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Submission on the Wilpinjong Coal Mine MOD 3 - Pit 8 Extension (SSD-6764-Mod-3)

Dear Minister

I am writing to formally submit my objection to the Wilpinjong Coal Mine (WCM) Mod 3 – Pit * Extension. I do this in my private and personal capacity as an impacted land holder (Private dwelling 167 on the Modification Figure 8a) directly affected by the proposal.

My submission is made independent from my current role and professional capacity as an ecological consultant with over 25 years of experience working extensively within the Hunter region and elsewhere in NSW and Australia. In my professional capacity I have worked on a wide range of ecological assessments and conservation plans and am an Accredited Assessor under the NSW Biodiversity Assessment Methodology (BAM).

We access our property by driving from Wollar, down Mogo road without any current visual intrusion of the approved WCM. I am horrified at the future daily prospect of driving to our property through an open cut coal mine if the proposed modification is approved.

I grew up in the Mudgee region where my family were both primary producers and small business owners for 30 years in town. I have also had ongoing involvement with the Wollar community since the mid-1990s where my partner of 25 years, lived on Mogo Road. Following a period spent in Newcastle for education, work, and family commitments, we sought opportunities to return to the area, which for us is characterised by its significant environmental beauty. In 2024, we acquired the property "Mogo Parkview" on Mogo Road within the Goulburn River National Park (GRNP).

While the property is surrounded by the GRNP and falls outside of areas considered to be affected by the existing approved WCM, we are frequently reminded of the WCM operation, from the ongoing audible noise of mine activities and, during hot summer days with westerly winds, visible increased levels of dust across the horizon. These indirect impacts are particularly obvious to us having previously lived in the area prior to the commencement of the WCM.

Despite the background presence of the WCM our commitment to return to the district was underpinned by the knowledge of WCM approved operations, was limited to 2033 and a pathway to rehabilitation and closure.

Our return to the locality was also within the context of the rapidly developing CWOREZ with which we had hopes could once again see and contribute to the vibrant community of the village of Wollar.

While I generally reject the reported benefits and the overall necessity of the modification, I have identified the following specific concerns with the assessment and information provided.

Social Impacts are substantially greater than previously approved and new. These require further detailed assessment.

I object to the proposed Modification's assumption and position that the social impacts of the project have no substantial change from the previously approved mine (SSD-6764) for the Wilpinjong Extension Project (WEP). This proposed modification incorporates a wide range of new social impacts that have not been assessed or addressed previously. These new impacts are not considered or adequately mitigated through the currently approved Social Impact Management Plan (SIMP).

Some of the significant and substantially increased social impacts that should be further addressed include;

1. *Significantly Increased impact to the viability and communities use of public facilities in the village of Wollar.*

The village of Wollar has long maintained a local community and hub of hope, resolute in its position of outliving the short term impacts of the WCM. Peabody's acquisition of the private residences within the village, subsequent neglect, followed by systematic demolition of once viable and lived in homes, business and government buildings has not been adequately accounted for in the economic and social impact assessment.

I reject the Modification statement that the social impacts are "continuous of exiting experiences and mostly at the some level". The proposed modification fails to adequately address the social displacement and erosion of community identity that has resulted from ongoing mining activities. The cumulative impact on mental health, social cohesion, and community participation in Wollar has not been explored in meaningful detail. Nor has the assessment provided any consideration of solastalgia for the remaining local community.

There is a pressing need for a holistic social impact assessment that considers both the short-term disruptions and the long-term implications for the community's resilience and well-being, especially as essential public amenities and support networks become increasingly compromised.

Approving the proposed modification to allow development within 500 metres of the community hall, recreational grounds, school and public facilities would have a considerable new impact on the village's potential for community use, renewal, and development.

Notably, this approval will result in increased noise and dust levels, as well as a significant alteration to the visual landscape—impacts not fully addressed by the current assessment.

Given the pressing shortage of housing in the state, regional development pressures, and the urgent need to accommodate both temporary and permanent workforces associated with development of approved mines and CWOREZ, it is difficult to see how the short-term benefits and minimal revenue from the proposed modification can be used to justify compromising the long-term viability of a village that provides opportunity for affordable housing and leverages existing state government infrastructure.

Rejecting this modification presents an important opportunity to develop and transition the village into a sustainable community supporting two existing renewable energy projects (the Wollar and Goulburn River solar parks), workers from approved coal operations, and facilitates access to the recreational opportunities provided by GRNP, Wollemi National Park, and Munghorn Gap Nature Reserve.

