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19 June 2013

Ms Sara Wilson
Assessment Officer
Department of Planning and Infrastructure
GPO BOX 39
SYDNEY 2001

Dear Ms Wilson

MODIFICATION TO THE MOOLARBEN COAL MINE STAGE 1 PROJECT (05_0117 MOD 9)

Council considered a report on the Moolarben Coal Stage 1 Optimisation Project on the 19 June 2013 and resolved to make the following submission:

Biodiversity Offsets

Council is concerned that the rate base of the region is continually eroded through project approvals that require biodiversity offset. It is noted that the current modification further expands on offset requirements and will result in either further land being dedicated as national park or the establishment of Conservation Agreements. It is considered that where there is an adverse impact on the regions rate base due to a change in status of the land tenure or management that Mid-Western Regional Council should be compensated.

Ulan Road

The failure of the mines to adequately contribute to the upgrade of the road network has been an ongoing issue for the Council. Nevertheless, the Ulan Road Strategy has been negotiated over a 20 year maintenance period and a 20 year span on the road which would include the extended time of the approval to 2033. At this stage, the Moolarben approvals do not include a condition that requires Moolarben to enter into the upgrade agreement although it is expected that such a condition would be imposed on the Stage 2 approval. It is considered that Council the condition of any approval should include a requirement to enter into the negotiated agreement for the upgrade and maintenance of the Ulan Road.

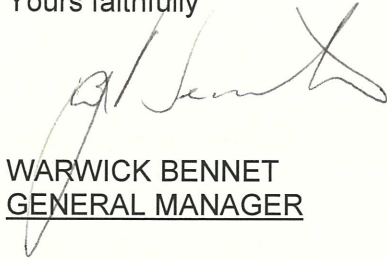
Mines currently operating with the Mid-Western Region are having and will continue to have an economic impact on the region. To-date Council has been dissatisfied with the willingness of the mines to contribute fairly to infrastructure provision and in particular to be responsible for the impacts that the mine related traffic is having on the road network. The current modification, whilst not causing significant impact in itself, perpetuates the unfair economic burden that the mines are placing on the region.

Noise

Council continues to have concerns regarding the potential noise impacts on the residents in the Ridge Road, Winchester Crescent, Cooks Gap area. It is considered essential that adequate and fair acquisition measures are included in the terms of approvals should the noise affection exceed the predictive modelling outlined in the Environmental Assessment.

Should you have any queries in relation to this matter please contact me on 63782850.

Yours faithfully



WARWICK BENNET
GENERAL MANAGER