



MID-WESTERN REGIONAL COUNCIL

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Gen Lucas
NSW Department of Planning, Housing and Industry
12 Darcy Street
PARRAMATTA NSW 2124
Gen.Lucas@planning.nsw.gov.au

Dear Gen

SUBJECT: Wilpinjong Coal Mine Extension – Pit 8 (SSD-6764-Mod-3)

Council appreciates the opportunity to provide feedback on the proposed modification to the Wilpinjong Coal Mine Extension (Mod 3 – Pit 8). We acknowledge the importance of this project to the region and confirm that Council does not object to the proposal.

We note the comprehensive technical assessments provided and commend the proponent for addressing key environmental and operational considerations.

While Council does not object to the modification, we recommend that further consideration be given to specific aspects of the technical reports to ensure potential impacts are fully understood and mitigated. These can be found as Further Details attached to this letter. In particular, we encourage additional review of:

- **Water Management:** Assessment of potential impacts on surface and groundwater resources, including long-term water quality and availability for local users.
- **Air Quality and Dust Control:** Strategies for managing dust emissions, particularly in relation to nearby sensitive receptors and cumulative impacts.
- **Biodiversity and Habitat:** Measures to protect and offset impacts on local flora and fauna, including threatened species and ecological communities.
- **Noise and Vibration:** Verification of predicted noise levels and mitigation strategies to minimize disturbance to surrounding communities.
- **Rehabilitation and Closure Planning:** Clear commitments to progressive rehabilitation and post-mining land use that align with community expectations and regulatory requirements.

Ensuring robust mitigation measures in these areas will help maintain compliance with relevant standards and uphold community confidence in the project's environmental management.

Council looks forward to continued engagement on this matter and appreciates the proponent's commitment to addressing these considerations. We remain available to discuss these recommendations further to achieving positive outcomes for the community and the environment.

Yours faithfully,



BRAD CAM
GENERAL MANAGER
MID-WESTERN REGIONAL COUNCIL

ATTACHMENT 1 - FURTHER DETAILS IN REGARD TO TECHNICAL REPORTS WILPINJONG COAL MINE EXTENSION - PIT 8

Modification Report

- 6.6.2 Air Quality Environmental Review
Construction activities associated with the Ulan–Wollar Road realignment is expected to generate dust emissions. The 2.4 km section of the road realignment should be included in the modelling assessment to accurately reflect the cumulative impacts of the project.
- 6.8.2 Surface Water Environmental Review, Water Balance and Final Voids
The outflow assessment does not account for the potential operation of a throughflow system in the event of groundwater sink failure. If the evaporative systems fail, groundwater seepage could transport contaminants to environmental receptors. Proposed monitoring and mitigation measures to address potential final void failure should be outlined.

Attachment 8 – Initial Assessment of Geological Features Study

As noted in the PSM report, blasting predictions were not provided, and the limited available literature prevented PSM from assessing potential impacts on sensitive geological features. Additional geotechnical and blasting studies for site-specific data should be requested, including but not limited to recommendations listed on Page 31 of the report.

Appendix D Groundwater Impact Assessment

Given the significant reduction in groundwater levels in Wollar Creek during both operation and recovery, and SLR's acknowledgment of limited data for this area, further explanation should be provided on what basis a conclusion of *negligible impacts* was reached.

Appendix E Surface Water Assessment

- Tables 3.7-9
Yearly surface water monitoring results are presented in Tables 3.7–3.9, while Table 3.10 sets water quality impact assessment criteria based on three consecutive readings. Due to different units applied in each table, this approach limits the ability to interpret data and determine the effectiveness of WMP strategies and mitigation measures. Furthermore, many results exceed EPL 12425 conditions, with pH being the only parameter consistently within acceptable limits.
- Table 5.4 Salinity Parameters
Salinity data rely on a study from 2015, which is outdated given the potential for significant changes over a decade within a mine landscape. Current, site-specific data should be provided to ensure that best management practices in the WMP are appropriate and effective.
- 5.6 Site Water Demands
The 2.4 km Ulan–Wollar Road realignment, a component of this Modification, is not included in the assessment of dust suppression or construction water requirements. Regardless of the party performing the works, water extraction or external supply will be necessary and must be explicitly addressed in the Modification.

Appendix F - Biodiversity Development Assessment Report.

