

6 October 2023

Stephen O'Donoghue
Director
Resource Assessments
Department of Planning and Environment

Via [Project Portal](#)

Dear Stephen,

RE: MOOLARBEN COAL COMPLEX – REQUEST FOR EXTENSION OF TIME – STAGE 1 CONDITIONS 35E AND 35F

Moolarben Coal Operations (MCO) have continued to progress the retirement of credits associated with PA05_0117 Modification 15 and the progression of the Gilgal Biodiversity Stewardship Site (BSS). By way of an update the following actions have been completed since the previous letter from 31 July 2023.

- 14 July 2023 application for payment into the Biodiversity Conservation Fund to retire biodiversity credits for Gang-Gang Cockatoo, Glossy Black Cockatoo and *Tylpohorus lineais* as required by PA05_0117 Stage 1 Condition 35E.
- 25 July 2023 at the request of Credit Supply Taskforce (CST-DPE), Provision of additional information, responses to requests, updated the Gilgal BSS Management Plan and Biodiversity Stewardship Site Assessment Report.
- 1 August 2023 feedback meeting held with CST-DPE.
- 2 August 2023 CST informed MCO that an expert report for the Eastern Cave Bat (ECB) was required to support the presence of that species on the subject land and proposed correlating species polygons.
- 14 August 2023 MCO commissioned ECB species expert Greg Ford to undertake the required report.
- 23 August 2023 Provision of additional information, responses to requests and updated management plan and Total Fund Deposit to CST-DPE.
- 25 August 2023 certificate issued by BCT confirming the satisfaction of the obligation to retire biodiversity credits for Gang-Gang Cockatoo, Glossy Black Cockatoo and *Tylpohorus lineais* as required by PA05_0117 Stage 1 Condition 35E.
- 15 September 2023 Provision of ECB expert report by Greg Ford and updated assessment report to CST-DPE.
- 19 September 2023 Request for minor amendments to BAM_C and assessment report.
- 28 September 2023 Revised timeframe provided by CST-DPE (*Attachment 1*).

The attached CST-DPE revised timeframe now seeks to have the agreement executed and registered by **1 December 2023**. In addition to registration of the agreement, MCO would still require further time for the CST to issue the credits to MCO, and for MCO to then retire the credits with the Biodiversity Conservation Fund (BCF).

Given the above MCO requests a further extension of time to retire the credits required under Condition 35E and 35F of Schedule 3 of Project Approval 05_0117 until **31 January 2024**.

Should you have any further queries or require any additional information regarding this matter, please do not hesitate to contact me on 0408 312 269 or Trent.Cini@yancoal.com.au.

Yours sincerely,

Trent Cini

Trent Cini
Environment & Community Manager
Moolarben Coal Operations Pty Ltd

Attachment 1 – Revised timeline Gilgal Biodiversity Stewardship Assessment

Attachment 1

Revised timeline Gilgal Biodiversity Stewardship Assessment

From: [Rachel Lonie](#)
To: [Trent Cini](#); [Ashley Tones](#)
Cc: [Leonie Walsh](#); Cheryl.ODwyer@ecoaus.com.au
Subject: Revised timeline Gilgal Biodiversity Stewardship Agreement
Date: Thursday, 28 September 2023 9:03:53 AM
Attachments: [image001.png](#)
[image002.png](#)
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Hello Trent and Ashley

We have revised the timeline for the Gilgal BSA as requested.

We have been precautionary and allowed a further three weeks to finalise the response the BAM Review, particularly given the issues that have arisen with finalising revisions in the BAM_C.

Please note the adjusted completion date is now 13/12/23.

Stage and Task		Responsible	Agreed Start Date	Duration	Agreed Completion Date	Adjusted Completion Date
Stage 2. BAM Review						
Task 2.1	Final timeline negotiated and agreed	Applicant	31/3/23	5	6/4/23	
Task 2.2	BAM desktop assessment and site visit	CST	11/4/23	10	24/4/23	
Task 2.3	BAM review updates requested	CST	26/4/23	15	16/5/23	
Task 2.4	BAM feedback meeting held and BAM review updates submitted	Applicant	17/5/23	40	12/7/23	
Reschedule 1	Rescheduling delay due to late receipt of information from applicant	CST	13/7/23	7	21/7/23	
Task 2.5	BAM updates deemed satisfactory and documents finalised by Program Delivery Manager for agreement drafting	CST	24/7/23	8	2/8/23	
Task 2.6	If required, additional BAM updates submitted	Applicant	3/8/23	0	2/8/23	
Reschedule 2	Rescheduling delay due to late receipt of information from applicant	CST		0		
Stage 3. Agreement Drafting and Review						
Task 3.1	Agreement drafted	CST	3/8/23	3	7/8/23	26/10/23
Task 3.2	Agreement QA	CST	8/8/23	2	9/8/23	30/10/23
Stage 4. Landholder Signing Package						
Task 4.1	Agreement sent to applicant for review and signature	CST	10/8/23	1	10/8/23	31/10/23
Task 4.2	Agreement signed and returned	Applicant	11/8/23	10	24/8/23	14/11/23
Stage 5. Agreement Execution, Registration, Credit Issue and Handover						
Task 5.1	Agreement executed	CST	25/8/23	3	29/8/23	17/11/23
Task 5.2	Agreement registered by Land Registry Services	LRS	30/8/23	10	12/9/23	1/12/23
Task 5.3	Credits issued and landholder advised	CST	13/9/23	3	15/9/23	6/12/23
Task 5.4	Agreement transferred to BCT	CST	18/9/23	5	22/9/23	13/12/23

If you have any questions please contact Leonie or myself.

Kind regards,

Rachel Lonie

NSW Credit Supply Taskforce

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Working days Monday to Thursday

