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Date: 2 July 2020

Our ref: 13864

Ulan Coal Mines Pty Ltd
4505 Ulan Road
Ulan NSW 2850

Attention: Bradley Tanswell

Dear Brad,

RE: Ulan West Longwall 8 First Workings Amendment

Ulan Coal Mines Pty Limited (UCMPL) is currently seeking a first workings amendment for Ulan West, Longwall 8.

BACKGROUND

Ulan Coal (the project) is an Open Cut and Underground coal mine located near the town of Ulan, NSW. The NSW Department of Planning, Industry and Environment initially approved the project in 2010, however the project has been subject to several modifications, with the most recent project approval (Modification 4), Project Approval (PA) 08_0184 issued in July 2019.

Due to impacts to Matters of National Environmental Significance listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the project was subject to assessment by the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (now Department of Agriculture, Water and Environment). Project approval was granted on 30 November 2010 (EPBC Approval 2009/5252).

The Biodiversity Offset Strategy required by PA 08_0184 and EPBC Approval 2009/5252 (presented in the Environmental Assessment by Umwelt (2009)), included the proposed Brokenback Conservation Area (BCA) with the following objectives:

- Provide for the protection and management of cliffline areas (including associated cave habitat) to mitigate the impact from the Open Cut operations and subsidence related impacts, such as rockfall
- protect and enhance fauna habitat within the management areas for cave dependent fauna species
- provide appropriate monitoring to ensure mitigation strategies are effective (Umwelt 2009).

Additionally, UCMPL are required to comply with consent conditions within both PA 08_0184 and EPBC 2009/5252 that relate to biodiversity and biodiversity offsets.

The BCA is currently monitored and managed in accordance with the UCMPL Biodiversity Management Plan (UCMPL, 2015).

Within the BCA, there are a number of significant Heritage items that are required to be protected from subsidence related impacts in compliance with Condition 24, Schedule 3 of PA 08_0184. In order to achieve compliance with this condition, mining of Ulan West (UW) Longwall LW8 requires the longwall to be recovered and reinstalled in two separate locations. This will require LW8 to be broken up into an “A” block to the north and a “B” block to the south, as depicted in Figure 1, below.

The First Workings Amendment is comprised of three groups of first workings which are required to be driven to allow for safe recovery of the longwall equipment. The purpose the first group of first workings (Figure 1) is to provide a second ventilation path and access way for equipment recovery, as well as provide a second means of egress to persons and ensure compliance with Clause 96 of the *Work Health and Safety (Mine and Petroleum) Regulation 2014* (the Regulation).

The Regulation prohibits the formation of a roadway greater than 250 m in length without a second means of egress. Due to the longwall face being 400 m in length, on commencement of longwall roof support recovery, UW will not be able to satisfy Clause 96 of the Regulation without inclusion of the proposed recovery heading. Driving of the proposed recovery heading enables Clause 96 to be satisfied on commencement of longwall roof support recovery due to the single-entry roadway being formed less than 250 m in length.

The second group of first workings roadways is located in and adjacent to the maingate of Longwall 8 (Figure 1). These workings are required to ensure compliance with Clause 96, allow installation of mine infrastructure and extend the companion road to the Longwall 8B installation road.

The third group of first workings is mainly in the maingate of Longwall 7 and includes a slight move in the installation road for Longwall 8B so that the goaf of Longwall 8B remains outside the BCA and various cut-throughs and stubs required for relocation of the longwall face (Figure 1).

The proposed amendments to underground workings do not involve the addition or change in the approved location of any previously approved surface infrastructure.

