

Maules Creek State Significant Development Continuation Project - 2025.

8th August 2025

I object to this Continuation Project – it should not be approved.

This Continuation Project is not in the Public or Environmental Interest.

Major Project State Significant Developments – (SSD) including this 'Continuation Project' exhibited in this EIS, have become more about economics than environment. By the time the Forestry gets paid for a Licence to 'clear' State Forests by mining companies; the EPA gets a significant payment for Environmental Protection Licences (EPL), and a Load-based fee (for tyre burial); if any project is taken to court and found guilty of a significant breach, the department that wins the case (i.e. NRAR or the EPA) the 'Costs awarded' go to that government department, and are not used to help 'right the wrong' that was perpetrated by the proponent in that local area; the Royalties to the Government. Government departments have nothing to lose, the environment and the impacted communities are the losers, when these projects are approved.

This Maules Creek State Significant Development Continuation Project should be rejected and not approved. This Continuation Project is definitely not in the Public Interest.

Seeking approval to continue mining for another 10 years till 2044 when there is already an approval to continue mining until 2034! Ultimately an approval for the next 19 years!

This Continuation Project

With the uncertainty of what the climate will be like in another 10 years, and the demand and price for coal now that renewables are cheaper and cleaner, in light of all the extreme climatic changes that have been facing not just Australia but around the world, this company that exports all the coal offshore is still in a rush to get another approval even though they have an approval to continue mining until 2034. 10 extra years of contributing to GHG emissions is unacceptable.

It is absurd to approve another new SSD that has such a long history of non-compliance.

When it comes to observing compliance recommendations and polluting the environment with polystyrene; still facing a court ruling regarding one extremely damaging blast causing harm to both the environment and humans, and a long list of other blast cases still in court; onsite collisions and accidents; stealing water without a license; burying tyres without an license; constructing a water pipeline without consent; burying Offroad tyres without a license, then being 'facilitated by an EPL, that allows burial of 400 Offroad tyres per year under the Leard State Forest, the Maules Creek Coal company uses the excuse that it is not economical to recycle them and there is no facilities to recycle them, which is untrue. All these non-compliances add up to a company that truly doesn't have a social Licence, and should not have a mining Licence.

This project is not in the Public Interest as this company has already flouted rules and compliance regulations and is still facing charges in the Land and Environment Court.

To allow another 10 years after the already approved 2034 approval, would mean that the community would have to suffer further uncertainty in regards to a non-compliant company that has already disregarded many compliance standards in their Licenses. This project must be rejected and not approved.

Clearing outside the approved window!

Annual Clearing

'Land clearance would be undertaken annually and staged over the life of the mine.'

'Depending on when mining operations for the Project are approved and can commence, clearing of woodland/forest native vegetation may need to be undertaken outside of the clearing window for the first year of mining operations for the Project in order to avoid unreasonable and disproportionate impacts to the continuation of mining operations and mining production.'

'unreasonable and disproportionate impacts to the continuation of mining operations and mining production'.

It doesn't matter what words that Maules Creek Coal use to describe any delay that might cause impacts to their 'production' none of these excuses are 'exceptional circumstances' and allowing this company to clear outside the Clearing Window, to facilitate the bulldozing of critical habitat of fauna during their first year of mining production if this project is approved it will clearly show that this company presumes it is above the law and can do as they please.

Really? Does Maules Creek Coal actually think that in the first year they can flout the approved window of clearing? And only because it would impact their mining operations and production. The **clearing window between 15th February and 30th April** is there to protect native fauna (the Maules Creek Community Council fought hard to have this Clearing Window implemented in the approval of this proponent, to save fauna that are vulnerable at other times of the year) that are susceptible to being killed during tree felling and other ground clearing by this and other coal mines in the Leard State Forest. These vulnerable and even Threatened species of fauna are in 'Hibernation/Torpor or in the case of other native species that may not be 'listed' as Threatened but none the less are just as important in the ecosystem, such as the Blue-tongue lizards that are in a state of 'Brumation' and seek warm dry places to shelter, will be at risk of death if clearing is allowed outside the Clearing Window for such trivial proposals as economic reasons by this proponent.

Definitely No Clearing Outside the CLEARING WINDOW, in the first year OR ANY OTHER YEAR!

Blasting

No more than One Blast per Day!

Noise can disturb and impact fauna. The continuation of noise for the Project in the short-term (from 2035 to 2044) is not likely to pose a greater risk to fauna relative to the existing MCCM. However, the additional intensity and changed location of the noise and blasting impacts would have a short-term impact on individual animals. The potential for two blasts per day would also have impacts on individual animals, however these impacts would be mitigated by the weekly average number of blasts reaching the same (i.e. altogether blasting may occur twice in a day, the average of four a week would remain).

Blasting twice a day would not only have an adverse effect of the amenity of the surrounding community, leading to more dust and blast fallout that contributes to the quality of air in this valley, but also the native fauna in the remaining Leard State Forest would also be considerably affected from the excess noise, dust and blast fallout from these additional blast events.

To say that 'Mitigating' the effects of blasting twice a day would be by 'AVERAGING' the number of blasts per week is absurd and does not mitigate the effects to native fauna. Two blasts a day can't be MITIGATED.

Re-wording Management Plans to suite the Proponent/Applicant.

Throughout this whole EIS there are words that will extensively 'Change' approvals already implemented for the existing Maules Creek Project, but significantly implement changes that the proponent wants to include in their 'updated' Management Plans.

- Clearing outside the 'Clearing Window';
- Increase in height of the existing topographic final landform;
- 40m increase in depth of the final void;
- Blasting - *the potential for Project blasting to occur more than once per day may result in amenity impacts on some residents;*
- Continue burying Offroad tyres in pit;
- Impacts on Swift Parrots by clearing 676,5 ha of important foraging trees in the Leard State Forest; by omission of not stating that there are records and proof that this forest is very important for the survival of the declining population of this Critically Endangered Swift Parrot species;
- Outdated government mapping of habitat for Threatened species.

These are just some of the many changes that are deliberately used and included in this EIS, so that if it is approved then there will be no need for any changes made via Modifications for at least the near future, because after approval these significant changes will be incorporated in Management Plans without any pushback by the community who could incur impacts.

By stating that Management Plans would be updated to incorporate the Project is deceptive. After possible approval of this SSD, Maules Creek Coal are given scope to change important implemented guidelines that were approved to protect the environment and mitigate impacts (as noted above) to the surrounding community. Words in this EIS if it is approved would serve Maules Creek Coal well, as it would enable all the changes that go undetected by the public and the concerned impacted local community to be implemented without question by the community in the future. When the implications of these changes to Management Plans come to light and cause unmitigated harm to otherwise previously protected circumstances by the

already approved Management Plans, it will be too late for the community to contest these changes that are causing damage, as they would already form part of their approved mining plans and Management Plans until 2044.

Management plans that are changed to purely facilitate economic benefits and expedite construction are not only deceptive to the wider community but extremely detrimental to the environment. As we know from past experience, modifications and changes to Management plans are almost always done behind closed doors and the wider community have very little or no say in the changes that will cause detrimental impacts to ecosystems; community health; destroying habitat for Threatened species and other native fauna and flora species. The wording of these Management Plans is the key to either being **‘open, transparent and protective of the environment’** or **‘deceptive and destructive for millennia’**.

Maules Creek Coal should be open and transparent and state what they intend to do, not just allude to what they might do in this development footprint if it is approved. Words are the key to changing what’s right and ethical to what’s wrong and destructive. An example of this is in Appendix C where the ‘four indicative stages’ are set out then the last statement leaves the progress of these stages as just ‘suggestions of what might occur and in what order’ leaving the progress entirely unclear as to when each phase would be undertaken.

No. 28 Appendix C

*The development footprint has been assessed in four indicative stages (herein referred to as phases)
The indicative phases are:*

- > **Phase 1** – The first portion of the development footprint directly east of the existing mining operation. It is 435.8 ha and it is currently planned that this portion would be cleared during the first six years of mining.*
- > **Phase 2** - The second portion of the development footprint directly east of Phase 1. It is 240.7 ha and it is currently planned that this portion would be cleared during the last 11 years of mining (with clearing activities complete before the last four years of mining).*
- > **Phase 3** - The water transfer pipeline located approximately 10 km south of the operational mining footprint, north of Rangari Road. It is 6.4 ha and it is currently planned that this portion would be constructed and rehabilitated within the first year post Project approval and commencement subject to detailed Project design and Whitehaven commercial considerations.*
- > **Revegetation Phase** – There are three Landscape Revegetation Zones covering approximately 2,255 ha, of which approximately 1,172.1 ha has been assessed to be Category 1 – Exempt Land and approximately 1,082.9 ha is derived native grassland and not Category 1 – Exempt Land. Both vegetation conditions would be revegetated as part of the Project. The development footprint for the Revegetation Phase only includes the Category 1 – Exempt Land that would be directly impacted by ground preparation (e.g. vehicle-assisted auguring, mounding, ripping, harrowing or spraying). The derived native grassland in the Landscape Revegetation Zones would not be directly impacted as seedlings would be planted using shovels and/or augers (suitable for hikos) hence it is not within the development footprint for the Revegetation Phase.*

‘The above phases are indicative only and may be undertaken in any order (e.g. Phase 3 before Phase 1 or the Revegetation Phase before Phase 1)

In SSD projects it is expected that there might be some ‘minor’ changes during the progress of the project, but this company simply does not state what and when it will occur, which leaves the community entirely in the dark as to what the next stage of the project will be and

when it will occur and how it could impact the environment and the Community. The wording in this EIS is loose and sloppy, and in parts the numbers don't add up correctly.

