



UNITED WAMBO OPEN CUT COAL MINE PROJECT AND ASSOCIATED MODIFICATIONS

2 August 2019

In April and May this year, the Independent Planning Commission received comments from the Applicant (United Collieries Pty Ltd) and other stakeholders in relation to *Gloucester Resources Limited v Minister for Planning [2019] NSWLEC 7 (Rocky Hill case)* and *Australian Coal Alliance Inc v Wyong Coal Pty Ltd [2019] NSWLEC 31 (Wallarah 2 case)*.

The Commission Panel appointed to determine the United Wambo Open Cut Coal Mine Project (SSD 7142) and associated modifications (DA 305-7-2003 MOD 16 and DA 177-8-2004 MOD 3) has considered those comments, including those in relation to greenhouse gas emissions.

The Panel is continuing its deliberations on the merits of the SSD and associated modifications but is considering a condition along the following lines:

1. *The Applicant must prepare an Export Management Plan for the development to the satisfaction of the Planning Secretary. This plan must set out protocols that require the Applicant to use its best endeavours to ensure that any coal extracted from the Site that is to be exported from Australia is only exported to countries that are:*
 - (a) *signatories to the Paris Agreement within the United Nations Framework Convention on Climate Change; or*
 - (b) *countries that the Planning Secretary considers have policies for reducing greenhouse gas emissions that would otherwise be similar to policies that would be required of that country if it were a signatory to the Agreement at (a) above;**as at the date of export. The purpose of the Export Management Plan is to ensure that all practicable measures are adopted by the Applicant to minimise greenhouse gas emissions identified as Scope 3 emissions in the EIS.*
2. *The Applicant must not commence Phase 1B until the Export Management Plan is approved by the Planning Secretary.*
3. *The Applicant must implement the Export Management Plan as approved by the Planning Secretary for the life of the development.*

Comments in relation to the above condition will be accepted **up until 5pm on Friday 9 August 2019**, via:

Email: ipcn@ipcn.nsw.gov.au

Post: Independent Planning Commission NSW
Level 3, 201 Elizabeth Street
SYDNEY NSW 2000

Comments received after this time will not be considered by the Commission.

(END OF STATEMENT)