- Council identified a numerical inconsistency between the Executive Summary - Biodiversity Offset Requirements and Table ES-1 regarding ecosystem credits. Amended reports should be provided.
- 2.4 Habitat Connectivity
 - *"There are no recognised biodiversity corridors identified by NSW DCCEEW, flyways for migratory species, or a local corridor identified by a local council in the assessment area".* Wollar area is a known breeding area for the Regent Honeyeater. This is evident as the vegetation within the project area is assessed as Regent Honeyeater habitat throughout the report. Amended reports should be provided.
- 4.2.4 Determining Presence or Absence of a Candidate Species Credit Species
 - *"Targeted rock-turning surveys for reptiles were undertaken within the subject land by suitably qualified and experienced ecologists. 25 over six weeks in the spring of 2022 and spring of 2023".* Council questions the validity of the data provided, due to the time between the assessment and the review of the report. Further evidence should be required
 - *"No species credits are required for the South-eastern Glossy Black-Cockatoo."* As the surveys are over 12 months old as of reviewing this report, Council believes they may not provide accurate data for the presence of threatened, vulnerable or endangered species that may be impact by the proposal. Further evidence should be required
 - *"There are no caves, tunnels, mine, culvert or other structure known or suspected to be used for breeding in the Subject land. However, this species is known to occur in the locality so was not removed based on habitat constraint."* It is noted in the report that caves and rock structures occur directly adjacent to areas that are currently and will be actively mined. It would be appropriate to provide context as to how active mining will not negatively impact the roosting areas of bats in these areas.
- 7.3.5 Fauna Vehicle Strike
 - The report addresses the potential of vehicle strikes on Ulan-Wollar Road only. Further assessments should be required to understand the full impact of vehicle strikes on all roads that are utilised by staff when travelling to and from work.
- Table 8-1 Mitigation and Management Measures
 - Screening along the Ulan-Wollar Road has not been considered under this table. Council requests that this is implemented at the completion of the realignment of Ulan-Wollar Road to preserve the outlook of the site for other road users.
- Section 8.5 Box-Gum Woodland CEEC Revegetation Areas
 - It is requested that an appropriate management plan with replacement plantings and ongoing maintenance be provided.

Appendix G – Aquatic Ecology Assessment

- Sampling dates

Sampling occurred during the wettest October on record in BOM history, with temperatures approximately 3°C below average. These seasonal and hydrological anomalies may have significantly influenced the results. Given these conditions, a supplementary late-summer sampling round should be conducted to ensure accuracy.

- 3.2.2 Aquatic Ecology Survey Sites and 5.2 Surface Water Flow and Aquatic Biota Cumbo Creek, the largest tributary crossing the existing/approved site, was included in the baseflow predictions in Section 5.2 but was omitted from the sites listed in Table 2 (Section 3.2.2). It may be appropriate to amend report to include Cumbo Creek in the aquatic habitat and biota assessment to inform appropriate mitigation measures (TARPs) in relation to the Modification.
- 4.2 Surface Water Quality
The report states “creek banks were stable due to extensive cover of weeds including exotic grasses and occasional stands of willow”. This does not address Wilpinjong Coal Mine’s obligations under the Biosecurity Act 2015 to prevent, eliminate, minimise, and manage biosecurity risks.
- 4.2 Surface Water Quality
Data confirms non-compliance with applicable standards and aligns with findings in the Surface Water Assessment. The assessment identified that much of the offset areas exhibit degraded vegetation dominated by pollutant-tolerant species.
The current approach does not appear to be sufficient. Under the Rehabilitation Strategy, sensitive areas, particularly waterways, may require a rigorous and adaptive restoration program.

Appendix H - Aboriginal Cultural Heritage Assessment

- 7.3.1.1 The Study Area
The Effective Survey Coverage (ESC) represented only 7.27% of the total survey area due to dense grass cover, which likely restricted site visibility and detection. This limitation should be addressed to ensure the survey results are representative.
- 8.2.3 PAD Scientific (Archaeological) Value
The significance of the PAD is described as provisional, pending subsurface salvage. This uncertainty has implications for the adequacy of proposed mitigation measures and should be clarified through further investigation.
- It is also noted that Mudgee LALC is not listed among the Registered Aboriginal Parties. As the Modification area lies within Mudgee LALC Country, Wilpinjong should confirm whether engagement with Mudgee LALC has occurred and, if not, explain why they were excluded from consultation.

Appendix M Geochemistry Assessment

- Section 8 – Conclusions and Recommendations
The current recommendations are limited to monitoring molybdenum (Mo) and selenium (Se) and do not include corresponding mitigation measures. Action thresholds and management responses should be established.
- No provision has been made for predicting long-term leachate behaviour where water extracts exhibit acidic pH. Kinetic leach testing on representative samples should be required to assess ongoing acid generation potential and to inform the design of leachate control systems.
- Bypass coal is subject to general testing; however, no requirement exists for immediate classification prior to stockpiling. Implementation of real-time geochemical screening for bypass coal should be considered to prevent inadvertent exposure of potentially acid-forming (PAF) or low-capacity (LC) material prior to stockpiling or disposal.