'The EIS has stated 'Native vegetation would be progressively cleared (over approximately 13 years [2028 to 2040])

This statement is very non-specific, is it CEEC, Woodland Forest or native grassland that will be cleared from 2028 to 2040? The details of where this clearing will be done (maps?) and how much will be cleared each year is unclear and not defined. It's like writing a blank cheque... The community and the approval authorities need specific information not just an approximation of 'within the development footprint over 13 years'. Which in the scheme of things in reality is a project for the next 19 years without any rule book!

As indicated above - ***'The above phases are indicative only and may be undertaken in any order (e.g. Phase 3 before Phase 1 or the Revegetation Phase before Phase 1)***

'The Project would result in the loss of approximately 642 ha of existing native vegetation within the development footprint associated with Phases 1 to 3, comprising approximately 49.5 ha of derived native grassland, 482.1 ha of woodland/forest and 110.4 ha of land undergoing mine rehabilitation.'

'The Project would involve clearing native vegetation on the proposed development footprint associated with the mine activity (676.5 hectares [ha])

There seems to be a discrepancy in the area of native vegetation clearing within the development footprint – is it 642ha or is it 676.5ha of native vegetation that will be cleared? If this very important issue of 'clearing native vegetation' is not clear and correct, it leaves the question as to how many other numbers in the EIS are incorrect? How can a project be assessed with incorrect areas of clearing of native vegetation?

Clearing in Leard State Forest

Department of Primary Industries and Regional Development

'The department is the government agency responsible for protecting, supporting and developing regional NSW.

'DPIRD Forestry actively supports the health and productivity of forests for current and future generations.

The Leard State Forest prior to being re-zoned for mining in 2005, was a refuge for native wildlife and Threatened species; a contiguous forest of over 8,000 hectares of 'Old Growth Forest' with good habitat for native and Threatened fauna; that enabled public recreation; and was an important carbon sink.

DPIRD/Forestry, are in no way 'protecting and supporting the health of the Leard State Forest' by allowing it to be fragmented, polluted, bulldozed and mined for the next two decades. There will be no 'old growth' forest remaining for generations in the future, if coal mining is allowed to continue until 2044.

No amount of Rehabilitation by Maules Creek coal will be able to restore this forest to its original state. A good percentage of genetics in the Whitebox woodland will be lost due to

bought in seed, instead of collecting viable local seed. And in the interim, many of our native and Threatened species of fauna and flora will have been lost due to disturbance by light, dust, noise (24/7), loss of tree hollows and general habitat, over the next 9 years of their approval till 2034 and then extended another 10 years until 2044 if this EIS is approved. Mining in the Leard State Forest has caused a breakdown of a once important ecosystem that had a natural 'spring' 'Lawler's Well' that was the watering point for many native fauna species, to eventually be permanently replaced by a 'toxic Pit Void' simply due to the economic cost to backfill the Pit Void. 'Economics over Environment'.

'Areas of White Box – Yellow Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC (Box-Gum Woodland CEEC); Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia EEC (this project will remove 3.4ha for the construction of the water transfer pipeline) ; Poplar Box Grassy Woodland on Alluvial Plains EEC (MCCP will remove 3ha from the mine development footprint).'

All these listed species will be impacted, cleared and become fragmented within a once contiguous healthy forest.

When most people talk about habitat loss, they first think of logging, Agriculture and clearing for urban expansion, but one of the main contributors to the loss that is hardly ever acknowledged is the loss of habitat by MINING in our public Forests! It's about time that people know just how much damage that the 'extractive industries – Coal Mining' in the case of Leard State Forest, are responsible for. By having this 'Continuation Project' approved the cost could be even greater when it impacts the Critically Endangered Swift Parrot, that has relied upon the Leard State Forest for flowering habitat in its winter migration.

"It makes no sense that taxpayers are subsidising a loss-making business that destroys precious habitat when we should be supporting local communities and viable industries that do have a future."

This article is predominantly about logging by Forestry, but it also highlights how taxpayers are also subsidizing habitat destruction when the issuing of licenses to mining companies to clear development sites such as this 'Continuation Project' in the Leard State Forest for coal mining. By issuing a license for continued clearing for a coal mine the Forestry is giving Maules Creek coal a green light to destroy the very important habitat for native and Threatened species.

While ever there is payment to Forestry from the proponent (licence), there will always be a 'gate open' to continue clearing the Leard State Forest.

Rehabilitation

'Since commencement of operations at the MCCM in 2015, Whitehaven has undertaken rehabilitation activities with a total of 322 ha recorded as rehabilitated as of December 2024.'

Is the 110.4 ha that has been rehabilitate counted in the 322 ha that has been rehabilitated as at December 2024? or is the rehabilitation now going to be 211.6 ha? After the 110.4 ha is cleared and used as an overburden?

Clearing of rehab area!

‘110.4 ha of land undergoing mine rehabilitation

Clearing of the previously rehabilitated areas of the northern embankment, will in fact set back the already lagging and dismal outcome of Maules Creek coal’s rehabilitation of which they profess to use as ‘habitat’ for Threatened Species and restore the project area of Leard State Forest to its previous state. It is doubtful that overburden rehabilitation will ever be successful particularly due to our changing climatic conditions, increase in height and the soil disturbance that is associated with using overburden areas to ‘re-plant and replace Box Gum CEEC Woodlands and native grassland’. The timeframe that is needed for this rehabilitation to become ‘mature’ habitat to facilitate foraging for the Swift Parrots and tree hollows for the Corben’s Long-eared Bats will be too little too late to facilitate habitat for these and other Threatened species.

I don’t expect the presence of the Maules Creek Coal Company to be around in 100 or 120 years and still looking after the ‘rehabilitated’ areas on the mine site or in their ‘Offset properties’ in and around the Leard State Forest, (or the Offsets at great distance out of this bioregion) if it ever does rehabilitate. The Old Growth Forest with its mature Box Gum CEEC will probably never recover by rehabilitation on this mining site.

Areas identified for emplacements, the sequencing of emplacements, construction, and management.

‘Overburden emplacement is designed to reduce double handling and allow for progressive rehabilitation. (MCC - Forward Plan 2025 – 2027 pdf.) (Wednesday 12 February 2025)

‘Overburden emplacement is designed to reduce double handling and allow for progressive rehabilitation.

This statement doesn’t appear to be consistent with Maules Creek’s Forward Plan 2025 – 2027. The Forward Plan appears to have been back dated as it’s **Forward program commencement date** was Wednesday 1 January 2025 and this date is before the submission date which was - **Date of submission** Wednesday 12 February 2025?

The recently exhibited new SSD EIS has earmarked a considerable area (110.4 ha) of disturbance of already rehabilitated area to the north-east to be used for overburden! If the already rehabilitate area is disturbed and used for overburden for the second time, isn’t this double handling? This disturbance would only prolong the possibility of any habitat being replaced for another two decades and then having to wait for 100 – 120 years for any reasonable habitat that is of any use to Threatened and other native fauna species, if it survives during the possible climatic changes over the next two decades.

Increased edge effects

Edge effect will not only impact the surrounding remaining forest on the eastern edge of the project boundary, but also the Wildlife Corridor (vegetation Corridor) due to the close proximity to the ‘final void’ at the southern end of this new SSD. It will likely impact this narrow Corridor (500m wide) of mature native forest. It will also be impacted on the southern side by

Boggabri Coal Mod. 10 if it is approved, as Mod. 10 will abut this corridor in close proximity on the northern side of that project.

7.2.3 REDUCED VIABILITY OF ADJACENT HABITAT DUE TO EDGE EFFECTS

This section considers a reduction in the viability of adjacent habitat due to edge effects, other than those from noise, dust and light spill as these are evaluated in **Sections 7.2.4 to 7.2.6** and indirect impacts from weeds and animal pests as these are evaluated in **Sections 7.2.7 and 7.2.17 to 7.2.18**.

Fragmentation – Clearing native vegetation.

By clearing native vegetation in large patches, it also increases fragmentation and alters the microclimate in the surrounding areas of undisturbed native vegetation, leaving them susceptible to invasive weed species. Fragmentation reduces the connectivity for native species to be able to source food and shelter, and reduces the health of the local ecosystems.

Dust – Air quality

7.2.5 REDUCED VIABILITY OF ADJACENT HABITAT DUE TO DUST

The main sources of air quality emissions from the MCCM are from hauling waste rock and coal on unsealed road, from the use of bulldozers and wind erosion from disturbed areas.

The air quality impacts would change temporarily and spatially. The temporal changes are that impacts would occur for a further 10 years, to 2044 (i.e. with the Project, air quality emissions from mining would continue for a further 10 years [from 2035 to 2044]). Spatially, the air quality emissions would move from the west to the east with the progressive development of the open cut pit.

The local environment is subject to air quality emissions from the MCCM. Air quality monitoring and previous modelling shows that the existing mine results in air quality emissions (dust) which extend into the surrounding native vegetation.

Air quality modelling has been undertaken by specialist air quality consultants Todoroski Air Sciences (2025) for the Project and it shows that the amount of air quality emissions would increase mainly due to a greater number of mining trucks and equipment (to reflect the increase in ROM coal mining rate proposed and increasing open cut pit extent), but also extends into the eastern part of Leard State Forest.



Photo taken in the afternoon Monday 24th February 2025 – Maules Creek Coal Mine!

(The foreground include part of the Leard State Forest that would be totally cleared if this project is approved).

