

**Submission from the Maules Creek Branch, of the Country Women's Association of
NSW (MC CWA)**

Maules Creek Coal Mine, Continuation Project

Project Application Number: SSD-63428218

Date: 4 August 2025

The Maules Creek Branch of the Country Women's Association of NSW was formed in 1923. We are local women with a wide network. We are concerned about the present and future health and wellbeing of our community and environment. We believe that our community is at risk now and into the future from unsustainable mining development. As country women we are primarily concerned with preserving and fostering the sustainability of rural communities.

We are very concerned about the impacts of global warming and the coal mining emissions and its impact on our lives. Countries and government consensus accept that new coal must stay in the ground and every NSW government decision going forward must support this. We agree that new coal must not be approved.

We object to the proposed Maules Creek Coal Mine Continuation Project, to extract approximately 120 million tonnes more coal beyond 2034 for 10 more years. We object due to the significant climate, biodiversity, water and social harms that will affect our community. We object to this project as it fails to be in the public interest and fails the principles of ecologically sustainable development.

The legal 2019 precedent established by the NSW Land & Environment Court in *Gloucester Resources Ltd v Minister for Planning*, the Rocky Hill case was recently reinforced by the NSW Court of Appeal's *Mount Pleasant* decision in July 2025

Like Rocky Hill, The Maules Creek Continuation is the wrong mine at the wrong time.

The arrival of coal mining in the Boggabri/Maules Creek region has caused the loss of many farms to mine ownership, replacing farmers with mine employees and other tenants. This has also dramatically reduced the agricultural knowledge and productivity in the area. A lack of agricultural knowledge undermines the focus of a farming community. It moves the focus off long-term sustainable planning, food production and land management in the district as the population is more mobile and the focus is on mining and associated activities. Over the past 12-15 years, impacts to the farming community has been exacerbated by the changing climate. Prolonged drought and unexplained water loss from the Creek at a permanent water place, is hard to separate with the mine operating in the water source.

The Continuation project is an expansion further into the forest to the east of the project. Additionally, the expansion area north of the current pit is closer to residents and onto farming land. This land had been purchased as part of the original offsets package.

The new project will continue to clear high quality habitat, approximately 700 ha of forest, including critically endangered forest; that is known habitat for the swift parrot, koala and 30 other threatened and endangered species. The Continuation project increases rather than decrease the risk to local creeks and connected groundwater by the inclusion of a pit water pipeline that is designed to take water from Maules Creek to the Vickery mine and other local mines.

Further, the applicant will continue looking for more coal mining by ongoing exploration onto farmland on exploration Authorisation title no. 346 with a mining lease until 2055.

The impacts of the project cannot be mitigated, and the project must be rejected by the Department as it is not in the public interest, its effects on climate change and negative impacts on our community and intergenerational equity outweigh the benefits.

We are very concerned about the impacts of global warming as well as the coal mining emissions and its impact on our lives. Countries and government consensus accept that new coal must stay in the ground and every NSW government decision going forward must support this. New coal must not be approved.

For social, economic and environmental stability in our community, continuing coal offers an increase in risk, ie. Risk: to our health, lives, businesses, environment and a safe climate as Whitehaven coal drought proofs itself and locks in consent conditions to enable expansions and control of the environmental quality factors that affect the local community.

Access to the quality and quantity of clean air, water and biodiversity services, if the extension is approved, will all be controlled by Whitehaven coal's business model, Self-monitored and reported and overseen from a great distance from underfunded government agencies unable to work adaptively. This power imbalance has not been mitigated effectively across the last 10-15 years. The work has fallen to the community. There is no hope for Intragenerational and intergenerational equity with more of the same. This is a social and environmental injustice that must be avoided.

Not in the public interest

The Maules Creek Continuation project Environmental Impact Statement document essentially asked the government to sign off a strategy, nominating four stages (phases) that could happen in any order over a 25-year period. It will clear approximately 700 ha of native forest, dig and laying a water pipeline that connects the Maules Creek pit to all the other Whitehaven Coal Mines in the area.

This creates unacceptable risk and cost that the local environment and community cannot accept or endure.