This alternative would offer (long term tangible social and economic benefits to the community and should be objectively considered within the EIS consideration of avoidance options.

2. *The direct impact, loss in revenue and recreational use of Goulburn River National Park.*

The modification will realign and temporarily close access to the gateway of the only public National Park campgrounds in close proximity to Mudgee in GRNP, and will result in a significant loss of visual amenity. These impacts are substtaially new and not previously considered in the approved WCM operations assessments

The economic assessment for the proposed modification fails to address the anticipated decrease in recreational use, tourism revenue, and visitor numbers due to open cut coal mining at (the entrance to) this significant public National Park.

I also question how has the visual impact of the Modification has considered the amenity and characteristics of the significant reserve estate?

3. *Continued expansion of open cut coal mining is inconsistent with the surrounding intent of the CWOREZ*

While I acknowledge coal mining has in part supported the Mudgee region and may continue to do so for the life of the existing approved operations, the NSW Central West Orana Renewable Energy Zone (CWOREZ) offers the region substantial long-term benefit and a pathway towards a viable alternative industry. In contrast, the proposed modifications significant and lasting social, ecological, environmental impact provides limited short-term benefit and extension of operations by only one year.

The economic assessment makes limited to no assessment of the proposed modifications cost implications on the developments within the CWOREZ, specifically the economic impacts from competition for resources, workforce, facilities, and infrastructure throughout the community. The modification footprint also further reduces and sterilizes the potential habitats targeted by Minister Sharpe recent investment commitment of $140M for conservation for the region. Many of the values targeted for investment with the CWOREZ conservation investment strategy are those being proposed to be directly impacted by the proposed Modification.

The evaluation of the economic productivity of the existing land use for the open cut mining should considered alternative in perpetuity economic values associated with biodiversity conservation opportunities being removed.

BDAR and Biodiversity

I have assumed the BDAR generally followed the BAMs minimum survey requirements and correct application of BAM-C. I also note I have not been able to review the spatial analysis or the proponents BAM-C which is to be reviewed by the regulator.

I have however focused my review and submission on what I identify as substantial deficiencies regarding the assessment of indirect /prescribed impacts, Serious and Irreversible Impacts (SAII) and proposed mitigation. Many of these deficiencies I consider fail to address the requirements of BAM.

1. *Eastern cave Bat and large-eared pied Bat*

The proposal will remove critical breeding habitats for these species including known maternity sites that are not adequately considered within the assessment of SAII.

The proposal is having both direct and indirect impacts on critical breeding habitat for the SAII entities, Eastern cave bat and Large-eared pied bat. Including the proposed removal of a known maternity site for the species.

The WCM and proposed modification directly adjoin approximately 40 km of cliff line habitats that either were known or potential breeding habitats for these species, however despite this extensive area of known and potential breeding habitats having been previously impacted, there is limited understanding or demonstrated evidence of the species continued use of these habitats in proximity to existing mining operations.

One notable example provided within the BDAR is the confirmed presence of a maternity site at Rocky Hill. However, this area is some 300 m from mine operations, in an area currently approved for mining should the proposed modification not proceed.

Given the operational mining areas of the WCM covers extensive areas <100 m from cliff line habitats that once supported known and potential maternity sites for these species, the Rocky Hill example is of limited relevance in informing the actual extent of indirect impacts on the species use of habitat, including breeding.

Irrespective of the retention of this isolated Rocky hill site, there remains considerable uncertainty regarding the species ability to maintain maternity sites in close proximity to mining and the associated indirect impacts of noise, dust, blasting and lighting. Therefore, the proposals indirect impacts on these species are (both) understated/underestimated.

It is recommended the BDAR and SAII assessment complete a cumulative assessment of the direct loss of similar breeding habitats from past mining for WCM and adjoining operations. This cumulative assessment should further also quantify the short- and medium-term indirect impacts of the existing approved operational mining areas on adjoining retained breeding habitats.

Of note the SAII assessment and BDAR should discuss the status of the previously impacted maternity sites, including the Slate Gully abandoned mine adit (HunterEco 2015).

The proposed mitigation measures for this loss of breeding habitat makes significant reference to a proposed compensatory habitat program building. It is recognised within the BDAR these structures have not previously been successfully established and once constructed would "*take several years for the structures to be occupied by bats*".

