

17 April 2026

The Secretary
NSW Department of Planning, Housing, and Infrastructure

Via [Project Portal](#)

Dear Sir/Madam,

RE: Moolarben Stage 1 Project Approval (05_0117) - Independent Audit Requirements

Moolarben Coal Operations Pty Ltd (MCO) is seeking confirmation from the Department that the LW407 End of Panel report satisfies the requirement to undertake an independent audit prior to completion of LW408 in accordance with Condition 9, Schedule 5 of the Stage 1 Project Approval (05_0117).

Condition 9, Schedule 5 of the Stage 1 Project Approval (05_0117) outlines MCO's independent audit requirements, including an audit to be completed prior to the completion of LW408 (bold for emphasis):

9. *By 31 December 2015, and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:*
- (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
 - (b) include consultation with the relevant agencies;*
 - (c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval, and any other relevant approvals, relevant EPL/s and/or Mining Lease (including any assessment, plan or program required under these approvals);*
 - (d) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and*
 - (e) recommend measures or actions to improve the environmental performance of the Moolarben mine complex, and/or any strategy, plan or program required under these approvals.*

Notes:

- **Notwithstanding the timing referred to above, audits must be carried out prior to the completion of longwall panels 4 and 8. The Proponent must liaise with the Department to determine the precise date of these audits.**
- **This audit team should be led by a suitably qualified auditor, and include experts in the field of subsidence, surface water and groundwater management, noise, ecology and mine rehabilitation**

This audit requirement was included in the Consent to address the following recommendation in the [Director-General's Environmental Assessment Report](#) for the Moolarben Stage 1 Project (Department of Planning, 2007):

Both the Department and DPI concur with the Panel's findings, and are satisfied that the revised mine plan has reduced the residual subsidence impacts of the project to an acceptable level, and that these impacts can be suitably managed through the current subsidence management plan process.

Nevertheless, the Department believes that Moolarben should be required to:

...

- ***commission suitably qualified and independent experts, whose appointment has been approved by the Director-General, to review each end of panel report, and conduct a comprehensive audit of the subsidence, surface water, and groundwater impacts of underground mining operations at the end of longwall panels 4 and 8, with the result of these audits being used to refine, and if necessary revise, the design and layout of any subsequent longwall panels.***

As per correspondence from the Department dated 16 Feb 2024 (**appendix 1**), MCO is required to prepare an End of Panel report following the secondary extraction of LW407 (to be submitted prior to the completion of LW408):

The Department requests that in accordance with the advice, you provide an End of Panel Report after the extraction of LW407 (and before the completion of LW408) including:

- *an assessment of subsidence predictions and actual impacts,*
- *data and trends for all underlying groundwater systems, and an assessment of impacts to the Triassic sandstone aquifer and its environmental and cultural assets adjacent to and downstream of the UG4 area,*
- *surface water data and trends for the Goulburn River adjacent to and downstream of the UG4 area, and*
- *an assessment of cultural heritage impacts.*

As you are aware, LW407 was completed in January 2026, and secondary extraction of LW408 has since commenced and is expected to be completed in indicatively June 2026. MCO has commenced preparation of the LW407 End of Panel report and commissioned input from suitably qualified and experienced specialists (who prepared the UG4 LW401-408 Extraction Plan).

The requirements of Condition 9 of the Consent and the Department's request for the LW407 End of Panel report are consistent in that the purpose is to review observed data against predictions and assess whether the monitoring network, various trigger levels and TARPs, and the mine plan require any refinement.

In addition to the LW407 End of Panel report, MCO has;

- Submitted the UG4 LW409-414 Extraction Plan for approval, which includes input from suitably qualified and experienced specialists reviewing observed data against predictions etc.
- Submitted the 2025 Annual Review which includes input from suitably qualified and experienced specialists reviewing observed data against predictions etc.

Further, MCO is due to complete the 3 yearly Independent Environmental Audit in 2027.

On this basis, MCO is seeking confirmation from the Department that the LW407 End of Panel report satisfies the requirement to undertake an independent audit prior to the end of LW408 (as per Condition 9, Schedule 5 of the Stage 1 Project Approval [05_0117]).

Should you have any further queries or require any additional information regarding this matter, please do not hesitate to contact me on 0417 049 493 or email Ian.Flood@yancoal.com.au.

Yours sincerely



Ian Flood
Environment & Community Manager
Moolarben Coal Operations Pty Ltd

Appendix 1 – DPHI correspondence dated 16 Feb 2024

Our ref: MP05_0117

Trent Cini
Environment and Community Manager
Moolarben Coal Operations Pty Limited
16 February 2024

Subject: Moolarben Coal Stage 1 – UG4 LW401, LW402, LW403 End of Panel Report

Dear Mr Cini

I refer to the Moolarben Coal Operations UG4 LW401, LW402, LW403 – End of Panel Report (the report) submitted to the Department on 18 January 2024 as required under the LW401 to LW408 Extraction Plan.

The Department engaged the *Independent Expert Advisory Panel for Mining* (the Panel) to review the report given the involvement of the Panel in the assessment of the Extraction Plan. The Panel's advice is attached to this correspondence.

The Department requests that in accordance with the advice, you provide an End of Panel Report after the extraction of LW407 (and before the completion of LW408) including:

- an assessment of subsidence predictions and actual impacts,
- data and trends for all underlying groundwater systems, and an assessment of impacts to the Triassic sandstone aquifer and its environmental and cultural assets adjacent to and downstream of the UG4 area,
- surface water data and trends for the Goulburn River adjacent to and downstream of the UG4 area, and
- an assessment of cultural heritage impacts.

The Department also requests that you provide a written response to the other recommendations of the Panel outlined in Section 5.0 of the advice and make updates to the Extraction Plan if required by **15 March 2024** or propose an alternative schedule for recommendations that cannot be addressed within this timeframe.

Please submit your response via the Major Projects Portal.

If you have any questions, please contact Jack Turner on 9995 5387 or via email at jack.turner@planning.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to be "SOD".

16/02/2024

Stephen O'Donoghue

Director

Resource Assessments

Attached: *Moolarben Coal Stage 1: Review of UG4 LW401, LW402, LW403 End of Panel Report
(Independent Expert Advisory Panel for Mining)*