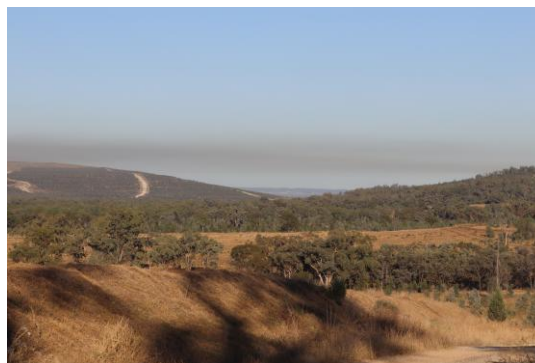
I guess this is what Maules Creek calls Dust Suppression?

Well, the mine needs more water trucks and a better Dust Management Plan. Obviously, there is little dust suppression happening at this mine site on the days these photos were taken.

The following photos were taken at the gate of the Shire Gravel Pit on the Leard Forest Road and clearly show the 'cloud' of dust coming from the Maules Creek Mine Site. Lack of dust suppression perhaps?



Sunday 23rd February 2025 – Gravel pit LFR.



Monday 24th February 2025 – Gravel Pit LFR.

Air quality has declined since the mines in the Leard Forest started, and now this project is seeking to continue until 2044. With more vehicles in the future this dust impact, either from blasting or lack of mine site dust suppression will continue to increase and impact the local community their health, crops and livestock.

The Maules Creek community are situated in a valley with hills surrounding it, the topography doesn't allow for the dust particles from mine blasting and other mining activities to be carried up over the surrounding mountains (particularly if there will also be an increase in height at the Maules Creek development site).

The fallout from blasting that settles within the Maules Creek valley has an impact on the surrounding community, their health, and their livestock. If this SSD is approved then this impact will continue for almost another two decades until 2044 and it seems that Maules Creek coal has done or will do anything to mitigate this harm to the community.

Dust – Air quality – Blasting!

Monitoring



Plate 1-5 Environmental Monitoring for the MCCM

I know this site well... but any information from this monitoring site is kept secret! I have personally asked for the data that comes from this monitor and have been denied as it is for

the use of the mine exclusively. Where is the transparency? There is none when it comes to this monitoring site, so don't make a big deal out of monitoring the noise, and air quality when it is kept secret! If you are going to crow about your monitoring then at least use a photo of a monitor that you share data with the public.

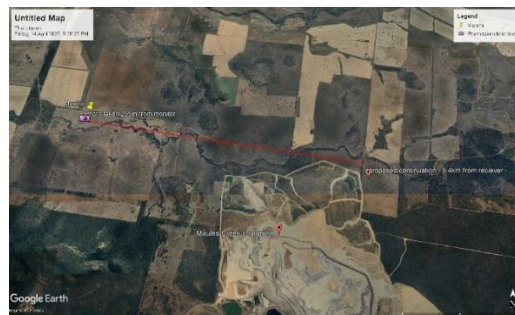
This site is not used for environmental monitoring, it is for operational monitoring and no matter how many times this mine has shaken my house or covered my garden with the fallout from blasting which prevents me from having a vegetable garden, it appears that the 'monitoring' from this (?) monitor always determines there are no 'exceedance's' at this receiver....



Air Quality - Friday, 14 April 2023, 5:29:22 PM (same property)

(disclosure – yes, this property does have acquisition rights, but only for noise, NOT DUST!)

Photo taken approximately 255m south of the 'Environmental Monitor' (photo above) as indicated in this google earth map below.



This google map shows that this same receiver is situated approximately 5.4km north-west of the proposed Maules Creek Continuation SSD.

So, I guess the hypothesis of 'Spatially, the air quality emissions would move from the west to the east with the progressive development' means the wind only blows from the West to the East in this valley, and no near neighbours to the west would be impacted?

'The results indicated that the Project would result in no exceedances of long-term criteria for PM2.5, PM10, TSP or dust deposition at any privately-owned receptor due to emissions from the Project in isolation, or from the Project with other sources.'

'Short-term cumulative PM2.5 and PM10 dust impacts may potentially arise at a small number of privately-owned receptor locations. However, with the application of the existing MCCM proactive/reactive dust mitigation measures for the Project, it is predicted (i.e. via dispersion modelling) that short-term cumulative PM2.5 and PM10 dust would be adequately managed to acceptable levels.'

There are no likely adverse air quality impacts associated with rail transport for the Project, or any blast fume impacts. Any impacts would be mitigated using existing management practices.

I haven't seen any mitigation measures in action – most of the photos that I have taken over the years since the approval of the Maules Creek coal mine, indicate clouds of dust from the blasts, and the fallout is visibly evident.

It's unbelievable that in this day and age that blasts from nearby open cut coal mines are within their right to shake neighbouring houses and take absolutely no responsibility.

In light of the blasting shaking my residence and being showered in blast fallout over the years, it is nonsense to suggest that there will be no exceedances of PM 2.5, PM 10, TSP or dust deposition at any privately-owned receptors if this SSD is approved.

9.2 Management of potential air quality impacts from blasting

Air quality impacts of blast operations at MCCM would continue to be managed via the MCCM Blast Management Plan (BMP) (Whitehaven, 2024b) with the potential for cumulative blast impacts described in the approved BTM Blast Management Strategy (Boggabri – Tarrawonga – Maules Creek Complex, 2024). The purpose of the BMP is to ensure that blasting operations comply with all relevant requirements particularly noise, overpressure, vibration, blast fume and dust effects.

MCC employs best practice blast management measures to ensure that blasting activities are managed in a manner which would minimise the risk of impacts arising at the approved MCCM. Detailed management measures are related to:

Overall, it is anticipated that with due care and implementation of management via the BMP, potential blast impacts would be minimised at the Project. The BMP is regularly reviewed to ensure it is consistent with contemporary best practice blast management.

If Maules Creek coal had implemented 'best practice' blast management measures then there wouldn't have been the need for so many court cases resulting from blasting at the mine site over the past years.



(Footage obtained via GIPA)

Prosecuted by the EPA, concluding that the mine did not blast in a competent manner in accordance with its environment protection licence.

'As a result of the Court of Criminal Appeal decision, the NSW Land and Environment Court now continue will to hear the cases along with a further 16 prosecution counts to follow, which are collectively called "the fume cases" and relate to poisonous NO₂ gas repeatedly caused by alleged incompetent blasting at the open cut mine.

Why has Maules Creek coal still got a licence?

It's very convenient to still not have a final decision on the 'blast case' from August 2020. But we know how 'delay, delay and interference' works for companies that don't want bad news to be disseminated prior to or during an application for a new State Significant development!

When it comes to significant damage or harm to the environment and people, there is no trust in a company that causes such a blast event and still refuses to take responsibility of such an event.

When considering this SSD EIS for approval the government agencies must take into consideration the blatant disregard for the 'best practice' blast management that Maules Creek coal has ignored over the past years. A company that has found itself in the Land and Environment court on so many occasions regarding blasting on their Maules Creek site in the Leard State Forest, really does not deserve to continue on in this fashion and ignore protocol that is in place to protect the environment and the surrounding community from blasting events. If they don't adhere to the protocols then they must lose their Environment Protection License (EPL).

Light Pollution

The effects of artificial lighting on a variety of animals has been documented (e.g. Cth DCCEEW, 2023b). For example, the Squirrel Glider is a nocturnal threatened species recorded by Ausecology (2025) which is likely to be sensitive to artificial light based on studies of Sugar Gliders (Barber-Meyer, 2007). For this reason, light spill would be mitigated and managed using the lighting modifications measures described in Section 9 (Biodiversity Measure 18).

Include Owls and Bats!

Nocturnal fauna are impacted by lighting, and to have roads along the eastern edge of the mine and near the riparian area along Back Creek lit by artificial lighting at night will also affect many of the native and Threatened Bats and Owls that live in the Leard State Forest.

7.2.4 REDUCED VIABILITY OF ADJACENT HABITAT DUE TO NOISE AND VIBRATION

The main sources of noise from the MCCM are from the mobile mining fleet (such as bulldozers and off-road haul trucks) during mining operations. Blasting of overburden at the MCCM is undertaken within the open cut pit during daytime hours. All other noise sources (e.g. including all mining equipment, coal handling and transport infrastructure) occur through a 24 hour period.

The same noise sources would apply to the Project. Blasting hours and specifications (such as the size of the blasts) would be the same as the existing/approved MCCM (however, whilst blasting would generally continue to be conducted once per day, MCC is seeking permission for two blasts per day for the Project).

The noise and multiple blasts per day would definitely not be the same as the existing approved project, as there will be an increase in both blasting (2 per day -averaged!) and increase of the number of heavy and light vehicles for this Continuation Project.

2.3 Topography and Hydrology

'Parts of the Study Area within Leard State Forest have greater vertical relief and reach a maximum elevation of approximately 450m AHD. The topography of the more elevated parts of the Study Area generally consists of hillslopes and low rises, with slopes ranging up to approximately 30% in these areas. The highest elevation occurs approximately 1km from the southern extent of the Study Area. Surface water flow occurs in a general northerly direction on the northern side of the high point. Drainage on the southern side of the high point is toward the east.'

The southern portion of the Study Area was largely inaccessible and was not inspected.

I don't think it is acceptable that areas are not inspected and surveyed, and to just give a reason that it is an inaccessible part of their 'Study Area'. This doesn't reflect well on the contractor or the Maules Creek Coal Mine. How will the department be able to approve an SSD when there are areas that haven't been surveyed?

Increase in height

Overburden Height

Approved MCCM (PA 10_ 0138)

Overburden emplacement within the out-of-pit Northern Emplacement and the Southern Emplacement.

The Northern Emplacement and Southern Emplacement would be constructed to maximum approximate heights of **455 m AHD** and **430 m AHD**, respectively.

Project – Maules Creek continuation Project!