For effective and meaningful mitigation these compensatory habitats should be established with demonstrated maternity use prior to the proposed modifications disturbance of additional known maternity sites. The quantum of these compensatory structures should reflect the quantum of imacpted potential maternity structures by the Modification and previously approved impacts.

The significance of the SAII assessments for these species lacks consideration of the precautionary principles-, relies on speculative and unproven mitigation measures and fails to quantify the cumulative loss of breeding habitats and habitat fragmentation for these species by mining within the locality.

The proposed modification and SAII impact on these species should not be approved without demonstrated evidence of the successful establishment of compensatory measures and clear understanding of the extent of indirect impacts on the species breeding habitats within the locality. Without this understanding there is a potential for the continued operation and cumulative impact of the proposed modification to contribute to the loss of extinction of these species.

2. *SAII on Box Gum Woodland CEEC*

The assessment fails to account or adequately consider indirect impacts from the proposal on the Box Gum Woodland CEEC and understates the extent of impact.

The BDAR provide inadequate consideration or assessment of additional indirect impacts in proximity to the proposed mine disturbance, including but not limited to groundwater dependency, dust, noise, edge effects, lighting, pests, weeds and loss of connectivity. There is extensive literature supporting the indirect impact of edge effects associated with the proposed modifications likely disturbances and examples of the BAM incorporating buffers to reflect these partial impacts.

The BDAR reference to existing disturbances and edge effects negating the likelihood of the proposed modification further contributing to indirect impact are only relevant for portions of the disturbed valley floor and do not reflect the areas of intact remnant vegetation.

Where indirect impacts are considered likely, this should be quantified in terms of loss of vegetation integrity or habitat for a species. These additional partial impacts are required to be calculated in accordance with BAM.

Of significance the BDAR fails to consider or assess the potential indirect impacts of the proposed groundwater drawdown on areas of Box gum woodland CEEC despite this community being identified as groundwater dependent.

The inadequate assessment fails to meet the SEARs, specifically;

> *17. Key risks associated with the proposed action from the Commonwealth perspective include potential impacts to groundwater and surface water resources within the modification area and surrounding area, including;*
>
> *v. potential impact to nearby groundwater dependent ecosystems (such as riparian vegetation on the Cumbo, Wilpinjong and Wollar Creeks);*
>
> *vi. potential impacts to nearby critically endangered woodland communities as a result of changes to water flows and soil chemistry.*

The SAII assessment for Box Gum also inadequately considers the extent of these indirect impacts.

The proposed mitigation measures provided limited details on the proposed restoration or security of in perpetuity conservation of these areas.

Any restoration should demonstrate improvement in accordance with BAM and be supported by in perpetuity establishment of a Biodiversity Stewardship Agreement.

The identified areas of avoidance outlined in the SAII are also likely to be compromised by these indirect impacts and should be assessed for partial impacts in accordance with BAM.

3. SAII on Regent honeyeater

The proposed expansions direct and indirect impacts have the potential to contribute to a SAII on this species and significantly compromise the long term survival of the species.

The proposed expansion will directly remove mapped areas of Important Habitat for the Regent honeyeater.

The proposed modification creates a significant expansion of the areas of mine disturbance and barrier between the mapped Important habitats and previously known breeding areas of the Munghorn gap nature reserve and current GRNP breeding habitats.

The BDAR and independent SAII assessment fails to describe the significance of the recent breeding events of this species in the locality of the modification, specifically within GRNP population from 2018 to present (including notably both 2024 and 2025). This area is one of the few regular and current breeding sites of mapped Important Habitats across the species entire distribution in NSW. The relative significance of the breeding occurrences within Important habitats in the locality requires further consideration against the extensive areas of mapped important habitat that have failed to support any evidence of recent breeding activity for this species.

Of particular note the once reliable and regular breeding site for the species at Munghorn Gap NR, (known from Atlas Bionet to have had over 104 separate records of Regent Honeyeater sighting since 1960s) has not had a single known sighting since 2017 and prior to that 2012. The absence of records in this area directly coincides with the approval and commencement of operational mining in close prolixity to these habitats (refer to Figure 1 below), including approximately 24 km of shared boundary between this nature reserve and approved open cut mining.