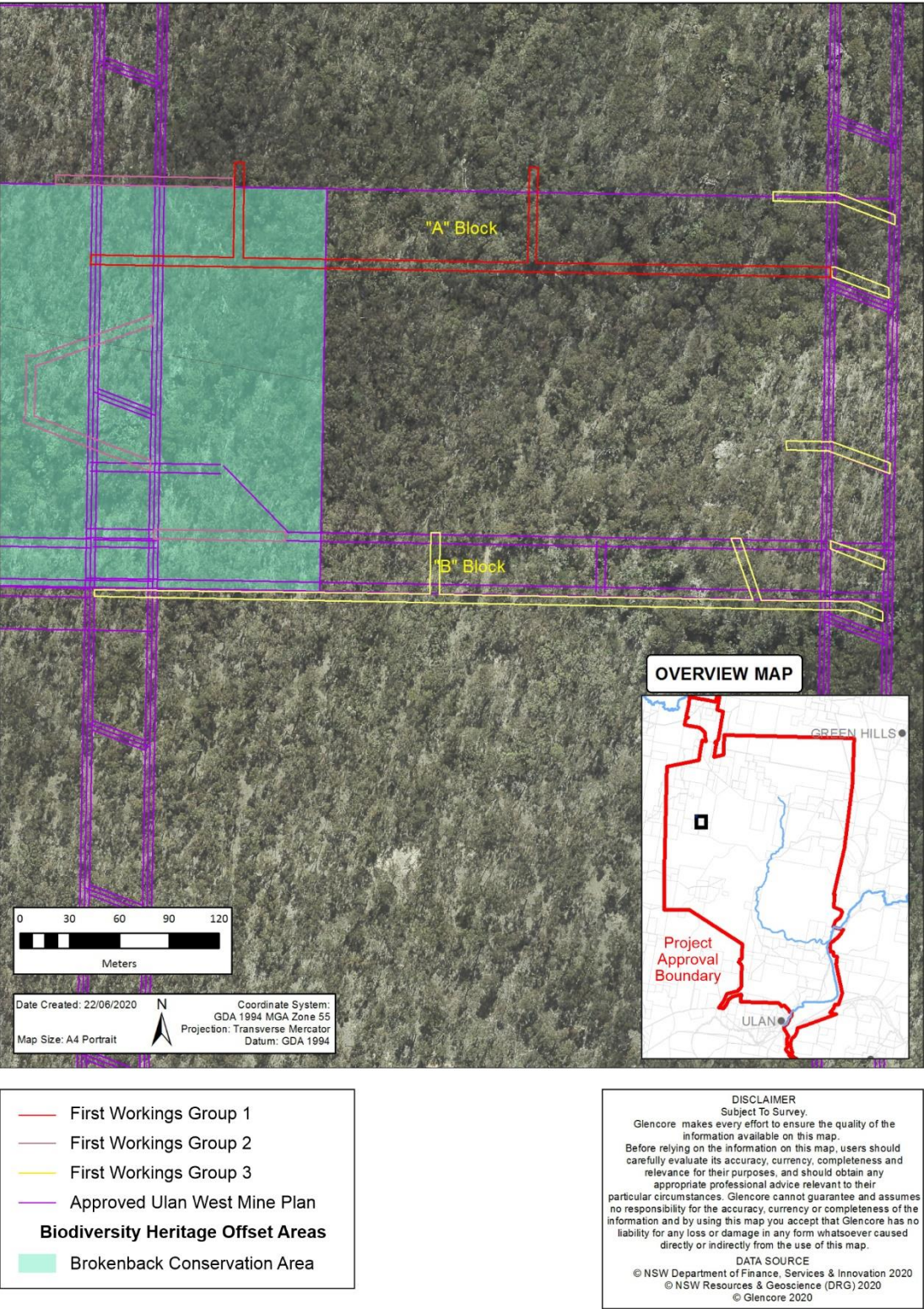


Figure 1: Proposed First Workings Amendment

DESCRIPTION OF ECOLOGICAL FEATURES

A desktop assessment of ecological features was undertaken within the proposed First Workings Amendment and involved review of UCMPL Plant Community Type Mapping (PCT; ELA 2019), NSW BioNet Wildlife Atlas (DPIE 2020), Strahler stream order mapping (DPIE 2018), cliffline mapping (Umwelt 2009) and previous biodiversity monitoring reports prepared for UCMPL (ELA 2018, ELA 2019a, ELA 2020).

The desktop assessment indicated that there were three (3) PCTs present within the proposed First Workings Amendment as described in Table 1 (ELA 2019a). No endangered ecological communities (EECs) listed under the NSW *Biodiversity Conservation Act 2016* (BC Act) or critically endangered ecological communities (CEECs) listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) are present within the proposed First Workings Amendment area.