International and Regional social impact: The impact of not approving this project will be that the power stations and workers will have ten years to work on the exit and transition plan. This should include a process at this early stage for remediation of the site and ensure all obligations are met before the mine is unproductive. Ten years is a more than reasonable timeframe for coal importer and workforce to work towards. Essentially, leaving new coal in the ground to enable a measured transition out of regional fossil fuel dependency and avoid a poor transition.

Local Community social impacts:

The social impacts cannot be effectively assessed until the social and economic impacts of climate change with large mines drawing operating over the next 20-30 years are understood and assessed.

It is concerning that, in a declining coal price environment, the Maules Creek mine is expanding and hoping to bank an approval for 10 years' time.

It is very concerning that further prospecting in the *2025-27 Forward Plan* and drilling applications from 2024 for *delineation of outlying coal prospective areas.*" (pg. 3) are not

ruling out exploration within all of Authorisation 346, potentially taking in areas on Tralee, Wollondilly.

Maules Creek and our lives would be very different if political interference with the federal decision did not force the approval of this mine. *Rocky Hill* at Gloucester was rejected at this time. Perhaps the water table would be stabilised, and the ground and surface water system would be protected along with the groundwater dependent ecosystems that join our farming areas to the Forest and Kaputar range.

The ongoing social disruption in Maules Creek, including loss of farms, community, ailing local school, and fragmented community cohesion experienced here, were the kind of social impact harms identified in *Rocky Hill* decision that the Judge, Preston CJ addressed.

The judgement wrote “The Project should be refused... because of the Project’s poor environmental and social performance in relative terms.”

Our community experience in Maules Creek since the mine opened already aligns with these findings. This application for the continuation of what we have beyond the next 10 years is the wrong mine at the wrong time. A rejection is the way to avoid a continuation of these and expanded impacts.

Emissions Count

Avoiding the emissions is key. We do not agree with the argument that other projects or sectors will or should offset these emissions.

Driving up emissions from 2035 onwards must be avoided. An estimated to be at 238 million tonnes of total greenhouse gas pollution from the project with direct emissions at 3 million tonnes will create enormous impacts locally and across NSW.

The Rocky Hill Judgment (Preston CJ) include downstream emissions:

“The Project will increase global GHG emissions at a time when what is now urgently needed... is a rapid and deep decrease in GHG emissions.”

“Multiple local actions are needed to mitigate emissions at sources,”

Preston CJ ruled:

“Refusal of the Project would prevent a meaningful amount of GHG emissions... the GHG emissions... adds a further reason for refusal.” He emphasized:

Further, the court affirmed that:

“There is no causal argument that the indirect emissions from coal combustion overseas should be excluded.”

The Mount Pleasant Court of Appeal case (July 2025) affirmed that:

“The Independent Planning Commission failed to consider the full impact of Scope 3 emissions... including those generated when the coal is exported and burned overseas.” It found that although the IPC

For an equitable outcome, avoiding emissions and an orderly transition will increase the likelihood of a low emissions scenario for our children’s future.

