

Mr Simon Coates
Senior Environmental Advisor
Evolution Mining Limited
PO Box 210
West Wyalong NSW 2671

14/09/2020

Dear Mr Coates

Cowal Gold Mine (DA 14/98)
Extension of Time to Secure Biodiversity Offset

I refer to your letter dated 21 August 2020 seeking an extension of time to secure biodiversity offset areas and retire biodiversity credits as required under the conditions 3.4 (b1) and 3.4 (b2) of the development consent for the Cowal Gold Mine (DA 14/98)

Modification 14 involved the assessment of biodiversity impacts in accordance with the *Framework for Biodiversity Assessment* (FBA, OEH, 2014a) and an assessment of the biodiversity values of four offset areas in accordance with the *BioBanking Assessment Methodology* (BBAM, OEH 2014b). Under these assessment methodologies, it was identified that the four offset areas contained sufficient credits to offset the impacts of Modification 14.

Since the commencement of the *Biodiversity Conservation Act 2016*, biodiversity credits must be retired in accordance with the Biodiversity Offsets Scheme (BOS). As such, Evolution has re-assessed the number of available biodiversity credits in the four offset areas in accordance with the contemporary Biobanking Assessment Method (BAM) and sought an 'assessment of reasonable equivalence' from the Department's Biodiversity Conservation Division (BCD) to determine the project's credit liability in accordance with the BOS.

The Department understands that these steps have identified a deficit between the project's credit liability and available credits at the offset sites. The Department understands this deficit may be associated with the method to determine 'reasonable equivalency' and Evolution is consulting with BCD to determine the best approach forward. This may include the re-assessment of both impact and offset credit requirements under updated calculators.

Evolution has therefore sought an extension of time to secure biodiversity offset areas as required under condition 3.4 (b1) and to retire ecosystem and species credits in accordance with condition 3.4 (b2).

The Department has carefully considered this request in accordance with the relevant conditions of the consent. It should be noted that condition 3.4 (b2) does not contain a provision for the Planning Secretary to extend the timeframe to retire the project's credit liability.

Nonetheless, given the clear links between these two conditions, and that condition 3.4 (b1) allows the Secretary to extend the timeframe to secure the offset areas and the Department considers this request to be reasonable.

Accordingly, the Planning Secretary has granted an extension of twelve months until 31 October 2021.

If you wish to discuss the matter further, please contact Gen Lucas on 9274 6489.

Yours sincerely

A handwritten signature in black ink, appearing to be 'S O'D', written in a cursive style.

Stephen O'Donoghue
Director
Resource Assessments
As nominee of the Planning Secretary