Table 1: PCTs present within the proposed First Workings Amendment

PCT Number	PCT Description
481	Rough-barked Apple - Blakely's Red Gum - Narrow-leaved Stringybark +/- Grey Gum sandstone riparian grass fern open forest on in the southern Brigalow Belt South Bioregion and Upper Hunter region
479	Narrow-leaved Ironbark- Black Cypress Pine - stringybark +/- Grey Gum +/- Narrow-leaved Wattle shrubby open forest on sandstone hills in the southern Brigalow Belt South Bioregion and Sydney Basin Bioregion
478	Red Ironbark - Black Cypress Pine - stringybark +/- Narrow-leaved Wattle shrubby open forest on sandstone in the Gulpong - Mendooran region, southern Brigalow Belt South Bioregion

No threatened flora or fauna species listed under the BC Act and / or the EPBC Act have been previously recorded within the proposed First Workings Amendment (DPIE 2020); however, Glossy Black-cockatoo (*Calyptorhynchus lathami*) which is listed as vulnerable under the BC Act has been previously recorded within 500 m of the proposed First Workings Amendment (ELA 2020).

Numerous clifflines are present within the proposed First Workings Amendment (Umwelt 2009). Umwelt (2009) identified a range of threatened fauna species within the greater UCMPL Project Approval area that are reliant on cliffline and cave habitat. Desktop assessment of clifflines and other ecological features present indicates that suitable habitat exists within the proposed First Workings Amendment for the following cliffline dependent species:

- Brush-tailed rock-wallaby (*Petrogale penicillata*), which is reliant on rocky cliffline areas as refuge habitat from predators; and,
- Cave dependent microbat species that are reliant on caves and associated cliffline areas for breeding and roosting habitats, including the:
 - Large-eared pied bat (*Chalinolobus dwyeri*)
 - Eastern Bentwing-bat (*Miniopterus schreibersii*)
 - Little Pied Bat (*Chalinolobus pictatus*)
 - Eastern Cave Bat (*Vespadelus troughtoni*)

In addition to the species listed above, it is anticipated that the surface area above the proposed First Workings Amendment provides suitable habitat for numerous other threatened microbats, woodland birds, raptors, owls and flora species listed under the BC Act and / or the EPBC Act.

Two first order ephemeral streams are in the vicinity of the proposed First Workings Amendment (DPIE 2018) with all three groups of first workings intersecting the streams. No wetland or aquatic habitat otherwise is present within the proposed First Workings Amendment.

ECOLOGICAL ASSESSMENT

A Subsidence Assessment for the proposed UW LW8 First Workings Amendment was undertaken by SCT (2020). This assessment found that the proposed First Workings Amendment does not have the potential to cause any surface subsidence effects of practical significance or any impacts to the surface or surface features. Significant heritage and other subsidence performance measures within the BCA would not be impacted or exceeded, and would remain fully protected from subsidence related impacts, thus ensuring compliance with Condition 24, Schedule 3 of PA 08_0184 (SCT 2020). There will be no surface subsidence impacts above that already approved to occur at the completion of mining of UW LW8 under PA 08_0184 and EPBC 2009/5252 (SCT 2020).

Based upon the findings of the Subsidence Assessment (SCT 2020) and the lack of surface subsidence predicted, there will be no impacts to ecological features present within the area of the First Workings Amendment above that previously approved. The ecological features considered against the outcomes Subsidence Assessment (SCT 2020) included native vegetation, clifflines and associated cliffline habitat, including those within the BCA.

Therefore, the proposed changes to the UW mine plan through implementation of the LW8 First Workings Amendment will ensure that compliance with PA 08_0184, EPBC 2009/5252 and the objectives of the BCA will continue to be achieved, in addition to no impacts to ecological values and features present.

Regards,



Rachel Murray
Regional Manager – Regional NSW/ACT

REFERENCES

Eco Logical Australia (ELA) 2018. *UCMPL Annual Floristic Monitoring Report 2017*. Report prepared for UCMPL.

Eco Logical Australia (ELA) 2019a. *UCMPL Annual Floristic Monitoring Report 2018*. Report prepared for UCMPL.

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Department of Planning, Industry and Environment (DPIE) 2018. *Hydro line spatial data*.

Department of Planning, Industry and Environment (DPIE) 2020. *BioNet Atlas threatened species search*. Search undertaken 1 July 2020.

SCT Operations Pty Ltd 2020. *Subsidence Assessment for First Workings Amendment: Ulan West Longwall 8 Mid-block Roadways*. Letter prepared for Ulan Coal Mines Pty Ltd.

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