

Submission Opposing Ulan Coal Mine Modification 8 (Ulan West Continued Operations Project)

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To: NSW Department of Planning, Housing and Infrastructure

Introduction

I strongly object to Glencore's Ulan Coal Mine Modification 8 proposal and urge the Department to reject it in full.

The recent court decision overturning Ulan Mod 6 makes Mod 8 invalid. This proposal relies entirely on the time extension and infrastructure approved under Mod 6. Without Mod 6, there is no legal or operational foundation for Mod 8 to proceed.

Beyond this fundamental flaw, the Mod 8 proposal introduces significant unassessed environmental, social, and cultural impacts. It cannot be legitimately treated as a "modification." It must be assessed as a **new project** through a full, independent merit review.

Grounds for Objection

1. Invalid Foundation

Mod 8 depends entirely on Mod 6, which has been overturned in court. Proceeding with Mod 8 would disregard that ruling and violate due process. The project cannot legally continue without the time extension and approvals that Mod 6 provided.

2. Methane Emissions and Scope 1 Reporting Failures

Glencore does not report methane emissions from the Ulan operation and altered the baseline calculation for annual CO₂-e emissions in 2014 to avoid offset requirements under the Federal Safeguard Mechanism, without explanation or transparency. Methane is a potent greenhouse gas, and the omission of accurate data undermines the integrity of all climate-related assessments for this project. Proper monitoring and independent verification are essential before any further approvals are considered.

3. New Tailings Dam and Toxic Legacy Risk

The proposed 132-hectare tailings dam and associated stockpile are additional to the current approved impacts. This area, adjacent to the Goulburn River, lacks monitoring points for seepage or contamination, posing a severe threat to The Drip gorge, downstream

users, and the Goulburn River National Park.

The chosen site is a previously rehabilitated open-cut mine, backfilled with coal rejects and unstable soils, turning a restored area into a new toxic legacy. No details are provided on management, groundwater protection, or seepage monitoring. This represents unacceptable environmental negligence.

4. Water Impacts and Basin Risk

Underground mining causes subsidence and land collapse that irreversibly damage groundwater systems. These groundwater reserves sustain rivers and creeks across the Murray-Darling Basin.

This expansion is expected to result in an additional 26.5 million litres per year of flow loss to the Talbragar River, a key tributary of the Macquarie River and the Macquarie Marshes, one of Australia's most significant wetlands.

The Goulburn River will also suffer from further baseflow losses and a six-year extension of mine water discharge, resulting in the addition of over 15,000 tonnes of salt (approximately seven tonnes per day) to the Goulburn–Hunter River system.

The cumulative impacts of water and salt from three large coal mines have never been fully assessed. These impacts are incompatible with the health of both the Hunter and Murray-Darling Basin catchments.

5. Aboriginal Cultural Heritage and Wiradjuri Connection

The cumulative destruction of Aboriginal cultural heritage in the Ulan region is unacceptable and unassessed. There is extensive evidence of continuous Wiradjuri occupation and spiritual connection to Country.

Ulan Mod 8 will directly impact 71 additional recorded heritage sites, including rock art and sacred cultural places. Continuing to approve projects of this kind perpetuates the ongoing erasure of Aboriginal heritage and disregards the cultural obligations of the State under reconciliation and heritage protection frameworks.

6. Biodiversity and Habitat Loss

The proposed expansion would destroy 1,743 hectares of ecologically rich landscape, including 6.5 kilometres of sandstone escarpments with cliff lines exceeding 10 metres in height, which are critical roosting habitats for the Large-eared Pied Bat and Eastern Cave Bat. These habitats cannot be offset.

The cumulative loss of microbat habitat across three adjacent mines has never been assessed.

The clearing of mature Box Gum Woodland (CEEC) continues without a cumulative assessment of its impact on the broader ecosystem. This community supports threatened species, including the Regent Honeyeater, Koala, Barking Owl, and Powerful Owl. Recent records confirm breeding activity of the Regent Honeyeater within the district, yet this is not recognised in the assessment report. The omission of such data invalidates claims of negligible impact.

7. Unfinalised Mine Plan

The final placement of surface infrastructure has not been confirmed, with Glencore stating that negotiations with private landholders are ongoing.

The Department should not have accepted an incomplete application. Infrastructure placement is central to assessing environmental and social impacts; until a final plan is submitted, this proposal remains premature and unassessable.

8. Social and Community Impacts

The project directly affects 17 private properties, undermines four homes, and threatens six private bores, including total dewatering of one. The “mitigation” measure of replacement water does not extend beyond the life of the mine, leaving landholders permanently disadvantaged.

Ulan Mine’s history of property buyouts due to subsidence, dust, and noise from ventilation fans has already fractured the local community and eroded rural social cohesion. Further expansion will deepen this dislocation and continue the loss of local identity, wellbeing, and connection to place.

9. Not Substantially the Same Project

Ulan Mod 8 is not substantially the same as the existing approval and should therefore not be treated as a modification. It:

- Falls entirely outside the current mining lease
- Introduces new major infrastructure (tailings dam, ventilation shafts, access tracks)
- Expands the disturbed area by 1,734 hectares
- Increases impacts on groundwater and surface water systems
- Causes additional biodiversity loss under federal environmental law
- Destroys new areas of Aboriginal cultural heritage significance
- Directly affects multiple private properties and water sources
- Adds over 105 million tonnes of greenhouse gas emissions

These changes are of a scale and nature that clearly constitute a new project, not a continuation.

10. No Justification or Public Benefit

This expansion is not economically or socially justified. The region no longer depends on coal mining for employment. There is a major labour shortage in the Central West Orana Renewable Energy Zone and related construction industries. Continuing to approve coal expansions diverts skilled labour from the state’s renewable energy transition.

The NSW Government has prioritised future jobs and investment in sustainable industries. Continuing coal expansion contradicts that policy direction and undermines the economic resilience of the Mudgee region.

Conclusion

Ulan Coal Mod 8 represents an outdated, high-risk project that compounds environmental degradation, cultural loss, and social harm. It is legally invalid, environmentally unsustainable, and economically unnecessary.

The Department must reject this proposal and require any future mining applications to undergo full, independent assessment consistent with contemporary environmental, cultural, and climate standards.

Protecting the integrity of the Murray Darling Basin, the Goulburn River system, and the Wiradjuri cultural landscape is essential to ensuring a liveable and just future for regional communities and ecosystems alike.

Sincerely,

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