



APPROVALS PROCESS

Exploration work for the Bylong Coal Project (the Project) has defined a mineable coal resource within Authorisations (A) 287 and A342. KEPCO Bylong Australia (KEPCO) is seeking development consent for the Project, being State Significant Development (SDD), under the New South Wales (NSW) *Environmental Planning and Assessment Act 1979* (EP&A Act). The Project also requires Australian Government approval after being deemed a 'controlled action' under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The first step in the approvals process was an independent assessment by the Mining and Petroleum Gateway Panel of the potential impacts of the Project on Strategic Agricultural Land and associated water resources. This resulted in the Project receiving a conditional Gateway Certificate on 15 April 2014. The outcomes of the gateway process guided the Secretary's Environmental Assessment Requirements (SEARs), issued by the NSW Department of Planning and Environment (DPE) in June 2014.

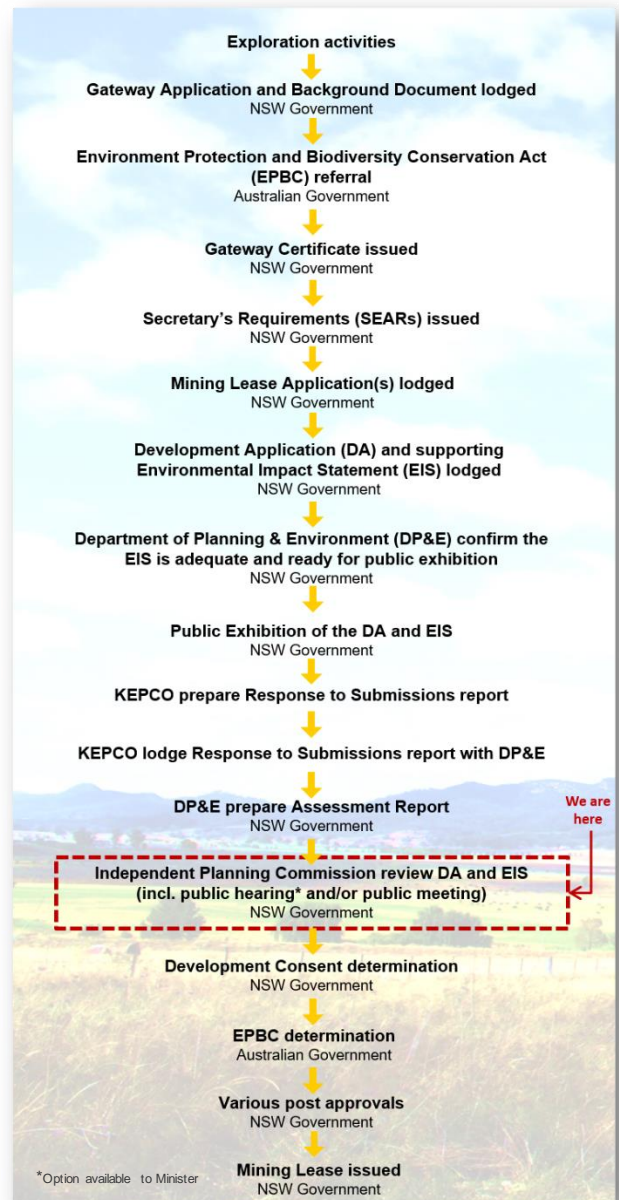
The SEARs define comprehensive environmental assessment requirements to be addressed by the Project's Environmental Impact Statement (EIS). The SEARs were revised in November 2014 to reflect minor changes to the mine plan.

ENVIRONMENTAL IMPACT STATEMENT

The purpose of the EIS was to provide a detailed description of the Project and existing environment of the project area. The EIS identifies potential environmental, economic and social impacts of the proposed development, and nominates impact management measures through avoidance, mitigation and offsetting. The EIS also identifies actions to enhance the benefits and social opportunities of the Project for the local region.