Expansion of the existing overburden emplacement and integration with the Project landform.

The Northern Emplacement and Southern Emplacement would be constructed to maximum approximate heights of **490 m AHD** and **499 m AHD**, respectively.

An increase of **35m AHD** and **69m AHD** respectively!!! Really!! It's an eye-sore now.

Is the mountain of buried 'Rubber' Offroad tyres the real reason for the increase in height?

Consultation on increase of height.

PROJECT-SPECIFIC CONSULTATION

Key feedback received via these consultation methods included:

'Support for increasing the height of the overburden emplacements if it improved the post-mining land use outcomes and geotechnical stability.'

Exactly who supported and who was consulted on this increase in height?

It's easy to say that there was consultation with the Maules Creek CCC (MC CCC), but this issue of increase in height among other important changes in this EIS has never been discussed with the MC CCC.

I find it impossible to believe that any local residents would have been consulted on this matter and find it absurd that anyone would find the increase in height as indicated as acceptable. The only reason that it is in this EIS is because such an increase in height would never be approved by a modification! And by using the EIS it can be incorporated in future Management Plans.

It's, not in the public interest to massively increase the height of the final landform in this forest and change the whole topographic layout by:

- Increasing height of final landform;
- Pit Void, which is now planned to be even deeper.

There should be No Increase in height and no Pit Void. Such changes in natural topography to the original Leard State forest can not be mitigated and therefore this project must be rejected and denied.

Roads and Transport!

Noise modelling has been undertaken by specialist noise consultants RWDI Australia Pty Ltd (RWDI, 2025) for the Project and it shows that the amount of noise would increase mainly due to a greater number of mining trucks and equipment (to reflect the increase in ROM coal mining rate proposed and increasing open cut pit extent), but also extend into the eastern part of the State Forest. The same assessment shows a similar outcome for blasting emissions.

An increase in workforce would mean an increase in traffic 350 per day, not just on local roads but also on the Kamilaroi Highway. Ultimately impacts to these roads would have to be borne by the two local shires, Narrabri and Gunnedah and of course the rate payers/taxpayers. The private overpass to the Gunnedah Coal Handling Preparation Plant (CHPP) has never been built.

Information in the Roads and Traffic report are generally outdated (2023) this is not satisfactory for a major project to be relying on outdated statistics and other information, were the decisionmakers need to have accurate information to review prior to any final decision.

Biodiversity.

'due to the proposed open cut pit extension and continued mining operations for an additional 10 years, there would be a cumulative increase in biodiversity and amenity impacts from the Project when considering the impacts of the existing mining operations.'

7.1.5 LOSS AND DISPLACEMENT OF FAUNA DURING CLEARANCE

As described in **Section 8.1.1**, the Project involves continuation of mining operations until 31 December 2044 (i.e. a 10 year extension compared to the approved operations). Native vegetation would be progressively cleared (over approximately 13 years [2028 to 2040]). Removing vegetation and habitat features (such as hollow bearing trees) is likely to result in loss or displacement of resident animals from within the development footprint.

Although there is habitat remaining east, south and west of the development footprint, the Project would be removing a large area of suitable habitat, increasing competition for resources and diminishing niche microhabitats. Impacts can occur from stresses caused by fauna displacement, increased competition for resources in adjacent habitats, and predation (Neldner et al. 2017). Fauna displacement can indirectly lead to an increased risk of fauna starvation or exposure as described in **Section 8.2.7**.

7.2.8 INCREASED RISK OF FAUNA STARVATION, EXPOSURE DUE TO LOSS OF SHADE OR SHELTER

Land clearance can indirectly lead to an increased risk of fauna starvation or exposure. This can occur for a short duration after land clearance as a result of not enough food or exposure due to loss of shade or shelter. Direct impact on fauna habitat due to clearance, including various measures identified to augment habitat in rehabilitated areas are detailed in **Section 7.1.4**.

7.2.2 IMPACTS ON ADJACENT HABITAT OR VEGETATION FROM A CHANGE IN LAND USE PATTERN (INCREASED HUMAN ACTIVITY)

The existing MCCM has an estimated average workforce of approximately 865 people. The workforce required for the Project would increase to an estimated average of approximately 940 people, with a peak of approximately 1,030 people (including MCCM staff and on-site contractor personnel) anticipated. The proposed increase in human activity at the MCCM is not likely to result in an increase impact on adjacent habitat or vegetation.

Where is the evidence that an increase of 165 people and all the vehicles that go with that increase in workforce numbers will not have an impact on adjacent habitat and vegetation? For all the above reasons this is not a project in the Public interest and certainly not in the interest of saving native habitat. 'Death by a thousand cuts' This Project must not be approved.

Agricultural Impact from this Continuation Project.

Agriculture Impact Assessment.

I have no confidence in this statement – ***'The revegetation works are to be permanent plantings/seeding of native species...*** and my reasoning for no confidence is that this new SSD EIS has already outlined that it would be disturbing a revegetated area (110.4ha) to dump more overburden on! So how is anyone supposed to believe what Maules Creek Coal says in this EIS? Even 'In Perpetuity' secured areas on Offset properties that are allocated for Agricultural or rehabilitated Offsets may in the future be 'disturbed' if the Pilliga/Santos gas project ever gets approval for their 'Gas Pipeline' that intersects some of the Maules Creek coal properties.

Buying surrounding farming properties under the guise of Offset land after the approval of the original project and then only securing small portions of these properties in perpetuity was deceptive. Securing some of these 'Offset' properties and then having them withdrawn to enable future mining under these 'Offset' properties.

All the while Maules Creek coal was trying to find more land to use as Offsets because as the community all knew that many of these properties purchased by Maules Creek Coal were not Like-for-Like. Eventually Maules Creek coal found properties that are in a completely different bioregion than the Leard State Forest. The Leard State Forest is situated in the Brigalow Belt South, but many of the Maules Creek coal Offsets are in the Nandewar and the New England Tableland bioregions. These properties, due to their location are not 'Like-for-like' Offsets and may not ever support the same suite of fauna and flora that is in the Leard State Forest.

Using once very productive mixed farming properties to justify the clearing of the Leard State Forest by planting a few extra trees on these properties, Maules Creek Coal wants to make the impression that they are improving the district. When in fact this mining company is destroying one of the very important food producing areas by forcing farming families to sell up and move away. These once productive properties are now becoming a concern to the few remaining farmers as management of feral pests and weeds are a real concern, even though this company does do baiting and weed spraying, it's not at the same level as a resident landowner takes to keep these pests under control.

The mine has told the community in the CCC meeting 30/08/23 that it will run out of coal to mine by 2030? No need for an extension to 2044 then!

Auth 346 – Disingenuous/surreptitious wording to allow the proponents to just use Modifications for the next ‘continuation/extension’ in the future to mine on once private Agricultural Properties until 2044.

*‘Extension of open cut operations within Coal Lease 375, Mining Lease 1719 and Authorisation 346 to allow mining and processing of additional coal reserves until **approximately 31 December 2044**;*

By defining the extension of open cut operations until 2044 with mining of Coal Lease 375, Mining Lease 1719 and Auth 346, this could allow a major expansion in the future past the approval boundaries set out in this Maules Creek Coal continuation Project EIS. **Words** that would give the proponent/applicant consent for exploration drilling and **mining** in the area on the Northern side of Back Creek in the future by using Modifications as we have just seen in the Boggabri Mod 8 & 10 instead of a completely new SSD project that would require an EIS. Approval creep at its best, by using words in this EIS if approved to continue mining in the Auth 346 on once AGRICULTURAL LAND!

Auth 346 only forms a ‘small’ area in this EIS, but extends to the once Agricultural properties on the Northern side of Back Creek. By stating - ‘Extension of open cut operations within Coal Lease 375, Mining Lease 1719 and Authorisation 346 to allow mining and processing of additional coal reserves until **approximately 31 December 2044**;

This could give approval by stealth for Auth 346 to be mined in its entirety, not just the small section that is in this EIS.

For openness and transparency by this mining company, the community needs complete clarity and confirmation that the **wording** of this statement allowing mining on Auth 346 does not confirm that Maules Creek coal will gain approval to continue mining beyond this EIS without another complete, detailed and accurate description and submission of another SSD EIS.

- Clarification that Maules Creek Coal will not be able to mine in any other areas than the defined area in the mapping of this EIS on the Southern side of Back Creek.
- In the future any mining on the properties on the Northern side of Back Creek, must only be approved if there is a completely new SSD EIS for that area that also included CL 375 and Auth 346.

Approval by surreptitious WORDS in this EIS

A new pit on new area for a new open cut mining operations until 2044, which has mining already approved until 2034.

With a relatively ‘small’ area in comparison to the existing mine disturbance area, why would the work force need to be increased so much unless it has plans for mining the area on the Northern Side of Back Creek in the future?

‘An increase in operational work force to an average of approximately 940, people with a peak operational workforce of approximately 1,030 people;

By using relatively simple multiple Modifications to progress coal mining without Bilateral scrutiny under the guise of continuation or expansion on the once Agricultural land of Wollondilly and other properties that have been bought by Maules Creek Coal, as ‘OFFSETS’ but were never

secured in perpetuity for the very reason of the intention to mine the coal reserves under these properties.

None of the locals are stupid or gullible when it comes to the mining companies in the Leard State Forest. By using Surreptitious words in this EIS, (Auth 346) that encompasses the properties on the Northern side of Back Creek in this EIS, Maules Creek Coal could very well get that 'free pass' of only having to use multiple incremental Modifications to continue mining on Wollondilly and all the other properties in the mining leases boundary in the near future if this EIS is approved without clarity regarding the extent of mining.

