



Idemitsu Australia Resources Pty Ltd

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Executive Director
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To the Executive Director

Submission on Stage 2 of the Integrated Mining Policy

Idemitsu Australia Resources Pty Ltd (**Idemitsu**) welcomes the opportunity to comment on Stage 2 of the Integrated Mining Policy (**IMP**) which has now been released by the NSW Department of Planning and Environment (**DPE**). We have briefly outlined below the key issues which are relevant to Idemitsu's mining operations in NSW.

Existing projects

A "transition process" for existing mining operations has not been clarified and therefore it is unclear how the IMP will affect those operations. Clarification is required as to whether DPE will seek to introduce conditions requiring compliance with the guidelines comprising the IMP (wholly or in part) where modifications of existing development consents or project approvals are sought. We note that DPE proposes to consult with existing project proponents once the IMP has been finalised, however this consultation should occur prior to finalisation.

Post-Approval Guidelines: Annual Review

These guidelines provide that the Annual Review should also report against all other relevant operational conditions of the relevant approvals. This raises two issues:

- it is unclear what detail is to be reported with regards to the conditions of those other approvals; and
- the detail of, and compliance with, the conditions of other relevant approvals is likely to be addressed by the reporting conditions under those approvals and in an Independent Audit (if required) respectively, therefore this will result in unnecessary duplication.

Idemitsu is also concerned about the Annual Review containing forecast operations (such as pit expansion areas, infrastructure development / upgrades and mining fleet upgrades) for the next reporting year as this may involve commercial-in-confidence information having to be disclosed.

The ramifications of including forecast operations in the Annual Review and then deviating from those operations in the preceding 12 month period may also have adverse consequences in terms of community expectations.

Whilst the prescriptive nature of these guidelines provides clarity on the form and content requirements of



the Annual Review, there will still remain duplication for other reporting requirements. Idemitsu welcomes further alignment between the Annual Review and Environment Protection Licence Annual Return to remove any unnecessary duplication and also streamline reporting requirements.

Post-Approval Guidelines: Independent Audit

The timeframe of four weeks after receiving the final report from an independent audit to provide an action plan to the lead regulator may not be sufficient where the outcomes and recommendations of that report are complex and/or numerous. Therefore, Idemitsu suggests that provision be made for the operator and the lead regulator to agree on alternate timeframe if necessary.

Supported outcomes of the IMP

In principle, Idemitsu supports the following outcomes the IMP aims to achieve:

- more consistency in Government approaches to the assessment and regulation of mining projects;
- shorter time-frames for the assessment of new mining projects;
- co-ordination and less duplication across the key approvals for mining projects;
- clarity on the parameters to be (and not to be) included in planning agreements; and
- the clarity which the Water Regulation and Policy will bring to the current complex water regulatory guidance materials.

Should you wish to discuss any of the issues outlined in this submission, please do not hesitate to contact our Legal Counsel, Serge Radojevic on the contact details below:

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Yours sincerely,

Yoshihiro Yamamoto

CEO and Director

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