

Our ref: SSD-33083358

Andrew Mills
Chair
NSW Independent Planning Commission
GPO Box 3415
Sydney NSW 2001

18 December 2025

Subject: Moolarben OC3 Extension Project (SSD 33083358) – Referral to the NSW Independent Planning Commission

Dear Mr Mills

The Department has completed its assessment of the application for the Moolarben OC3 Extension Project (SSD-33083358) (the project). The application is being referred to the NSW Independent Planning Commission (the Commission) for determination, as there were more than 50 unique public submissions objecting to the project.

The Moolarben Coal Complex (the complex) is an existing coal mining operation located approximately 40 kilometres (km) north of Mudgee in the Mid-Western Regional local government area (LGA). Moolarben Coal Operations Pty Ltd (the Applicant) propose to extend open cut mining at the complex, including extending the existing OC3 pit and developing four new open cut pits along the floor of the Moolarben Valley

On 16 December 2025, the Minister for Planning and Public Spaces issued terms of reference requesting that the Commission conduct a public hearing on the project in accordance with Section 2.9(1) (d) of the *Environmental Planning and Assessment Act 1979*. The terms of reference are enclosed to this letter.

The Department has carefully considered the likely environmental, social, and economic impacts of the project in accordance with the requirements of section 4.15 of the NSW *Environmental Planning and Assessment Act 1979*.

The Department has not provided an overall recommendation but rather has undertaken a comprehensive assessment and evaluation of the project to inform the IPC as the consent authority and assist it in its need to conclude if the project is in the public interest. Should the IPC determine to approve the project, the Department has provided recommended conditions.

I have attached a copy of the Department's assessment report and recommended conditions of consent for the Commissions consideration.

If you have any questions, please contact Steve O'Donoghue, Director Resources Assessments on

Yours sincerely,

Chris Ritchie

A/ Executive Director

Energy, Resources and Industry Assessments