

Submission of Objection to Ulan Mod 6 Second Amendment

Introduction

Mudgee District Environment Group (MDEG) objects to this project. To extend underground longwall panels to allow extraction of a further 25 million tonnes of thermal coal and extend the mine life by two years to 2035 would cause irreparable further damage to our climate, biodiversity, water, cultural heritage and landscape. The proposal is contrary to scientific and legislative requirements which set clear Greenhouse Gas (GHG) emission limits and targets.

The prior iteration of this project was rejected by the NSW Land and Environment Court, and this amendment does not address the matters that were found to be inadequate:

- The consent authority, the NSW Department of Planning, Housing and Infrastructure (DPCI) failed to take into account 'the significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality', as required under the [Environmental Planning and Assessment Act 1979 No 203, Section 4.15.](#) (EP&A Act)

The amended modification application for Mod 6 involves:

- changes to the layout of surface infrastructure; and
- an updated greenhouse gas assessment.

It is appropriate that Glencore's Ulan Coal Complex has identified a final mine design for Mod 6.

This amended application does not contain sufficient details and data to answer the legislative requirements, which were confirmed by the Court. The proponent has not adequately addressed the matters identified by the Court. The Amendment Report states that no further assessment was required of either social or economic impacts (Amendment Report Table 6.1 p25), yet this is exactly what was required and remains outstanding. These impacts require thorough research and documentation related to the locality of the Ulan Coal Complex operations.

Ulan Mod 6 is physically connected to Ulan Mod 8 currently under assessment with DPCI. This dependent project must be assessed together with Mod 6. Mod 6 partially and Mod 8 wholly are on land that is covered by an Exploration Licence. They are not on a Mining Lease, and are not substantially the same as the current approved mine. They must be assessed together as a new project and subject to a full independent merit assessment.

To assess these projects as 'modifications' indicates a flawed assessment process.

The climate change impacts of this project are minimised by the proponent and impacts on the local environment, landscape and community are not fully assessed. MDEG members believe Ulan Mod 6 and its dependent Mod 8 project must both be rejected.

Planning Process

Mod 6 facilitates the much larger Mod 8 project and together they disturb more than 2,300ha of new country. The combined impact on bushland, farmland, water (surface and groundwater), biodiversity, significant Aboriginal heritage values, social and neighbourhood amenity, and climate must be assessed. This combined impact must also be assessed with the impacts from the existing Ulan Coal Complex.

It is critical to assess cumulative impacts as no project stands alone. Without cumulative impact assessment the environment and community suffer 'death by a thousand cuts', as each project claims to have minimal impact at an individual level. MDEG submits that a complete assessment of cumulative impacts should include existing operations and expansion proposals across the three Mudgee Mines: Ulan, Moolarben, and Wilpinjung.

The flawed assessment process that is occurring with Mod 6 and Mod 8 removes independent scrutiny of impact assessment and its quality. This process also removes a possible community Merits Rights appeal. The current planning process is unacceptable.

Ulan Mod 6 and Mod 8 must be assessed together as a new project. The impacts described by the proponent mean that this additional coal mining proposal must be rejected. There is no justification for additional coal mining. In fact it would be contrary to all science and government legislation. This is clearly stated in the [Net Zero Commission's 'Coal Spotlight Report 2025'](#) '*Continued extensions or expansions to coal mining in NSW are not consistent with the emissions reduction targets in the Climate Change Act or the Paris Agreement temperature goals it gives effect to*'. (Finding 4. Exec Summary iv.)

Greenhouse Gas Emissions

The Scope 1, 2 and 3 emissions which are produced from coal mining influence our global climate with flow on effects to the locality of the mine. There are major shortcomings in the assessment of the emissions from this coal mine and the climate change effects:

- The statement that Ulan is a 'non-gassy mine with negligible methane' (Amendment Report 6.4 p45) is unsubstantiated. Recent studies have shown that methane is greatly underestimated in Australian coal mines. The proponent's claim must be verified independently.
- The [Net Zero Commission's 'Coal Spotlight Report 2025'](#) states clearly that '*In order for NSW emissions targets to remain achievable, on-site abatement at existing mines is essential, particularly to reduce fugitive emissions. Additional regulatory measures will be required to achieve measurable on-site abatement.*' (Finding 1. Exec Summary ii). It is incumbent on DPHI to adhere to this finding.
- The NSW target for emissions reductions of 50% by 2030 and by 70% by 2035 require proponents to demonstrate that new emissions don't undermine target achievability. Emissions must reduce, not increase. The proponent claims that the project will have an insignificant effect on global emissions, however the cumulative impact of Mod 6 and Mod 8 combined with neighbouring mines, has not been assessed.
- Local impacts have been downplayed: '*It is noted that the local manifestation of climate change impacts as described below will be influenced on a greater scale by global and national emissions trajectories rather than by the emissions of an individual facility or project.*' (Amendment Report 6.4.8.1 p57). This is a disingenuous statement, as all emissions contribute to the global and national emission trajectories.