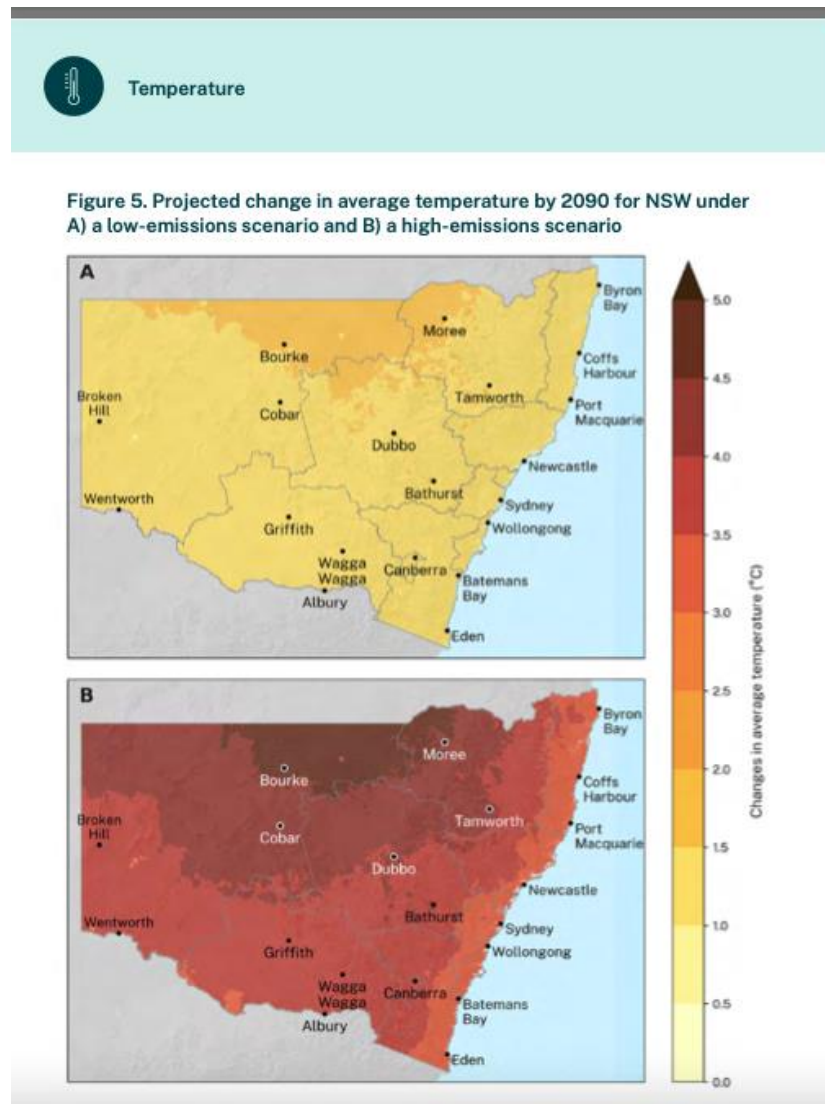
Rather than other projects enabling more fossil fuel burning these must be used to draw down existing greenhouse gases already in the environment. We consider that it would be inefficient to rely on someone or something else, somewhere else, to abate emissions that

can easily be avoided to reduce climate harm. This project while desired by the applicant is only an ask. New emissions from coal beyond 2035 is simple unacceptable planning in 2025.

Avoiding further harm from emissions is in the public interest and the interests of the local community. Climate harm is detrimental to us and our environment and our future generations.

To approve this project in the public interests is a social impact to the families and children in this community. To shift the burden onto our children who will be living under the global warming scenarios, 4 degrees plus for our region cruel. Considering what living here is like under the 2 degrees, 4 degrees would likely be unliveable especially with a mine piping the water from our local area to its other mines. This kind of development is not a public interest.

Further, we have examined the information on regional climate projections and adaptation strategies across the state, from the *NSW Climate Data Portal* and the *NSW Climate Change Adaptation Action Plan 2025-2029* climatechange.environment.nsw.gov.au. And warming scenario exists for all of NSW – if emissions increase: This affects you as well.



The gift we can give to all the children in NSW is to work towards a low emissions scenario.

Reject this project in the interest of the public and equity.

Department of Climate Change, Energy, the Environment and Water (2024) Parramatta,

<https://www.climatechange.environment.nsw.gov.au/sites/default/files/2024-08/NARClIM2-Snapshot-NSW.pdf>

We and decision makers have known or ought to know, that global warming is on the rise. Yet the government continues to enable projects that actively increase global warming. The idea that coal mine expansion can reduce global temperature is disinformation.

It's challenging enough and the community do not need another 10 years beyond 2035 of living in a worsening local environment, reporting harm to then have regulators and mine-paid experts pointing fingers everywhere else, for example, at other authorities, regional events, other mines and each other – often resulting weakening of licencing or approval conditions to enable operations.

Final Void Risks and Water, Groundwater

Void: Like the Independent Planning Assessment Commission (PAC) or the Independent Expert Scientific Committee (IESC), our community has never supported Maules Creek mine having a final void, rather that the void be fully filled in. In 2012 the PAC's determination stated:

"... water is a critical issue for the region and the Commission does not support the long-term water impacts that would result from the proposed final void and lake." [PAC 2012](#)

And the IESC's advice stated that: *The committee considers that, as a general principle, backfilling of mining voids is environmental best practice. The committee notes that the New South Wales Project Approval includes a condition which requires the final mine void to remain open and contain a pit lake.* [IESC 2012](#)

A mine final void in this context is a huge risk to the community. If end of mine life plans ignore the shallow alluvial water impacts; and there is no data to show this, then it could create a "sink" that drains water from the alluvium long after the mining ends.