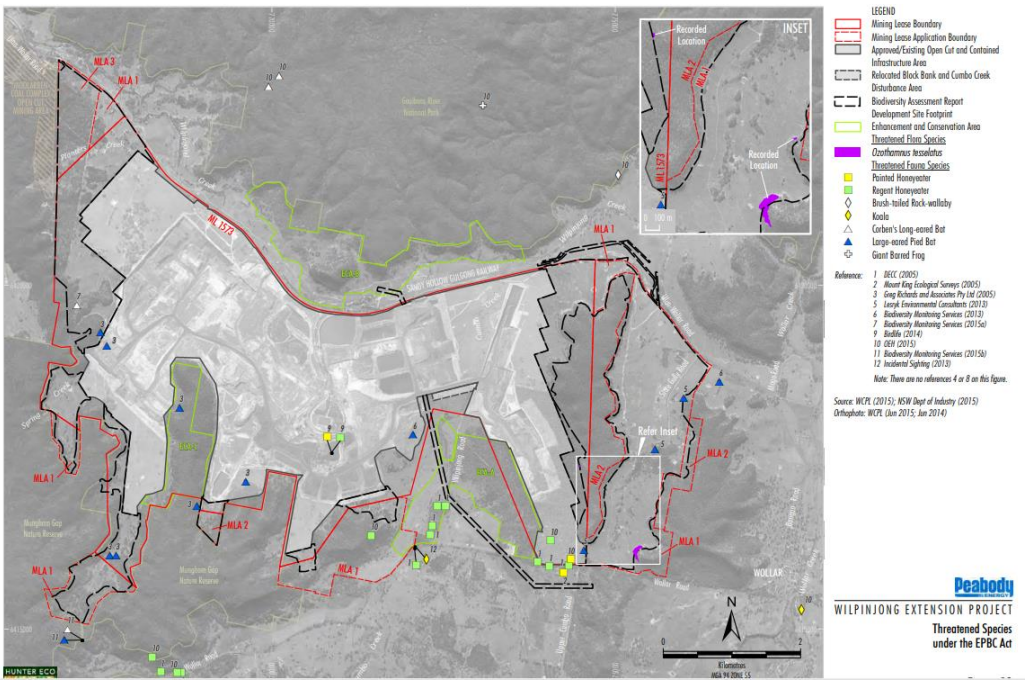


Figure 1 Regent Honeyeater sightings (Green Squares) from Munghorn Gap NR and adjoining areas in proximity of approved open cut mining

There is a very real probability that this species Important Habitat within the Munghorn NR has indirectly been substantially compromised by successive expansions of the adjoining open cut

mining. These potential indirect impacts and historical contraction in observations and occupied habitats should be further addressed and assessed within the BDAR and SAII assessment.

The potential indirect impact of increasingly expanding mining in proximity to such critically important breeding areas for the species in rapid rate of decline is inadequately considered within the BDAR.

The proposed mitigation measures for this species, including noisy minor control and proposed areas of revegetation are not supported by firm commitments, timeframes or success criteria.

The proposed restoration and rehabilitation of mining areas are not underpinned by any demonstrated evidence of successful establishment of recorded occupied use of these habitats by the species. Based on past performance of the WCM rehabilitation for the species the mitigation commitments lack certainty and are of high risk of failure within timeframes critical to the species survival.

Given the critically endangered and perilous position of the species survival, the potential risk of the continued expansion of opencut coal mining as a barrier and/or degradation to this species important habitats should be better understood prior to further approvals between these local conservation estates.

The independent SAII assessment is fundamentally flawed as it incorrectly concludes the project will not clear mapped Important habitat for the species or is within a an area of species breeding.

4. Indirect impacts

The proposed modification provides limited consideration of indirect impacts and restricts the assessment of impact in the form of BAM credit liabilities to areas of direct disturbance.

The proposed mitigation of indirect impact is inadequate and limited to minimal commitments of existing requirements of mine operations for pest and weed control.

Limited assessment or mitigation is proposed to address edge effects of mining on adjoining vegetation, specifically, dust, blasting, weed and natural surface and groundwater flows. Where these edge effects result in changes in vegetation integrity the assessment should apply buffers to assess the partial impact in accordance with BAM.

With regard to indirect impacts the assessment acknowledges "*Indirect impacts to the Large-eared Pied Bat (Chalinolobus dwyeri) may occur as a result of blasting/vibration impacts on breeding individuals beyond the Action Disturbance Footprint. Dust, noise and light spill are also potential indirect impacts that could reduce habitat quality for this particular species*".