The property names contained under Auth346 are Warriahdool, Wollondilly, Tralee and Ellerslie.

In 1990 a report claimed "A346 total measured reserves of 615.8 million tonnes." Of coal.

No approval for this 'Continuation Project', this EIS must be rejected. There are too many faults and flaws in documents that Maules Creek Coal has used to substantiate their claims. Government documents and other reports are outdated and do not provide up to date data.

Baseline Fauna Survey Report

'Ausecology (2025) undertook targeted searches for threatened fauna species listed under the BC Act and/or EPBC Act that were known, or likely to occur, in the Indicative Disturbance Extent and surrounds.

Threatened Species in the Leard State Forest.

Maules Creek coal Hired Ecologists that Can't identify a Microbat!

'After the targeted threatened species surveys were completed for this BDAR in accordance with the BAM (NSW DPIE, 2020a), a Free-tailed Bat was encountered during pre-clearance surveys outside the subject land, that could not be readily identified by Echo Ecology and Surveying (Dr Anna McConville). This unidentified bat was recorded outside of the Development Footprint, approximately 468 m to the west inside the approved MCCM surface disturbance extent.

*'Dr McConville is confident that the bat was a Free-tailed Bat (family Molossidae), however further resolution on the specific species of bat is required and is proposed to be sought through consultation with relevant expert(s). In addition to the Northern Free-tailed Bat (recorded by Ausecology), the only threatened Free-tailed Bat previously recorded in the wider locality is the Eastern Coastal Free-tailed Bat (*Micronomus norfolkensis*) which is an ecosystem credit species that has been included in **Table 32**. Other non-threatened Free-tailed Bats were recorded by Ausecology (2025). It is intended that this BDAR will be revised if the relevant expert(s) confirm that the bat was a threatened species listed under the BC Act or EPBC Act that is not already assessed in this BDAR and if the species is relevant to the subject land, despite it not being recorded within the subject land by Ausecology (2025).*

Another issue that will most likely be 'corrected' after the final decision of approval is given. Here we appear to have 'Echo Ecology and Surveying' and 'Ausecology' unable to identify one of our many species of microbats which live in the Leard State Forest. The community know that there are at least 15 different microbat species that have been recorded in the Leard State Forest and some of these are Threatened species.

When you are talking about some of our most precious microbats that are so important in our ecosystem, dismissed because Ecologists can't identify them, the whole survey becomes a joke. The identification of this Free-tailed Bat should have been resolved prior to any reports by the Ecological company submitting it as part of this important SSD EIS.

Another one of Maules Creek Coals 'rushed' reports before Exhibition of this EIS.

Habitat Loss by Clearing = Huge impacts on Threatened Species in the Leard State Forest.

Glossy Black-Cockatoo – already displaced by clearing.

'South-eastern Glossy Black-Cockatoo (Calyptorhynchus lathami lathami) was excluded from consideration as an ecosystem credit species in areas where there was no Allocasuarina or Casuarina species present.

Prior to the Maules Creek original project being approved, there were frequent sightings of Glossy Black-Cockatoos! As a local I have heard and seen a small flock (in 2007) flying from the direction of the now present location of the Maules Creek Coal Mine. This only goes to show how this Mining company has managed to destroy and clear a once suitable and sustainable habitat for a Threatened Species *Casuarina cristata* (Belah). The Glossy Black-Cockatoos once frequented a dam at dusk on the property known as Teston 'South' by Maules Creek Mine, this dam was located where the rail loop and other infrastructure are now located. *Casuarina cristata* (Belah) have all but been cleared by this company and the dam that the Glossy Black-Cockatoos used to drink at it is no longer there.

This brings to the attention that the same fate that could impact the Swift Parrots, by the removal of their Box Gum Foraging trees, just like the loss of *Casuarina cristata* (Belah) trees have excluded the Gloss Black-Cockatoos from their once safe watering, foraging and nesting areas in and around the Leard State Forest.

The Government has failed our Threatened Species, and there are very few Recovery Plans to help protect them from further loss of habitat. By using 'OLD' reports and Mapping, Government documents 2 or more years old the importance of protecting and mapping habitat areas of these fauna species, it is 'assumed' that they will not be impacted by this and other mining projects in the Leard State Forest.

Brown Treecreeper - There is no adopted or made Recovery Plan for this species.

Diamond Firetail - There is no adopted or made Recovery Plan for this species.

> No Threat Abatement Plan has been identified as being relevant for this species.

Corben's Long-eared Bat

(*Nyctophilus corbeni*) - > Conservation Advice *Nyctophilus corbeni* (South-eastern long-eared Bat) (TSSC, 2015).

> There is no adopted or made Recovery Plan for this species.

> No Threat Abatement Plan has been identified as being relevant for this species.

Brown Treecreeper

Brown Treecreeper (eastern subspecies) (*Climacteris picumnus victoriae*)

· The MNES assessment for the species has accurately recognised that the Project is considered likely to result in a significant impact on the species, according to the Commonwealth Matters of National Environmental Significance: Significant Impact Guidelines.

Previous records indicate that the Brown Treecreeper (eastern subspecies) occurs extensively within the Action Area, study area outside of the Action Area and the surrounding region (NSW DCCEEW, 2025b), and the species was positively identified in the Action Area and study area during recent fauna surveys in 2022 – 2025

No specific important populations for this species have been identified (Cth DCCEEW, 2023e), however the Brown Treecreeper (eastern subspecies) is a sedentary species and there are considered to be over 100 subpopulations which may be genetically distinct (Ford et al. 2021a). For the purpose of this assessment, it is assumed that the individuals of the species in the Action Area and surrounds (Leard State Forest) may be part of an important subpopulation.

Clearing would occur incrementally, such that the Brown Treecreeper (eastern subspecies) would not be completely isolated from accessing remaining habitat east or south of the Action Area (**Figure 48a and 48b**). It is likely that the species would suffer a short-term decrease in local population in the Action Area due to direct habitat loss and competition for resources in adjacent habitat areas. In the long term, with successful post mine landform revegetation and installation of relevant habitat augmentation such as artificial tree hollows (Biodiversity Measure 6g), stag placement (Biodiversity Measure 6h), fallen timber and hollow logs (Biodiversity Measure 6m) and Noisy Miner control programs (Biodiversity Measure 15), the Action is unlikely to a long-term decrease in the size of an important population.

Brown Treecreepers (eastern subspecies) are known to breed cooperatively, with a breeding pair and a few subordinate males (Cth DCCEEW, 2023e). Nests are built in hollows in living or dead trees and tree stumps. The species has higher breeding success in territories with lower densities of shrubs, moderate levels of ground cover, greater amounts of foraging substrate and invertebrate biomass, and substantial volumes of fallen timber (Cth DCCEEW, 2023e). Brown Treecreeper (eastern subspecies) individuals that reside inside the Action Area are likely to be disrupted by the removal of habitat.

9.5.4.1 Conclusion

It is possible that without mitigation or offsets the Action would have a significant impact on the South-eastern Brown Treecreeper as it would temporarily reduce the AOO of the species. The Action would result in the loss of approximately 548.7 ha of habitat for the South-eastern Brown Treecreeper.

Here at least in this Conclusion we have proof that this SSD EIS will impact the Brown Treecreeper in the Leard State Forest and particularly if a further 548.7ha is to be cleared. Mitigation efforts are of little use in the immediate stages of any clearing no matter how Maules Creek coal decides to frame their 'Mitigation', it will take between 100 and 120 years before any nesting hollows would be available for this Threatened species.

All these species below form part of an impacted group of native Threatened Species that in the past, prior to Mining in the Leard State Forest were undisturbed living and breeding successfully. Now with a further 10 years and more area of the Forest to be cleared, their habitat is threatened to be drastically reduced.

Southern Whiteface (*Aphelocephala leucopsis*)

- The MNES assessment for the species has accurately recognised that the Project is considered likely to result in a significant impact on the species, according to the Commonwealth Matters of National Environmental Significance: Significant Impact Guidelines.

Painted Honeyeater (*Grantiella picta*)

- The MNES assessment for the species has accurately recognised that the Project is considered likely to result in a significant impact on the species, according to the Commonwealth Matters of National Environmental Significance: Significant Impact Guidelines.

South-eastern Hooded Robin (*Melanodryas cucullata cucullata*)

- The MNES assessment for the species has accurately recognised that the Project is considered likely to result in a significant impact on the species, according to the Commonwealth Matters of National Environmental Significance: Significant Impact Guidelines.

Diamond Firetail (*Stagonopleura guttata*)

- The MNES assessment for the species has accurately recognised that the Project is considered likely to result in a significant impact on the species, according to the Commonwealth Matters of National Environmental Significance: Significant Impact Guidelines.
- The assessment of the species references the Conservation Advice for *Stagonopleura guttata* (diamond firetail) (Cth DCCEEW, 2023c).

Corben's Long eared Bat (*Nyctophilus corbeni*)

- The MNES assessment for the species has accurately recognised that the Project is considered likely to result in a significant impact on the species, according to the Commonwealth Matters of National Environmental Significance: Significant Impact Guidelines.

Swift Parrots in the Leard State Forest.

*'Two MNES have not been offset using the BAM (DPIE, 2020a) as they are unlikely to be impacted by the Project. This includes the Swift Parrot and the Regent Honeyeater as the **Development Footprint does not occur in an area of Important Habitat Mapping for the species.***

Wrong, the Leard State Forest is an important foraging area for the Swift Parrots and this Habitat needs to be mapped correctly.

New updated Mapping is required! The DCCEEW is lagging behind, and needs to help protect Threatened Species.