- There are no assessments related to social and economic impacts on the locality as required. There is no analysis of recent droughts, bushfires or flooding. The locality is being increasingly impacted by these phenomena, which have major impacts on landscape, infrastructure, society, livelihoods, household and local council costs, amenity, and health. Social and economic impacts have not been assessed.
- The Ulan Coal Complex itself will suffer increasingly from climate change impacts with changes to rainfall patterns, increased risk of storms and erratic weather including extreme heat days which will all impact all operations and train transport of the coal product. There is no recognition or assessment of this risk to the project.

Biodiversity

This proposal would create a cumulative impact and loss of threatened habitat and species that would be inexcusable:

- Land clearing is a Key threatening Process under Federal legislation. All clearing and landscape impacts must be assessed thoroughly, independently, and with regard to the potential for Serious And Irreversible Impacts (SAII) whether species are currently listed or not.
- Box Gum Woodland is a Critically Endangered Ecological Community (CEEC) at risk of SAII (Amendment Report p38). By definition it is highly significant and it must be retained and conserved. Any impact must be assessed, including subsidence, vibration, noise and loss of water – either by groundwater interception, or reduced rainfall due to climate change.
- The cumulative impact of biodiversity loss due to Mod 6 and Mod 8, combined with the neighbouring mines of Moolarben and Wilpinjung must be assessed.
- A vegetation community provides habitat for many connected species. Any impact on the habitat will impact on the species which rely on that habitat and the connections within. A vegetation community at risk places all species within at risk.
- Particular species at risk have been identified - including the Large-eared Pied Bat, Eastern Cave Bat, Powerful Owl, Barking Owl and Southern Myotis.
- The bats have been identified as impacted by the neighbouring mines of Wilpinjung and the proposed Moolarben OC3. This cumulative impact has not been assessed and may result in SAII for these microbats.

Water

- This proposal is in a highly significant location at the lowest point of the Great Dividing Range. The groundwater flows are complex and may be unexpected, due to it straddling the range.
- This proposal for additional underground mining will cause additional loss to the base flows of both East (Goulburn River) and West (Talbragar River) flowing rivers.
- The cumulative drawdown (which has not been assessed) will cause irreversible and permanent impacts on irreplaceable water resources. This is unacceptable and highly inequitable for future generations.
- The project clearly does not conform to Ecologically Sustainable Development as required by the Objects of the EP&A Act.

- The Macquarie Marshes is internationally recognised and a source of pride for Australia. The Talbragar River is a major tributary of the Macquarie River which flows into the Marshes. A loss of flow in that ecosystem would arouse international condemnation.
- The Assessment Report does not assess cumulative loss of flows from current approvals.

Cultural Heritage and Landscape

- There has already been loss of cultural heritage values in the landscape due to large-scale mining activities. The cumulative effect of this needs to be acknowledged and any further loss prevented.
- This area is significant as it is associated with the Goulburn River trade routes and a known corroboree site at Cooks Gap. The Traditional Pathways of the Aboriginal people are intrinsically tied to the landscape. Changes to the visual landscape impact negatively on their connection to the land. We are diminished by such action.
- Mod 6 when added to Mod 8 would impact on numerous sites of Aboriginal significance.
- Mine subsidence is a consequence of longwall mining and this proposal will increase subsidence impact. The Ulan Mod 6 area is significant for all the reasons given above. The cumulative impact on significant sandstone cliff lines, water, ecosystems and landscape is untenable.

Central West Orana Renewable Energy Zone (CWOREZ)

- The proposed expansion of mining at Ulan is in direct opposition to the NSW government plans for transitioning away from fossil fuels to renewables.
- The surrounding CWOREZ is in need of workers, and to prolong employment in the declining coal industry is unethical and uneconomic.
- CWOREZ needs a large labour force for this new industry. Workers are needed in all fields, including construction and engineering.

Australians have a great sense of identity and place. This proposal would fracture that relationship as much as it would fracture the ground and the landscape. The global, national and local impacts must be assessed and MDEG submits that the project impacts are too great for the project to proceed.

MDEG members believe there is no valid justification for Ulan Mod 6 (and its dependent Mod 8).

Sincerely,



Rosemary Hadaway

President

Mudgee District Environment Group

25th January 2026