And further "measurable incremental effect on alluvial aquifers associated with Wilpinjong Creek and Wollar Creek. These incremental increased effects may include reduction in creek baseflow and groundwater upflow"

5. GDE and Groundwater impacts

The assessment recognises the proposed action will impact on natural surface and groundwater systems, stating;

"The Action would involve extension of the existing, approved Pit 8 which would be expected to have measurable incremental effect on alluvial aquifers associated with Wilpinjong Creek and Wollar Creek (Att 1 - Figure 11). These incremental increased effects may include reduction in creek baseflow and groundwater upflow"

It also further acknowledges the *"Riparian vegetation on Cumbo, Wilpinjong and Wollar Creeks in the vicinity of the Action may potentially be classified as a GDE, and could be affected by the Action."*

Given the presence of a range of vegetation associations along these impacted watercourses and alluvial systems and the acknowledged potential of these vegetation types to be GDE it is likely the impacts on these GDEs will extend beyond the assessment area of direct impact associated with the mine disturbance.

Any partial indirect impacts should be quantified and assessed in accordance with BAM and appropriately offset.

6. *Impacts on connectivity*

The proposals assessment of impacts on connectivity and fragmentation is inadequate.

The proposed modification will significantly impact on connectivity across the landscape, creating a long-lasting barrier in the form of an open cut void and associated infrastructure between highly significant conservation areas including National Park reserve estate. These impacts have the likely potential to reduce the viability of a range of species population and movement patterns.

Of note the Mod 8 Extension includes the removal of key stepping stone patches of remnant native vegetation between the GRNP to the north and remnant vegetation connected to the Munghorn Gap Nature Reserve to the south (Refer to Figure 2 below).

These habitats are likely to support a variety of woodland birds including the Critically Endangered Regent honeyeater and mobile fauna like the Endangered Koala.

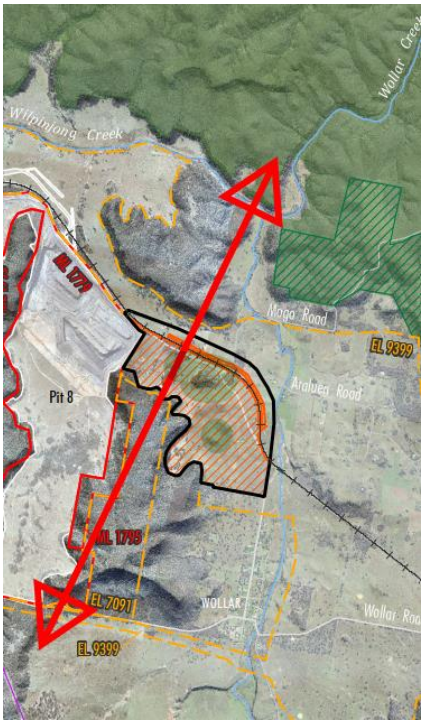


Figure 2 Pit 8 extension impacts on landscape connectivity and habitat, including loss of important remnant patches of habitat forming stepping stones (Highlighted green)

Importantly this barrier is likely to impact the local movement corridors for recorded populations of Koala including those recorded in the BDARs surveys to the north and regionally significant populations to the south of Wollar

There is limited to no consideration within the BDAR of the proposed modifications expansion of open-cut mining forming an extensive barrier between the locally significant conservation areas of Munghorn Gap Nature Reserve and GRNP.

This hostile barrier created by the operational mining area also results in additional prescribed impacts of vehicle strike not addressed.

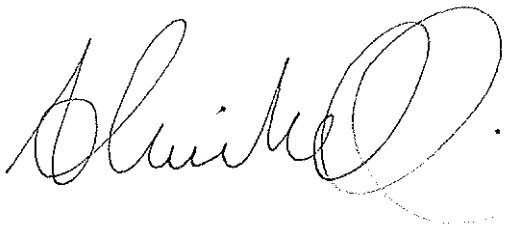
This proposal will significantly remove the closest points of intact remnant vegetation on the valley floor currently forming stepping stones of habitat between these two reserves for a wide

The BDARs recorded presence of Koala in remnants to the north and south of the proposed modification are evidence of the existing use and connectivity between these significant reserved habitats.

The proposed future commitments to improved connectivity through rehabilitation lack evidence of success and are fundamentally compromised by WCM failed rehabilitation of a fraction of disturbed land to date and construction.

Reference to any potential for rehabilitation to mitigate the Modifications impact requires demonstrated evidence of successfully establishment of connectivity and use across the landscape.

The recent installation of Kangaroo proof fencing along the entire east west boundary of the operations with Wollar to Ulan Road further compromises the suggested connectivity value of the progressive rehabilitation. This should be consider further within the BDARs assessment of indirect impacts



Regards

Alex Cockerill