

24 September 2024

Stephen O'Donoghue  
Director – Resource Assessments  
Department of Planning, Housing, Infrastructure Environment

Via email: [Stephen.ODonoghue@planning.nsw.gov.au](mailto:Stephen.ODonoghue@planning.nsw.gov.au) (via projects portal)

Dear Stephen,

**RE: MOOLARBEN COAL COMPLEX UG4 LONGWALLS 401-408 REVISED GROUNDWATER REPORT REQUEST FOR EXTENSION OF TIME CONDITION 3**

As part of the Moolarben Coal Stage 1 – Underground 4 Extraction Plan (LW401-LW408), Moolarben Coal Operations Pty Ltd (MCO) received conditional approval for the revised groundwater report on 15 December 2023. The purpose of this letter is to seek a further extension of time to satisfy Condition 3 of this approval.

***Condition 3*** – *The Applicant must install groundwater monitoring site PZ-A no later than 30 June 2024, unless otherwise agreed by the Secretary.*

PZ-A is proposed on Crown land to the west of LW401-LW408. An agreement with Mudgee Local Aboriginal Land Council (MLALC) and a licence with Crown Lands is required to access the land and install PZ-A. The below timeline demonstrates the efforts made to date to get PZ-A installed in a timely manner:

- August 2022: MCO applied for a licence with Crown Lands.
- January 2023: Crown lands advised MCO that MLALC consent to the licence was required.
- March 2023: MCO commenced initial engagement with MLALC.
- March 2024: Through ongoing consultation with MLALC and the NSW Aboriginal Land Council, a draft agreement was issued.
- March 2024 to September 2024: MCO are continuing to engage with the MLALC and Crown Lands to finalise the agreement and licence.

On 29 June 2024, the Department approved an extension of time from 30 June 2024 to 30 September 2024 to satisfy Condition 3 (and 4). MCO has continued to engage with MLALC and Crown Lands during this time, however this process takes time and is largely out of MCO's control.

MCO is hopeful to have an agreement/licence in place by mid-November. The schedule of outstanding activities has been prepared on this basis (**Enclosure 1**). It demonstrates that site preparation, drilling and installation is likely to take seven weeks post agreement. With an anticipated Christmas break, the earliest PZ-A would be installed is the end of January 2025.

MCO therefore kindly requests an extension of time to complete the installation of PZ-A by 21 Feb 2025 due to the above listed delays. Without the required license from Crown Lands and agreement with MLALC a further extension will be required.

Lastly, MCO wishes to advise that it has installed the additional groundwater monitoring sites near PZ191, fulfilling the requirements of Condition 4. PZ240 was installed on 16 July 2024 as a vibrating wire piezometer in the Ulan Seam. PZ241 was installed on 24 July 2024 as a standpipe in the paleochannel.

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](mailto:Ian.Flood@yancoal.com.au).

Yours sincerely,



**Ian Flood**  
Environment & Community Manager  
Moolarben Coal Operations Pty Ltd

**ENCLOSURE 1**

**Schedule of Outstanding Activities**

| Task                                            | Progress | Planned Commencement | Planned Completion |
|-------------------------------------------------|----------|----------------------|--------------------|
| <b>Crown Land Licence</b>                       |          |                      |                    |
| • Consultation & acceptance of draft conditions | 75%      | On-going             | Oct-24             |
| • Legal review by Crown Lands & MCO             | 75%      | On-going             | Oct-24             |
| • Receive final for signing by MCO & CEO        | 0%       | Oct-24               | Nov-24             |
| <b>MLALC Agreement</b>                          |          |                      |                    |
| • Consultation & acceptance of draft conditions | 75%      | On-going             | Oct-24             |
| • Legal review by MLALC & MCO                   | 75%      | On-going             | Nov-24             |
| • Receive final for signing by MCO & CEO        | 0%       | Nov-24               | Nov-24             |
| <b>Site Preparation &amp; Bore Install</b>      |          |                      |                    |
| • Maintenance of existing access tracks         | 0%       | Dec-24               | Dec-24             |
| • Drill pad preparation                         | 0%       | Dec-24               | Dec-24             |
| • Christmas Break                               | 0%       | Dec-24               | Jan-25             |
| • Drilling and Installation of bores            | 0%       | Jan-25               | Jan-25             |
| • Site cleanup & rehab                          | 0%       | Jan-25               | Jan-25             |