

MANGOOLA OPEN CUT

GLENCORE

4 October 2022

The Planning Secretary
Department of Planning, Industry and Environment

Via Major Projects Planning Portal

Dear Sir/Madam,

Re: Mangoola Coal Continued Operations Project SSD 8642 – request for extension to timeframe to retire biodiversity credits

Under SSD 8642 Schedule 2, Condition B53, prior to the commencement of mining operations north of Wybong Road, or other timeframe agreed by the Planning Secretary, Mangoola is required to retire biodiversity credits in accordance with the Biodiversity Offsets Scheme of the Biodiversity Conservation Act, to the satisfaction of the Biodiversity Conservation Trust (BCT).

Mangoola would like to request an extension to the current timeframe, based on delays in progress experienced to date, and due to delays forecasted by the BCT in processing the Biodiversity Stewardship Applications (BSAs). We have summarised the current state of progress on establishing the BSAs below:

April 2021 – Mangoola Open Cut (Mangoola) received approval from The Independent Planning Commission NSW for the Mangoola Coal Continued Operations (MCCO) Project.

May/ June – Umwelt engaged to complete works for the establishment of Biodiversity Stewardship Agreements

July 2021 – Meeting with consultant (Umwelt) to discuss the BSA process and information requirements.

August 2021 – Survey and Drafting Resources (SDR) Pty Limited engaged to survey new offset areas. SDR were booked to complete the required survey at their earliest availability (September 2021) and were the preferred supplier due to their familiarity with the site and offset areas.

September 2021 - Survey work commenced early September 2021 but hindered by multiple rain events and wet conditions with vehicle bogging preventing access by land surveyor to many offset areas.

September 2021 – BCT online meeting attended by Mangoola representative to discuss process and information requirements, including discussion on the need to allow for extended timelines for processing and review by BCT.

February 2022 – Draft survey plans completed by land surveyor, reviewed, modified then approved by Mangoola.

February 2022 – Advised by Umwelt that additional vegetation flora survey work would be required to support the BSA applications. This was due to the BCT advising that they would not accept BioBanking plot data (which was the assessment methodology used for the MCCO Project). Instead, the BCT requires Biodiversity Assessment Methodology (BAM) data, which has required a full rework of the vegetation surveys and mapping.

February 2022 – Proposed to commence new vegetation survey work, but several delays experienced due to wet conditions and being unable to access both Wybong Heights and the Mangoola offset areas during February and early March 2022. Additional delays due to COVID illness in the Umwelt ecological survey staff. Fieldwork has been conducted on 28 March – 1 April, 26-29 April, and works now expected to be completed by end of June 2022, weather pending.

May 2022 – Up to date certificates of title for all affected landholdings have been sourced.

June 2022 – Pre-submission meeting with BCT originally scheduled for 14 June. BCT have advised that this date is no longer available and has now been re-scheduled to 24 June. This meeting is to review draft documentation, BAM issues and discuss timelines.

July 2022 – Meeting with John Seidel of Credit Supply Taskforce to discuss handover of BSAs from BCT to the Taskforce.

August 2022 – Survey of all new offset areas undertaken to assess external fence conditions, internal fencing requiring removal, infrastructure in place, and track locations. Spatial data collected and report prepared. Delays were experienced due to ongoing wet weather and lack of safe access to many sites.

September 2022 – Correspondence with Transgrid regarding easements in proposed BSA area and clarification of requirements. Dial Before You Dig searches for Telstra cable locations across all offset areas. Finalisation of land survey mapping after confirming boundaries, easements and Telstra locations. Correspondence with John Seidel (Appendix A) from the Credit Supply Taskforce outlining that the revised timing of BSA applications (October 2022) and the current expected date for approval in December 2023 aligns with the increasing capability of Taskforce to prepare new agreements and suits the Taskforce well.

October 2022 – Expected submission of Wybong Heights BSA application. Balance of applications expected to be submitted shortly thereafter.

December 2023 – Current expected date of completion of BSAs (based on previous verbal indications of completion timeframes from BCT and pending confirmation in upcoming June meeting).

Based on this forecast, the work completed to date and the above estimated timeline to complete the BSAs with BCT, Mangoola is requesting that the Secretary please consider granting an extension to retire the biodiversity credits listed in SSD 8642 Table 7, at least until the end of December 2023.

To ensure business continuity Mangoola Coal is required to commence mining operations north of Mangoola Road in October 2022. As per SSD 8642 Schedule 2, Condition B53, the BSAs are required to be in place prior to the commencement of mining operations north of Wybong Road, or other timeframe agreed by the Planning Secretary. If the BSAs are not in place by this time mining will not be able to proceed in line with the current forecast. This delay would cause significant impacts on Mangoola and its employees, including:

- the requirement to park up a tier one excavator and trucks,
- a reduction in the workforce, and
- loss of coal resource that would not be able to be mined within the project timeframe.

We trust that you will consider this request and are pleased to provide additional information if required.

Yours faithfully



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Appendix A:

From: John Seidel <John.Seidel@environment.nsw.gov.au>
Sent: Tuesday, 20 September 2022 8:20 AM
To: Palmer, Sam (Mangoola - AU)
Cc: Ellerton, Scott (Mangoola - AU); Wilson, Rhys (Mangoola - AU); Jennie Powell
Subject: RE: Mangoola DPE Portal items

External sender

Hi Sam

Thanks for the notification of the revised time line for your consent conditions. The timing of your applications should suit well and aligns with the increasing capability of Taskforce to prepare new agreements. If you see value in a pre-submission meeting as an opportunity to discuss the proposal and raise any key issues, we would be happy to meet with you prior to receiving the applications. Otherwise it looks like you have had some previous engagement with the BCT on the proposals

Regards
John

John Seidel
A/Director, Negotiation and Delivery
Credits Supply Taskforce

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The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.