10.1 Serious and Irreversible Impacts

There is a list of threatened species and communities that are considered by the NSW DCCEEW to be at risk of a serious and irreversible impact, referred to as SAII entities. However, the determination of a serious and irreversible impact on biodiversity values is to be made by the decision-maker in accordance with the principles set out in the BC Regulation. The following SAII entities are relevant to the Project:

The Project is outside of the NSW DCCEEW important habitat for the Swift Parrot (NSW DCCEEW, 2025e).

Really? where is the proof that the Project is outside NSW DCCEEW important habitat for the Swift Parrot? (mapping not up to date!)

The distribution of Swift Parrots across the landscape varies depending on the flowering phenology of key foraging species and it is important to maintain access to a broad range of habitats that provide foraging resources (Cth DCCEEW, 2024c). In the western slopes of NSW, the majority of Swift Parrot foraging occurs in remnant, endangered White Box – Yellow Box vegetation and over 80% of sites are used repeatedly (Saunders and Heinsohn, 2008).

This mapping needs to be updated to show the true foraging/habitat range of the Swift Parrots, as they are well recorded 29 times in the Leard State Forest.

The Action would impact this species through direct land clearance of potential foraging habitat on the mine development footprint.

Biodiversity Offsets Scheme

15,709
ecosystem
credits

'Impacts are offset with gains in biodiversity at stewardship sites with the aim of delivering no net loss to biodiversity.

This is truly ridiculous, to think that by using '15,709 ecosystem credits there will be no loss to biodiversity when there will be 676.5ha (if that area is even the correct number of ha's) of native vegetation/habitat removed (loss of biodiversity) from the already fragmented Leard State Forest.

Swift Parrots can't survive on 'ecosystem credits' at some 'distant' property!

Swift Parrots have been observed to return to the same foraging areas and even the same trees, year after year. Swift Parrots may not have been recorded in the development footprint area during surveys, that is not to suggest that they haven't utilised this area in past years. And a loss of habitat this size is an enormous loss to the remaining Swift Parrot population.

'Avoid, minimise, offset' hierarchy

The scheme is based on the 'avoid, minimise, offset' hierarchy. Where the scheme applies, developers and other proponents must:

1. **Avoid** Consider whether a proposal can avoid impacts on biodiversity
2. **Minimise** Consider whether the proposal can minimise impacts that cannot be avoided

On both these counts – Yes, the impact on Biodiversity can be avoided and minimized, if this project is rejected and not approved!

'The primary threats effecting the recovery of this species are

- *ongoing loss or degradation of breeding and foraging habitat through a range of processes including, forestry operations, land clearing and wildfire (DCCEEW, 2024c).*

No mention of clearing of habitat by mining companies!

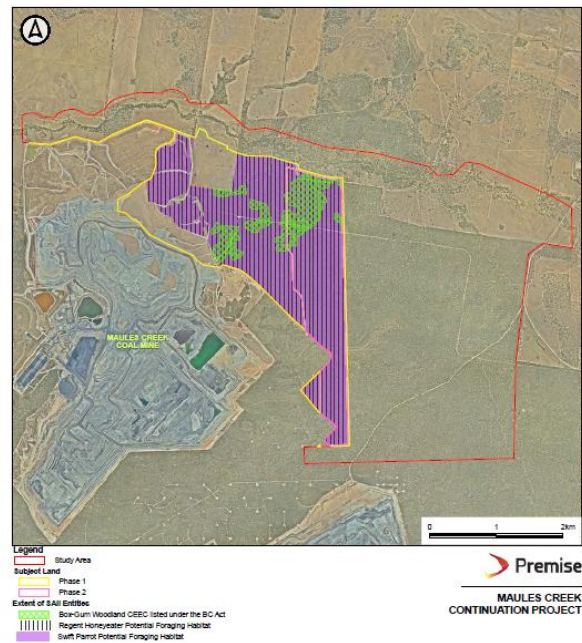


Figure 65a: Impacts Requiring Offsets –
SAS Envelope

Map showing potential Foraging habitat for Swift Parrots

Maules Creek Coal Mine Additional Offset Areas Habitat Mapping – Appendix M

It is noted that AMBS Ecology & Heritage did not mention any records of sightings in the Leard State Forest of the Swift Parrots.

Current Status – Swift Parrot – Critically Endangered.

*'While a three year estimate is not available, the population has undergone an estimated reduction from **750 individuals to approximately 500** (498) in a four year period from 2020 to 2024.*

National Recovery Plan for the Swift Parrot (*Lathamus discolor*)

1.1 Conservation status

The Swift Parrot is listed as Critically Endangered under the EPBC Act, and listed threatened in all parts of its range (Table 1). The last 20 years of Swift Parrot conservation have shown that conservation efforts have been insufficient to halt the species' decline. Despite extensive outreach to the public and policy makers, conservation management has not kept pace with advances in knowledge and scientific evidence (Webb et al.2019).

The Swift Parrots are one of Australia's priority 20 bird species for conservation action.

Mainland Habitat.

'Swift Parrots preferentially forage in large, mature trees (Kennedy 2000; Kennedy and Overs 2001; Kennedy and Tzaros 2005) that provide more reliable foraging resources than younger trees (Wilson and Bennett 1999; Law et al. 2000).

The Recovery Plan acknowledges that it is the mature trees that the Swift Parrots forage in, this statement adds to the fact that if the 'mature' habitat trees in the Leard State Forest are no longer available due to the clearing by Maules Creek Coal Mine for this SSD project, then there will be a substantial loss of food sources for the Swift Parrots in the seasons that they are unable to find adequate foraging sources further south on the Mainland.

It is documented and substantiated by the reported sightings on BioNet that Swift Parrots have relied on foraging in the Leard State Forest (LSF) over many years and still continue to frequent the LSF in recent years when the White Box (*Eucalyptus albens*) have flowered and there has been sparse foraging in other areas due to other climatic conditions like fires, droughts and logging that has restricted their food sources.

Recorded sighting of as many as 20 Swift Parrots in one survey have been sighted a short distance to the east of the proposed Maules Creek SSD. Maules Creek coal has reported to have had surveys carried out to see if any Swift Parrots were present in the proposed project site to the west of this area where there is undisturbed mature White Box and other winter flowering Eucalypts, it is very difficult to discern if they were present at the exact time surveys were carried out in the proposed development footprint area. The Swift Parrots are very nomadic and not all surveys are carried out at the exact time that the Swift Parrots are present, so conclusions that are drawn by the contractors who carry out these surveys for Maules Creek Coal, cannot definitively say that Swift Parrots do not utilize this area for their foraging for nectar or lerps.

Key foraging species:

'Grey Box (E. macrocarpa); White Box (E. albens); Yellow Box (E. melliodora);

These key species are found in the area that forms part of the footprint to be mined. The loss of these mature trees that supply nectar and lerps for the migrating flocks of Swift Parrots. Swift Parrots have been known to rely on lerps when nectar may be in short supply.

Cumulative loss of Key Foraging Trees in the Leard State Forest for Threatened Species.

The clearing of mature trees in single projects being assessed for an approval for a continuation or Modification may seem to only have a small impact in the scheme of things, but in the Leard State Forest where there are three open cut coal mines all felling/clearing of mature habitat trees and native understory every year until 2044 is a huge loss to both Threatened species and all other native fauna that live in this forest. The loss of a contiguous area of relatively undisturbed foraging and hollow trees for these Threatened species will undoubtedly have a significant impact, and impact that cannot be mitigated by 'rehabilitation' that will take from 100 to 120 years to replicate the old growth trees that will be removed to facilitate these coal mines.

The impact of clearing of habitat in the Leard State Forest must be considered as a '**Cumulative Impact**' for the survival of many of our Threatened Species, and the Swift Parrot in particular.

When assessing cumulative impacts of the loss of habitat for the Critically Endangered Swift Parrot due to habitat loss by this project of (79.9ha of CEEC) and a total of 676.5ha to be cleared, it must be noted that there will be a substantial impact due to the cumulative effect of the Boggabri Coal Mine and its Mod. 10 if it is approved, where a further 85ha of foraging trees could be removed (761.5ha combined) which may very well be trees that the Swift Parrots have relied upon in the past for their food source after a long flight from Tasmania.

‘Climate change poses an additional threat to the species, but its consequences are poorly studied. If habitat continues to be lost across the species’ range, and Sugar Glider predation is not addressed, the species will likely continue its downward trajectory and become extinct in the wild.

Noting that this Recovery Plan was dated mid last year 2024 (with information from 2020), much can change in five years. The remaining numbers of birds has been assessed to have declined from approximately 750 individuals (2020) to approximately 500 individuals (2024), it is thought that numbers are now much lower in 2025.

It is now predicted that if there is further Sugar Glider predation and habitat loss that this species would be extinct in the next 10 years. (Heinsohn et al. 2015, Owens et al. 2022).

And this highlights the point that no matter how much or how soon Maules Creek Coal increases their rehabilitation or even get it to survive in the now unreliable climatic conditions on poor disturbed mine soil, it will be too little too late to ensure that when the Swift Parrots need to rely on the Leard State Forest of their survival during winter, they will arrive to a desolate mined forest that no longer has mature forage trees with an abundance of nectar and lerps to sustain them after their long flight from Tasmania, and to sustain their flight back to Tasmania to breed.

‘On mainland Australia Swift Parrots are regularly found feeding on lerp, with flocks of up to 50 birds feeding on lerp for up to an entire season, sometimes choosing to eat lerp despite the nearby availability of nectar resources (S. Vine BirdLife Australia pers. comm.).

Fragmentation, degradation and habitat loss, all of which will occur if this Maules Creek Continuation Project is approved, will greatly contribute to the extinction of Swift Parrots.