If the applicant is granted an approval, we calculate that based on its own figures, Whitehaven Coal are asking for permission to earn approximately \$18 billion from the Continuation project between 2035-44. This is on top of the approximate \$31 billion it could have earned up until 2035. The least the applicant can do is to pay \$20/tonne of coal in a "pay as-you-mine" fund to set aside the \$2billion dollars and fill in the void.

Approval Conditions should include that the applicant must fill the void in fully, drawing on contemporary best and leading practice drawn from international (if necessary).

The Maules Creek Continuation Project could further harm groundwater. An independent expert review (by Hydrogeologist.com.au, July 2025) has found several problems with how the project's groundwater impacts were studied. Essentially, the review raises serious doubts about the company's claim that the mine will not affect the shallow groundwater.

There's not enough data to support that claim, and the groundwater model may be masking the real risks of the draining or depressurising caused by the mine pit to the alluvium.

Before any further steps are taken, this needs to be cleared up. It cannot wait.

We have taken from the review the following:

That an understanding of groundwater flow is weak, the company (AGE, 2025) says the shallow groundwater (alluvium) is safely separated from the deeper coal seams by a layer of weathered rock. However, the review, commissioned by the community, found little or no evidence to prove this. Older studies (conducted for Pacific Coal in 1982) suggest there may be a connection. Additionally, some of the diagrams in the assessment used to show the flow of groundwater are confusing or based on little data. Also, AGE's report keeps saying

the weathered rock helps water flow sideways, but there are no real measurements to support this.

In summary, the review concluded that there are problems with the Groundwater Model. Firstly, the model may be set up in a way that inadvertently hides the true impact of mining on groundwater. For example, the shallow layer is given a very low ability to store water, and the deeper coal layer is given a very high ability to store water, and this setup can make the model underestimate how much water levels will fall in the shallow groundwater.

Secondly, the chosen method used to calculate water movement from the alluvium doesn't match the rest of the model and might be unhelpful.

Thirdly, the assessment shows poor groundwater monitoring, i.e. there are only two boreholes that go through both the shallow and deep layers, and even those have large measurement errors. Additionally, there's almost no monitoring in the weathered rock layer, even though it's a key part of the assumed water flow system. Many monitoring bores aren't clearly linked to specific layers, which makes the groundwater model less reliable.

Fourthly, the model seems to be missing surface water connections. For example, the company admits that streams like Maules and Back Creeks could lose water to the mine, but this isn't fully included or tested in the model. Our concern is that the long-term risk that mining will lower water levels in the alluvium is not taken seriously enough in the modelling and monitoring program.

To us this means for the alluvium and the mine's proposed pipeline pose risks to local water security. In terms of the connection to coal seams, there is no useful proof that the alluvium is safely separated from the deeper layer. This could mean that if business carries on as usual and there is a pipeline pumping water out of the region, water levels in the alluvium might drop more than predicted and the community will be left without groundwater.

We are concerned that the true groundwater loss may be much greater, and this unknown could result in water impacts in our neighbouring bores.

In terms of monitoring, we are concerned that there are not enough wells or monitoring bores in the right place or depth layers. This creates the potential for inaccuracy as it is hard or impossible to tell what is really happening underground and water risks in the district.

Transfer pipeline

Taking water out of Maules Creek is not in the Public Interest. This pipeline is an extractive piece of infrastructure. It will displace our water and disempower our communities.

The pipeline to transfer water between mines will decrease the transparency of water use by the mine.

We are concerned that the movement of water between mines is not included in the impact model. This could mask further the real effects of mine water use and transfers and this creates uncertainty about community water security.

This project and its associated water infrastructure represents a clear and present risk to our valley's water security, social cohesion, and environmental integrity. The Zone of Affection already captures a large portion of the valley, and its future expansion threatens our communities entirely. Groundwater depletion is not an abstract risk. The planned pipeline would take our vital water resources out of our district, permanently altering our landscape and livelihoods.

The precautionary principle must be applied to the uncertainty and potentially irreversible hydrological impacts of the proposal.

