1979 - 1983	Manager, Planning and Development
1978 - 1979	Principal Planning Engineer
1974 - 1978	Communications & Control Systems Engineer
1961-1974:	Employer : Post Master General's Dept. (now Telstra) Positions : Junior to Senior Engineer and Project Manager involved in the design, construction and operation of long distance, remote area, high frequency and microwave radio systems in South Australia, Northern Territory and Queensland