The Australian Federal Government in 2021 made a commitment to ‘no new extinctions’.

Cumulative loss of Habitat – must be considered for this SSD EIS.

If the Swift Parrots are to survive then the government will need to consider this species over and above the profits from a declining industry that is destroying habitat for Threatened Species. The cumulative effect of the removal of important foraging sources that may not be utilized every year, but may be essential for the birds over multi-year cycles when flowering is abundant must be retained in its present form. Both Boggabri Coal and Maules Creek Coal’s impact must be considered together not as ‘small’ insignificant impacts individually, but as a total cumulative major loss for this Threatened species.

This Maules Creek Continuation Project (SSD) must not be approved at the expense of this Critically Endangered Species! Approval of this project is not in the Public Interest and must not be approved.

The loss of Swift Parrot habitat in the Leard State Forest cannot be mitigated.

Back Creek – impacts and catchment area

NSW Planning Assessment Commission Review Report - Maules Creek Coal Project

'The final void proposed to be retained would result in permanent losses to Back Creek and is not supported by the Commission.'

'The mine will inevitably reduce the runoff volumes flowing into Back Creek. The proponent has estimated that the mine would result in reductions to the Back Creek catchment of between a 9% and 25% during the various mine stages modelled (Hansen Bailey, 2011a). As proposed, the final void would have a catchment of 887 ha, representing a permanent 14% reduction in the Back Creek catchment (Hansen Bailey, 2011a).'

*'To minimise the extent of the final void as far as is practicable and feasible, the mine plan for the MCCM involves partially backfilling the open cut pit and reducing the extent of its surface catchment. WRM (2020) reviewed the surface catchment area draining to the final void and predict that the total surface catchment area would be approximately **904.7** ha which is approximately 2% greater than that estimated in the 2011 MCCM EA (i.e. 887 ha) due to consideration of contemporary topographic data which provides a more accurate definition of the catchment boundary. (MAULES CREEK REHABILITATION MANAGEMENT PLAN - February 2025)*

'The catchment area draining to the final void in the originally approved MCCM final landform was approximately 887 ha. The Project would introduce drains/swales to reduce the catchment area draining to the final void to approximately 440 ha. (Attach. 7)

'The final void proposed to be retained would result in permanent losses to Back Creek and is not supported by the Commission.'

(e) ensure that any coal barrier between the final void and any future surrounding mining operations minimizes exchange of any contained groundwaters in the pit shell;

e) Covered in further detail in the Final Void and Mine Closure Plan (to be finalised in 2026).

How can the community have confidence that there is no exchange of water between the coal barriers and the final void, if there is no evidence of data in this EIS and the final Mine Closure Plan will be developed after the Approval process of this EIS?

Go – line

Indicative Go-line, Access and Infrastructure Area.

Screen shots below – The Black line just below Back Creek indicates the Go-line, which would appear to facilitate infrastructure and vehicle/machinery area.

This appears to be extremely close to Back Creek which is an important ephemeral creek that links to Maules Creek and eventually to the Namoi River, hence being an important source of inflow during rainy and flooding climatic events.

Pollution to Back Creek.

Past 'Environmental' incident caused by Maules Creek Coal, when Polystyrofoam balls used by Maules Creek Coal in their blasting, were allowed to escape the minimal bunding surrounding the area that stored the Styrofoam balls prior to blasting and were spread downstream along Back Creek as far as 7 kilometres and further causing a Pollution event that was reported to the EPA, resulting in the Maules Creek Mine being prosecuted and fined for

this environmental pollution. Maules Creek coal cannot be trusted when it comes to protecting the riparian area along Back Creek.

The Go-line is far too close to Back Creek for a mining company with such a long list of breaches and the aforementioned 'environmental pollution' event to be trusted to situate infrastructure and house mining machinery so close to a waterway such as Back Creek. This Go-line area must be relocated much further away from Back Creek, and not in a position that would allow any spill of chemicals, oils or other toxic substances to enter the Back Creek waterway, especially in times of heavy rainfall and floods! The EPA gave the mine a warning of the possibility of a 'spill' resulting in an environmental pollution event, yet that was ignored and as predicted there was a spill and the environment was contaminated with Styrofoam balls! The community do not want another such pollution event to occur along Back Creek.

In relation to the boundary of this new SSD continuation development, it is much closer to Back Creek than the previous mining approval, and for all the above reasons it must be moved back to the same distance as the previous mining approval area, not closer to this sensitive riparian waterway.

This Go-line also appears to be in very close contact with small isolated (fragmented) areas of woodland that Maules Creek coal appears to now say will not be included in the development footprint and this will reduce their footprint area. The fact that in this location there will be numerous traffic movements causing dust, noise and vibration. These small areas of isolated woodland will be heavily impacted.

Actually, No Approval of this SSD EIS!



Source: NSW Spatial Services (2024)

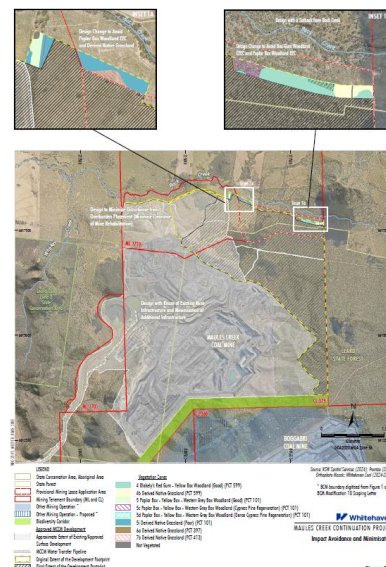


Figure 38a

The Black area (Go-line) must not be permitted in this area near Back Creek.

The location of mine site infrastructure was considered during the planning stages of the Project. The original development footprint associated with the mine site was 771.3 ha compared to the final proposed development footprint 682.9 ha (Phases 1 to 3) (Figure 38a). The development footprint was able to be

reduced by approximately 91.3 ha. Areas of the original development footprint that are no longer included in the Project include:

- > 5.9 ha along the water transfer pipeline (1.7 ha of Woodland, 2.1 ha of DNG and 2.1 ha of Category 1 – Exempt Land and non vegetated land).
- > 8 ha north of the final proposed development footprint associated with the mine site (3.8 ha of Woodland, 4 ha of DNG and 0.2 ha of non vegetated land).
- > 77.4 ha of mine rehabilitation area (likely to be PCT 592).

'The Project disturbance area is offset from the Back Creek channel by more than 100 m and would have no adverse impact on Back Creek flooding.

So is the project disturbance 100m or 200m from the high bank of Back Creek, it seems that in some documents there are different definitions of the exact set back from Back Creek that this Go-line development area will be.

Final Void

*'Consistent with the approved MCCM, the Project would result in one final void remaining in the rehabilitated landform. A key design principle of the Project final landform is to ensure the size and depth of the final void would be minimised as far as is reasonable and feasible. It is noted that the maximum depth of the final void proposed for the Project is consistent with the originally approved MCCM final void (i.e. **approximately 60 m Australian Height Datum**). The catchment area draining to the final void in the originally approved **MCCM final landform was approximately 887 ha**. The Project would introduce drains/swales to reduce the catchment area draining to the final void to approximately 402 ha (i.e. a reduction in the catchment area of approximately 485 ha).*

*'The catchment area draining to the final void in the originally approved MCCM **final landform was approximately 904 ha**. The Project would introduce drains/swales to reduce the catchment area draining to the final void to approximately 440 ha.*

Well which paragraph above should we believe? Was it 887ha or 904ha?

*'The final landform after mining would include a single residual void that would be **40 m deeper**, with a catchment area that is approximately half the size of the approved void.*

And how deep will the final Void be? Approximately 60m AHD or 40m deeper than that 100m AHD??

'Estimated time for void pit lake to reach equilibrium at selected NSW mines

Maules Creek 300-400 years

*'proponent estimated costs of filling final voids - Maules Creek **\$388 - \$813 million** Hansen Bailey (2012) Draft Project Approval Conditions & Additional Matters, letter prepared on behalf of Maules Creek Coal, forming part of Appendix 2, PAC Determination Report, Maules Creek Coal Project, Singleton, NSW: Hansen Bailey.*

Alternative Final Landform

'An alternative final landform for the Project has been considered where no final void remains following completion of mining.

MCC determined that backfilling the final void at the end of mining would have a significant impact on the economics of the Project. The additional operating cost is estimated to be approximately \$2 billion on account of the significant and protracted rehandling of significant volumes of material. Additionally, it would potentially result in worse environmental outcomes as the open cut void would likely not act as a groundwater sink if partially or completely backfilled. Backfilling operations would take approximately 6 years to complete, with an estimated 357 million cubic metres (M3) of overburden being moved to backfill the void. Amenity and environmental impacts would continue for an additional 6 years.

Backfilling the void – There is a significant discrepancy in the cost of backfilling the void, from **\$388 - \$813 million to approximately \$2 billion**.

Given the passing of 13 years this still seems a huge increase to \$2 billion. But I guess the higher the cost Maules Creek Coal can present as a reason not to backfill, the less likely they will be made fill it in. Even in the first estimated costs there was a huge difference. And where is the data that substantiates that it will cost \$2 billion?

The Final Void must be filled in!

Final landform -Revegetation

Targeted seed mix, sourced from reputable suppliers

Collection of seed in the Leard State Forest: at least some of the original genetics would be passed on in the seedlings during rehabilitation of the forest and after mining ceases if the seed collection came from the Leard forest, and many of the traits that has enabled this contiguous forest to remain in a healthy condition would be retained. But this mining company imports seeds from other regions and this will drastically alter the biodiversity and genetics of the Leard State Forest in the future.