Biodiversity & Environmental Impact

Clearing 80ha (approx.) of mature old growth Box Gum woodland and replanting seedlings years later ignores the role of the ecological communities and their interaction with fauna, insects, reptiles and birds, soil and the water. With so little of the ecological community left, a mine site, ecological dead zone for 10 or more years followed by replanting, much of which we know gets washed away with heavy rain. Means at times mines struggle to have plants stay in place. The plan to remove and attempt to replant any more mature old growth Box Gum woodland is risky for the survival of the local habitat. It does not compensate for the loss of a critically endangered ecological community (CEEC) and relying on offsets, much of which are of poor quality and not like for like and successful reestablishment will take hundreds of years.

Biodiversity: Swift Parrots and the Leard State Forest

The proposed project would result in the clearing of over 500 hectares of foraging habitat that is critical to the survival of the Swift Parrot, a species listed as Critically Endangered and now close to extinction. Very few Swift Parrots are believed to remain in the wild.

The Leard State Forest, adjacent to the project site, is recognised as a regionally significant ecological refuge and one of the most important winter foraging habitats for the Swift Parrot. According to an independent expert report by Professor Robert Heinsohn, Professor of Conservation Biology at the Australian National University (July 2025), this area becomes vital during low-flowering years in southern NSW and Victoria.

Over the years, Swift Parrots have been recorded in the forest east of the proposed mining area at least on 29 occasions. Professor Heinsohn and his colleagues project that without urgent conservation action, and in the face of further habitat loss like that proposed in this project, the species could be extinct within the next ten years (Heinsohn et al. 2015; Owens et al. 2022).

Habitat fragmentation, degradation, and loss will be inevitable if this proposal proceeds. Rehabilitated offsets, even under optimistic scenarios, cannot replace mature foraging forest in the time available to save this species. As Professor Heinsohn states unequivocally: "Fragmentation, degradation and habitat loss, all of which will occur if this Project proceeds, will greatly contribute to the extinction of the Swift Parrot."

The project would also result in the clearing of a further 428 hectares of the Leard State Forest. Taken together with existing mine-related clearing, this would mean that more than 46% of will have been destroyed. This is a catastrophic loss of public natural heritage and a betrayal of intergenerational responsibility.

Economics

Tellingly, in 2025 the State government [Budget Papers 2025-26](#) is investing additional money in and supporting a pivot away from coal economics for coal-reliant communities including our community and region. Thermal coal prices are decreasing, and this will decrease royalties by \$546.8 million to the State between now and 2028/9. At the same time, the Budget recognised the significant pressure on the State budget forward estimates of natural disaster costs is \$4.8billion dollars in 2027/8 (page 1-4).

Further, the government does not see coal expanding but rather has established a fund called the *Future Jobs and Investment Authority* to coordinate new economic opportunities in

coal producing regions including the North-West of NSW as the price of coal declines and the volume of exports and royalties declines and becomes unreliable due to international instability.

The government's [budget statement 2024-5](#) reflects this. Effectively noting that the Royalties are unreliable for the government revenue, due to ongoing global trends. On this basis alone nothing in this application can mitigate this, issue of declining income for the State. Further we are aware that the applicant has lost its appeal against the Commissioner of State Revenue in the Supreme Court and has been ordered to pay its Royalties payment of \$10,000,000 to NSW Revenue.

The applicant's EIS contains very high coal prices in its economic assessment, between 2025-44 when demand is falling.

The graph in the EIS shows prices rising right out to 2044. This is not explained. Further, based on today's estimates of coal prices and the NSW government's estimates, it appears to be misleading the reader. If the mine potentially fails and shut quickly if price drop off and go into care and maintenance or stay un-remediated for years and our region could be left with a stranded mine.

We are also concerned about the Environmental Impact Statement (EIS) Economic section using offsetting with carbon credits rather than drawing down its own greenhouse gas emissions. And the fact that the carbon credits are predicted to be so cheap and flat at \$94/t Co2e when the NSW government has tracked them as more expensive and more than tripling the price to \$334 in price when the project begins in 2035.

As the trends show, and the NSW Budget papers demonstrate NSW Government Treasury is aware that key markets, including Japan, Korea and Taiwan are moving to get out of coal. As the cost of offsetting greenhouse gas/carbon emissions will increase, especially beyond 2035 as the world heats up and big polluters compete to buy offsets the price of carbon may increase even further.

