

24 May 2024

Stephen O'Donoghue
Director
Resource Assessments
NSW Department of Planning, Housing, and Infrastructure

Via Project Portal

Dear Stephen,

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

Please find enclosed a request for the Secretary's agreement for an extension of time to retire biodiversity credits required under Conditions 35E and 35F of Schedule 3 of Project Approval 05_0117. Moolarben Coal Operations (MCO) have continued to progress the retirement of credits and the progression of the Gilgal Biodiversity Stewardship Site (BSS).

Conditions 35E and 35F of Schedule 3 of Project Approval 05_0117 state:

35E. *Within two years of the determination of Modification 15, unless otherwise agreed by the Secretary, the Proponent must retire the biodiversity credits specified in Table 12B below in accordance with the Biodiversity Offsets Scheme of the BC Act.*

...

35F. *Within two years of the determination of Modification 15, unless otherwise agreed with the Secretary, the Proponent must retire ecosystem credits equivalent to the 3.25 ha area of surface disturbance activities approved under Modification 15 located within Offset Area 2 and include at least:*

- (a) *0.75 hectares of PCT 281 - Rough-Barked Apple - red gum - Yellow Box woodland on alluvial clay to loam soils on valley flats in the northern NSW South Western Slopes Bioregion and Brigalow Belt South Bioregion1; and*
- (b) *2.5 hectares of PCT 479 - Narrow-leaved Ironbark- Black Cypress Pine - stringybark +/- Grey Gum +/- Narrow-leaved Wattle shrubby open forest on sandstone hills in the southern Brigalow Belt South Bioregion and Sydney Basin Bioregion.*

The Gilgal Biodiversity Stewardship Agreement (BSA) has now progressed to the final stages, being available for execution by the Minister's representative. On **12 May 2024** all outstanding aspects associated with the Gilgal BSA were accepted and submitted to the Credit Supply Taskforce for processing. A boundary adjustment on the western boundary of Gilgal has been ongoing since 2021 and is required to be finalised prior to the BSA being registered. MCO have been advise the boundary adjustment has an estimated settlement date of **24 May 2024**.

MCO are seeking a further extension of time until **31 July 2024** to allow for the final stages of the boundary adjustment, the registration of the BSA, and retirement of credits to be undertaken.

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.

Your sincerely,



Trent Cini
Environment and Community Manager
Moolarben Coal Operations Pty Ltd