

25 July 2019

Gordon Kirkby
Chair of Bylong Coal Project IPC Panel
Independent Planning Commission
Level 3, 201 Elizabeth Street
Sydney, NSW 2100

By email: ipcn@ipcn.nsw.gov.au

Dear Mr Kirkby

Bylong Coal Project SSD 14_6367 (“Project”) – KEPCO’s submission on the Gateway Certificate

1. We write on behalf of our client the Bylong Valley Protection Alliance. We refer to KEPCO’s letter dated 23 July 2017, in regard to the Conditional Gateway Certificate for the Project.
2. KEPCO’s letter clearly raises significant new information relevant to the assessment of the Project.
3. Accordingly, our client requests the opportunity to respond to the claims made by KEPCO in its letter. Having regard to the IPC’s statement of 28 June 2019 that it would not accept further comment on the Project, could you please confirm that if such a response is provided by our client, or other members of the community, the IPC will consider that response (as well as any relevant timeframes)?
4. In addition, our client requests the IPC to confirm whether it will seek independent legal advice in regard to KEPCO’s letter. Given the potential implications of making a determination in respect to the Project in the absence of a current Gateway Certificate (which may include invalidity of the determination), our client considers that KEPCO’s claims require thorough interrogation.
5. Given the urgency of this matter, we would be grateful of your response by 5pm on Friday, 26 July 2019.

If you have any queries, please contact us on ([REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED])
[REDACTED]

Yours sincerely
EDO NSW



Nadja Zimmermann
Solicitor

Ref: 1522462