An EIS was prepared to support the SSD Application (SSDA) for the Project following comprehensive exploration, environmental monitoring and technical studies which commenced in 2011. The EIS was informed by extensive stakeholder engagement and rigorous scientific assessment of the Project's development plans.

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The DA and supporting EIS were submitted to DPE in July 2015 and placed on extended public exhibition from 23 September to 6 November 2015. During the exhibition period, members of the public were invited to review the EIS and make a written submission to DPE. KEPCO prepared a Response to Submissions (RTS) report and subsequent Supplementary RTS report, which were lodged in March and August 2016 respectively.

In January 2017, the then Minister for Planning requested the Planning Assessment Commission (PAC) (now known as the Independent Planning Commission (IPC)) to conduct a Review of the Project. In May 2017, the PAC held a public hearing of submissions from residents, the local community and other stakeholders on the Project. The PAC Review Report, published in July 2017, stated that the impacts to the property known as Tarwyn Park and proposed mitigation measures require re-evaluation in light of the potential for greater heritage significance than that previously assessed. The Heritage Council was subsequently requested by DPE to provide independent comment.

KEPCO lodged a Response to the PAC Review Report to DPE in January 2018 to respond to the matters raised by the PAC. The Heritage Council responded to DPE in February 2018. In May 2018, as a consequence of Heritage Council advice and previous comments raised within the PAC Review Report, DPE requested further information from KEPCO in relation to a revised mine plan to address:

- Open cut mining and overburden emplacement areas (OEA) to avoid the Tarwyn Park property; and
- Redesign of OEAs to minimise visual impacts and maximise the integration of the proposed final landform with the surrounding topography.

KEPCO submitted a Supplementary Information report to DPE in July 2018. The Supplementary Information included a revised mine plan which removes open cut mining from Tarwyn Park. In October 2018, DPE provided its Assessment Report for the Project which assessed the information provided in KEPCO's Response to the PAC Review Report and Supplementary Information report.

DPE has stated in its Assessment Report that the Bylong Coal Project is approvable, subject to its stringent conditions. The Assessment Report's Recommended Development Consent conditions include open cut mining to remain off the Tarwyn Park property.

Final determination of the Project's DA will be made by the IPC as the consent authority. The IPC may hold a public meeting prior to making its determination.

EPBC REFERRAL

The EPBC Act prescribes the Australian Government's role in environmental assessment, biodiversity conservation and the management of Matters of National Environmental Significance (MNES). The EPBC Act is administered by the Australian Government's Department of the Environment and Energy (DoEE). Under the EPBC Act, any action that is considered likely to have an impact on MNES must be referred to the Australian Minister for the Environment. The purpose of the referral is to determine if the Project constitutes a 'controlled action' requiring approval from the Australian Government.

A referral for the Project was submitted to the now DoEE in February 2014, and the Project was subsequently deemed a 'controlled action'. Australian Government approval of the Project is being sought concurrently with the state approvals process through the Bilateral Agreement process under the EPBC Act. The SEARs for the Project include the DoEE's environmental assessment requirements, and an assessment of potential impacts on MNES has been completed as part of the EIS and associated material being considered by the NSW Government.

MINING LEASE APPLICATIONS

Mining Lease Applications for the Project have been lodged with the DPE – Division of Resources and Geoscience. The mining lease application process will continue in parallel with the SSDA process and conclude following the determination of development consent for the Project. For further information, refer to www.resourcesandgeoscience.nsw.gov.au

ADDITIONAL APPROVALS AND LICENCES

KEPCO will be required to obtain a number of other licences and approvals under NSW legislation to enable the construction and operation of the Project. Relevant approvals will be sought under legislation including, but potentially not limited to:

- *Roads Act 1993*
- *Crown Lands Management Act 2016*
- *Protection of the Environment Operations Act 1997*
- *Forestry Act 2012*
- *Radiation Control Act 1990*
- *Mining Act 1992*
- *Water Management Act 2000*
- *Work Health and Safety Regulation 2017*
- *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*

Some of these approvals will be required prior to the commencement of construction activities, while others may only be required at various stages throughout construction and operation of the Project.