



Cherie Colyer-Morris
Senior Environmental Assessment Officer
Energy and Resource Assessments
Department of Housing, Planning and Infrastructure

By email: cherie.colyer-morris@dpie.nsw.gov.au

Dear Cherie

Subject: Wilpinjong Pit 8 Extension – Mod 3, SSD-6764-Mod 3

Thank you for your Major Projects Portal request dated 17 March 2026 seeking advice from the Conservation Programs, Heritage & Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) on Response to Submissions (RtS) for Wilpinjong Pit 8 Extension – Mod 3.

We have reviewed the exhibited RtS against CPHR's advice on the Environmental Impact Statement (EIS) provided on 29 October 2025.

We are satisfied that the responses provided in the RTS and the revised Biodiversity Development Assessment Report (BDAR) resolve the below issues:

- Box Gum Woodland Serious and Irreversible Impacts (SAII)
- Regent Honeyeater SAII
- Large-eared Pied Bat and Eastern Cave Bat SAII
- rock mass strength
- missing BAM plots are in the BAM-C
- ground water monitoring
- enhancement and conservation Area C.

The issue of mitigation and minimisation measures to address indirect impacts to breeding Large-eared Pied Bat and Eastern Cave Bat remains. Further actions are recommended in **Attachment A** to address this remaining issue in the approval conditions.

All plans required as a Condition of Approval that relate to biodiversity, flooding or coastal management should be developed in consultation with, and to the satisfaction of, CPHR.

If you have any further questions about this issue, please contact our North Planning Team at rog.nw@environment.nsw.gov.au.

Yours Sincerely

Alison Treweek
Senior Manager
Conservation Planning and Assessment - North
Conservation Programs, Heritage and Regulation Group (CPHR)

30 March 2026

Attachment 1 - CPHR Comments on Wilpinjong Pit 8 Extension Modification 3 (SSD 6764 – Mod 3) – Response to Submissions

In preparing this advice CPHR has reviewed the following documents:

- Wilpinjong Coal Mine Modification 3 - Pit 8 Extension Response to Submissions Report, Peabody
- Wilpinjong Coal Mine Pit 8 Extension Modification Biodiversity Development Assessment Plan, Resource Strategies March 2026
- Wilpinjong Coal Mine. Attachment 2. Updated Summary of Mitigation Measures, Peabody
- Wilpinjong Coal Mine. Attachment 4. Updated SAI Reports, Peabody

Key Assessment Issues

CPHR Issue	<p>Ensure that proposed measures to minimise impacts will be effective for the Large-eared Pied Bat and Eastern Cave Bat.</p> <p>Given the proximity of proposed mining operations to potential microbat breeding habitat, CPHR is concerned that blasting and vibration may disrupt maternal colonies. Disturbance during daylight hours could result in bats exiting roosts prematurely, increasing vulnerability to predation and risks the abandonment of young.</p> <p>The Submissions Report focuses on the continued use of rocky bat habitat with no mention of disturbance of potential maternal roosts. Wilpinjong Coal Pty Ltd (WCPL) has indicated that it will accept a condition requiring confirmation of breeding within the rocky bat habitat within five years of mining. Failure to confirm breeding will trigger the need for species credits to be retired to compensate for the indirect impact.</p> <p>This does not address the potential to impact breeding of microbats during mining activities.</p>
Recommendations	<ol style="list-style-type: none"> 1. Caves in rocky bat habitat adjacent to the proposed pit be surveyed for evidence of breeding prior to the commencement of mining. 2. Should a maternity cave be located adjacent the proposed pit, DPHI impose a condition that requires blasting to be restricted to outside a buffer during the breeding season, to avoid disturbance to breeding bats. This buffer should be determined using the best available information and be to the satisfaction of CPHR and the Secretary.
Recommended Conditions of Approval	<ol style="list-style-type: none"> 1. Prior to commencement of mining activities, caves within rocky bat habitat adjacent to the proposed pit should be surveyed to determine any evidence of breeding. 2. If a breeding cave is identified near the proposed pit, blasting operations must remain outside an established buffer zone. The buffer's size shall be determined based on the best available information and must be approved by both CPHR and the Secretary. Additionally, blasting should be limited during the bat breeding season to minimise potential disturbance.