Lack of...rehabilitation, and now years behind and already contemplating using rehabilitated area as overburden area.

A7.4.2 REHABILITATION COMPLETED TO DATE

*Since commencement of operations at the MCCM in 2015, Whitehaven has undertaken rehabilitation activities with a total of **322 ha** recorded as rehabilitated as of December 2024.*

Does the total rehabilitation area of 322 ha include the 110.7 ha that will be cleared and used for overburden if this project is approved? So, is the real area of rehabilitation only 211.3 ha at present?

Offsets

Offset Properties not in the same Bioregion as the Leard State Forest.

Securing properties in completely different bioregions has implications that the Box Gum Woodland CEEC and other native grasslands, support different flora and fauna species, due to the different soil types, altitude, climatic zones, particularly the rainfall and temperature. And the fact that they are at such a distance from the Leard State Forest, they will never be of use to any small species or any species that cannot 'relocate' to those distant 'Offsets

properties'. This implies that the loss of native species unable to 'relocate' will most likely be impacted if not killed during the 'Clearing Window' as it is impossible to locate and save every tiny species in the forest prior to clearing! Death by a thousand cuts, literally.

The Maules Creek Coal Offsets have never been Like-for-Like.

Request for SoR

On five occasions a community group has applied to get the Statement of Reason (SoR) for the **Revised Offset Package for Modification 9 of the Maules Creek coal Mine**.

Pursuant to section 13(2) ADJR Act, where a request has been made under section 13(1) ADJR Act, the statement of reasons must be furnished to the person who has made the decision as soon as practicable, and in any event within 28 days after receiving the request.

This Offset package was approved in November 2023 and up until the present day (**requesting them on 5 occasions**) the community group has still not received this SoR.

Re: Maules Creek Coal Mine Project 2010/5566 [SEC=OFFICIAL] (reply 08/04/2025)

Email – reply Department of Climate Change, Energy, the Environment and Water

[DCCEEW.gov.au](https://www.dcceew.gov.au) ABN 63 573 932 849

I apologise for the delay in getting back to you on your email below. Ms Gowland asked me to reply as this statement of reasons request sits in my area.

The department is progressing the statement of reasons and I hope to provide that in the next few weeks.

I will keep you updated on progress, and will provide the statement of reasons once it has been made by the delegate.

Still waiting!

Offroad Tyre Burial

*'Waste heavy vehicle tyres would continue to be temporarily stockpiled at laydown areas prior to **permanent burial in the open cut pit in accordance with Whitehaven's Mine Tyre Disposal Environmental Procedure**. Tyres would be placed as deep into the overburden emplacement area as is reasonably practical, with a minimum of 20 m of material to be dumped over all tyre disposal areas. Tyres would not be disposed of in areas with potential to compromise the stability of the consolidated final landform or have any long-term effects on rehabilitation. Tyre dumps would be located more than 15 m from any coal rejects or PAF material emplacement areas to minimise the potential for spontaneous combustion. MCC would maintain an inventory of the dump locations for all waste heavy vehicle tyres buried on-site within the open cut pit.*

Where is the scientific data that states these buried tyres will not contaminate our underground aquifers and waterways now or in the future?

'any heavy plant waste tyres are not placed in an area likely to leach to any watercourse;

'any heavy plant waste tyres are not emplaced directly on the pit floor, or in a location that is likely to impede or contaminate saturated aquifers;

Where is the data/studies and proof that there will be no leachate from the Offroad tyres into waterways or contaminate aquifers? Where is the scientific data that will give the community confidence that our ground water sources will not be contaminated in the future, we only have Maules Creek coal's words in an EIS. The community do not have confidence in just **words** in an EIS.

There must be a local study of how this appalling and cheap method of disposal used by the proponent will not contaminate underground water.

*'The **existing management measures of the waste heavy vehicle tyres would continue** to be implemented for the Project.*

And by this statement, does the proponent/applicant expect that by telling the EPA that it is not viably **commercial** to recycle their Offroad tyres or there is nowhere they can be recycled they expect to continue to keep trashing the Leard State Forest with thousands more tonnes of used waste Offroad tyres and having their EPL varied every 2 or 5 years until 2044? even though it goes against the EPA Hierarchy?

As both the EPA and DPHI are well aware that the community condemn the burial of thousands of tonnes of rubber buried under the Leard State Forest, this practice of 'out of site out of mind' and well out dated as there are companies that do recycle these large Offroad tyres in Australia. It is not environmentally appropriate or safe way of disposing of these tyres that should be recycled to recover the rubber; oil and steel.

If this practice of tyre burial is allowed to continue, there would be approximately 7,600 tyres (400 per year average) from now until 2044 from just this mine alone. That could be somewhere near 30,400 tonnes of tyres! Totally unacceptable! And that's just one of the 3 mines in the Leard Precinct!

This EIS should not be approved if Offroad tyres are still permitted to be buried using an **Environmental Protection License (EPL)** issued by the EPA to allow Offroad tyres to be buried under the Leard State Forest, by Maules Creek coal.

While ever there is a fee paid to the EPA for the dumping of Offroad tyres there will be no change in this environmental pollution that could jeopardise the underground water sources.

No more Offroad tyres to be buried under the Leard State Forest, No EPL to allow burial to continue. Mitigation for this 'Pollution' in a State Forest is Recycling! It is not in the Public Interest to allow Offroad Tyres to be buried when they could be recycled.

Water Transfer Pipeline

The pipeline would only create more uncertainty and concern for our community. Stock and Domestic Bore drawdown, pit water inflow, water licenses and then a pipeline that would enable water movements from the local area and water zones to be piped out of our local district. 'Stealing water', either without a license or with the appropriate license to wash coal in an Agricultural district means that the food growing industry in the local and surrounding district will all pay a huge price if this SSD EIS is approved and allowed to take large amounts

of water, both underground, river or surface harvesting. This is not in the public interest to approve this project as it consumes a high percentage of water, even in droughts. The 'High Security License' that Maules Creek Coal holds must be revoked!

'clearing and/or temporary disturbance of both native and non-native vegetation for construction of a water transfer pipeline (6.4ha).

Clearing of native vegetation along TSR's is not in the public interest!

Greenhouse Gases

Greenhouse gases must be reduced, not Offset. An increase in workforce and vehicle numbers for a further 10 years will only increase the Maules Creek coal's Greenhouse gas emissions. Maules Creek Coal must take responsibility for Scope 1,2 & 3 emissions that they produce. Net Zero by 2050 will be too late! Mitigation of the Greenhouse gases produced by Maules Creek coal are contributing to Climate Change that affects not just the local community but the whole of planet Earth. This project must be rejected.

Preliminary Hazards Analysis

'Explosive materials required for the Project would include initiating products and bulk explosives. Explosives would be stored, handled and used in accordance with Australian Standards.

Explosive materials would be stored in storage facilities located within the Project footprint. Explosives storage would be conducted in accordance with the NSW Explosives Act 2003 and Explosives Regulation 2013. The Explosives Regulation 2013 details the requirements for the safe storage, land transport and handling, and disposal of the explosive, with reference to AS 2187.2:2006 Explosives – Storage and use – Use of explosives for specific guidelines.

*Throughout the life of the Project, any on-site **explosive storages may be relocated** to appropriate locations depending on the progression of the open cut pit.*

Again, this gives Maules Creek coal free range to relocate dangerous explosive storages without have to apply for a Modification or any other approval, just a change to their Management Plans.

'relocation to appropriate locations' is also vague and not specified in a particular area. The community do not want another repeat of the environmental pollution event caused by sub-standard bunding practices repeated and certainly not near a waterway such as Back Creek.

There should be site specific planning in place for such highly dangerous chemicals and explosives prior to any approval of this or any other continuation project for this proponent/applicant.

The Precautionary Principle

In Australian law and policy, the classic expression of the precautionary principle is as follows:

'Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:

- *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment;*

This Maules Creek Coal Continuation Project EIS, must be rejected and not approved.

This is not in the interest of the Public, and the Environment due to all of the above issues as outlined. There are many issues that cannot be mitigated, even though the proponent/applicant has argued that they can be mitigated.

The outdated and in places confusing/incorrect numbers relating to both clearing and revegetation/rehabilitation, dose not give accurate information that the approval team would be able to rely upon to approve a State Significant Development EIS. And let it be noted that some of that outdated information is from a Government Department.

I object to this Maules Creek Coal Continuation Project.

It is not in the Public Interest and must not be approved.

Roselyn Druce.

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References:

The Sections, Attachments and Appendix that were all part of the EIS were used as references to this submission, including the following links.

<https://www.dpi.nsw.gov.au/forestry>

https://www.aph.gov.au/-/media/Estimates/rrat/bud2223/Tabled_Documents/Agriculture/TabledDoc2_Briefing_Note.pdf?la=en&hash=6BA86DD3AC0AB29192AB161FFD6BF480EA02F15E

https://www.oecd.org/en/publications/understanding-and-applying-the-precautionary-principle-in-the-energy-transition_5b14362c-en.html

<https://www.dpi.nsw.gov.au/forestry>

<https://www.theguardian.com/australia-news/2025/may/16/nsw-native-forest-logging-division-half-year-report-2024-2025-losses>

<https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/about/how-scheme-works>

<https://www.dcceew.gov.au/sites/default/files/documents/national-recovery-plan-swift-parrot-2024.pdf>

<https://whitehavencoal.com.au/Documentations/Maules%20Creek%20Mine/Environmental%20Management,%20Monitoring%20&%20Compliance/Environmental%20Assessments/MCC-Maules%20Creek%20PAC%20Review%20Report.pdf?v=1695726605>

file:///D:/Downloads/Mining%20-%20Sub19_attach1.pdf