

Statutory Compliance Table		
Relevant Commonwealth Legislation		
Act	Section of Modification Report	Further Approval Required
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Refer to Section 4.5.1	No. It is noted however, that both EPBC approvals that apply to the KEQ contain a provision (Condition 14B of EPBC 2014/7282 and Condition 7 of EPBC 2022/9164) requiring the EPBC approval holder to notify the Australian Department of Climate Change, Energy, the Environment and Water (DCCEEW) within 2 days of formally lodging an application to modify MP 09_0175 that may relate to protected matters. The Australian DCCEEW will be notified by the Applicant following confirmation of lodgement of MOD 11 with NSW Planning.
<i>National Greenhouse and Energy Reporting Act 2007</i>	Refer to Section 4.5.6	No.
Relevant State Legislation		
Act	Section of Modification Report	Further Approval Required
<i>Environmental Planning and Assessment Act 1979</i>	Refer to Section 4.1, 4.2 and 4.4	Yes. Approval under S4.55(2) to modify the approved development.
<i>Environmental Planning and Assessment Regulation 2021</i>	Refer to Section 4.3	No.
<i>Protection of Environment Operations Act 1997</i>	Refer to Section 4.5.2	Yes. EPL Licence (EPL 20611) will be varied to reflect MOD 11.
<i>National Parks and Wildlife Act 1974</i>	Refer to Section 4.5.3	No.
<i>NSW Heritage Act 1977</i>	Refer to Section 4.5.4	No.
<i>Biodiversity Conservation Act 2016</i>	Refer to Section 4.5.5	No. One ecosystem credit (<i>PCT 3433: Hunter Coast Foothills Spotted Gum-Ironbark Grassy Forest</i>) is required to be retired prior to clearing to accommodate the proposed MOD 11 development.
<i>Water Management Act 2000</i>	Refer to Section 4.5.7	No.
Consideration of Environmental Planning Instruments		
Environmental Planning Instrument	Section of Modification Report	

<i>SEPP (Transport and Infrastructure) 2021, Chapter 2 – Infrastructure</i>	Refer to Section 4.4
<i>SEPP (Resources and Energy) 2021, Chapter 2 – Mining, Petroleum Production and Extractive Industries</i>	Refer to Section 4.4
<i>SEPP (Resilience and Hazards) 2021, Chapter 2 – Coastal management & Chapter 3 – Hazardous and Offensive Development</i>	Refer to Section 4.4
<i>SEPP (Biodiversity and Conservation) 2021</i>	Refer to Section 4.4
<i>Great Lakes Local Environmental Plan 2014</i>	Refer to Section 4.4
Draft Environmental Planning Instrument	Section of Modification Report
<i>Draft Mid Coast Local Environmental Plan</i>	Refer to Section 4.4