In current media Half FY 2025 reports, Whitehaven coal management said it employs the "cost-out" strategy, or as we understand it cutting costs to keep operating when coal price are low, i.e. "in the soft pricing environment." [source](#)

Already, the applicant's EIS is cutting costs. Cutting costs will shift the risk to the environment and those that live here. Examples in the EIS of this includes:

1. in the first year it is applying to clear native habitat at any time of the year regardless of the environmental clearing window rule is that any clearing of forest can only occur during 15 Feb-30 April.
2. a pledge to leave a final void when mining finishes. Even though the EIS claims filling in the void would cost \$2 billion there are few details.

This is not coexistence. There is a lot of support for a fully backfilled void

3. Tyres to be left in the pit until they breakdown potentially releasing toxins into the water source which may take 1000 of years to resolve.
4. In the absences of a Regional Water Strategy, water is to be taken out of Maules Creek to facilitate other mines up to 20 kilometres away to secure the business not regional water security.
5. Removing CEEC habitat that is practically extinct, rather than underground mining.

Along with the fact that the world markets are moving beyond coal, these discounts, if granted, are likely to shift significant costs and risk onto the environment and community that must be avoided. Leaving new coal in the ground is key to avoiding such high costs to our community.

Traffic Impacts

We strongly object to the increased traffic that would result from the Maules Creek Coal Mine Continuation Project. The proposal allows for approximately 350 vehicle movements per day, including heavy machinery and service vehicles operating within and around the forest. This level of activity will significantly increase noise, dust, and disruption, particularly given that 24-hour mining operations are proposed. The use of lighting overnight will further degrade the natural forest environment and disrupt nearby residents' peace, sleep, and amenity. Extending these invasive impacts for another ten years is not acceptable and fails to protect the environmental and social values of the region.

Blasting and Noise

We do not support a further ten years of blasting associated with this project. The proponent has applied for permission to conduct up to two blasts per day, which is of serious concern, especially as the mine continues to move closer to residential and farming areas. The health impacts of constant noise and vibration, as well as the psychological stress and environmental disturbance caused by regular blasting, are well-documented. The ongoing exposure to these harms beyond 2035 is unacceptable. These impacts will not occur unless the project is approved, and therefore, the decision to reject the project would prevent these avoidable harms.

Over the last 12 years we have experienced noise that has been intrusive, sleep depriving and exhausting. A failed attempt to Modify the Noise conditions while withdrawn was achieved by government changes to noise measuring conditions and the inability to control the sound power levels of the machinery has never been successful. This is the wrong mine in the wrong place. There is no serious assessment of alternatives like underground mining in this EIS. It is acknowledged by the applicant that it can only afford to operate this open cut, polluting project and will focus on cost cutting in its operation especially as coal prices drop. This expanded, closer and ongoing project with a mining licence until 2055 is a risk and not viable in this valley.

We are a farming community who want to move forward with the transition to renewable energy and revive our community. Considering the blasting prosecution history of the Maules Creek mine, the impacts to the Maules Creek water source, shaking our houses, polluting our skies and water we say the risks are too high.

There is no mitigation acceptable for a mine expansion and impact expansion from the Maules Creek mine. This company can only offer what is in the EIS and it is inadequate.

We have long been concerned about management of soils and pollution on site, (Breach of s378D of the MA CL 375, blending topsoil with subsoils, penalty notices x 2, 11/5/20) and erosion control (caution 23/7/20), clean up notice polystyrene balls in creek (99/4/20), (water pollution (31/3/22) and 2018 burial of heavy plant tyres on site between 2014-2020 (30/7/21). The focus must be to protect what is left as the mining industry plans for the inevitable exit from coal and the Leard State Forest, in the public interest.

Transport and no change

The Road Transport Assessment 2025 (appendix N) executive summary, as a public good, yet, the Maules Creek Continuation EIS traffic assessment is out of date as data is absent

beyond 2023 despite updated maps, mentions of other projects in the region and graphs with production and workforce predictions into the 2040s. Why is the information not put before the public and the decisionmakers?

The Maules Creek Continuation Project fails climate, biodiversity, water, and community viability tests, and undermines our responsibility to future generations.

We urge refusal.

Yours sincerely,

Maules Creek Branch of the Country Women's Association of NSW