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Submission of Objection

Moolarben Mine Stage 1 Modification 9

Mudgee District Environment Group (MDEG), based in the Mid-Western Region local government area in NSW, is working for the conservation of our natural heritage and a sustainable future for our children.

MDEG objects to the Moolarben Mine Stage 1 Modification 9 (Mod 9) for the following reasons:

1. Cumulative impact on biodiversity loss
2. Cumulative impact on Goulburn River
3. Cumulative impact on local community and amenity
4. Poor corporate ethic
5. The protection of 'The Drip' in Goulburn River National Park

MDEG is particularly concerned that no Director Generals Requirements were issued for this proposed mine expansion in a sensitive environmental and social area.

MDEG is also concerned that the community were given only two weeks to respond to this project proposal. The extraction of an additional 30 million tonnes of coal is a significant expansion of mining operations, in fact larger than some entire mines or mine expansions that have been subject to the full rigor of the NSW Planning law.

Mod 9 is a significant enlargement of open cut mining operations and should be afforded the same attention as all other large mining proposals in the Hunter Region. The environmental assessment report refers to the extraction as being a 'state significant reserve'¹ and that the extension will give access to 'substantial additional reserves.'

¹ MOD 9 EA Vol 1 p 21

MDEG has observed the expansion of the coal industry in the region since 1998 and the subsequent problems created in the local environment and the ongoing costs to the local community.

The NSW Department of Planning and Infrastructure (Planning) has not adequately assessed or made provision for the long term costs associated with the impacts of three large coal mining operations in the Mudgee region.

The recent decision that ratepayers of Mid Western Regional Council have to find \$13 million towards the upgrade of the Mudgee – Ulan Rd is an example of the increased economic impost that the coal mining industry has caused in the region. This issue is not addressed in the economic assessment of Mod 9 to extend Moolarben operations for another 5 years.

Key issues of objection:

1. Cumulative impact on biodiversity loss

The ecological assessment of Mod 9 identifies that a number of endangered ecological communities and two threatened species will be significantly impacted by the proposal.

The cumulative loss of the Critically Endangered Ecological Community (CEEC) White Box Yellow Box Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the local area due to the impacts of the Wilpinjong, Ulan and Moolarben Mine approved or proposed activities has not been identified in the assessment of Mod 9.

The range of offsets approved over a period of time will not replace the good condition habitat that has been or is proposed to be destroyed.

MDEG is concerned that the Mod 9 assessment report identifies that a referral to the Federal Department of Sustainability, Environment, Water, Population and Community (SEWPaC) had not yet occurred.

The assessment report records that all the 171.4 ha of native vegetation proposed to be destroyed by Mod 9 is in good condition.²

The importance of this good condition vegetation in the landscape is emphasized in the assessment report that identifies that adjacent lands have been impacted by previous clearing and ongoing grazing which has *'contributed to the decline in condition of native vegetation communities and fauna habitats. Sheep and cattle grazing to the south and west of the proposed extension areas have contributed to a reduction in floristic diversity, native vegetation and habitat condition.'*³

The number of important species recorded in the area of impact (eg Turquoise Parrot) is significant and MDEG considers that the cumulative loss of habitat has not been adequately addressed.

² MOD 9 EA Vol 1 p 90

³ MOD 9 EA Vol 1 p 87

The proposed offset package of properties does not contain any White Box which is a significant species in the CEEC. The claim that the offset meets 66% of Tier 2 'no net loss' criteria⁴ is a meaningless statement that cannot be justified.

There has been a net loss or proposed net loss of 422 ha of CEEC from the area due to mining and infrastructure approvals. The cumulative loss of White Box across a wide region of NSW is not being adequately addressed and cannot be feasibly mitigated.

The number of threatened species and crashing populations of woodland birds who are dependent on the nectar and seasonal flowering regime of White Box in the landscape is a critical issue that is leading to cascading regional extinctions. This issue has not been addressed by the offset package.

2. Cumulative impact on Goulburn River

The increased interception of surface and ground water base flows and changes in water quality on the headwaters of the Goulburn River due to coal mining operations has not been adequately addressed.

MDEG has been consistently calling for an independent regional water study of the cumulative impacts of mining on the Upper Goulburn River water source.

The current operation of the Moolarben Mine has resulted in a number of major pollution incidents caused by uncontrolled flows of contaminated water. These have been in breach of the current conditions of approval for water management.

MDEG is concerned that the proposed water management infrastructure for Mod 9 is indicative only.⁵ The issue of water storage to control sediments and polluted mine water has been an ongoing problem for the Moolarben operations.

The plan to join Open Cuts 1 & 2 limits opportunities for clean water diversion and water management around the disturbed area thus increasing the interception and loss of catchment runoff.

The predicted increase in water use by a further 200 ML/yr bring the predicted total water use for the Moolarben complex to 1,940 ML/yr. This is a significant volume of water from an unregulated water source. When combined with the interception and water use of both the Ulan Mine and Wilpinjong Mine, the Upper Goulburn River water source is losing a major source of inflows into its headwaters.

The purchase of 218 ML licence from the Wollar Creek water source and 9 ML licence from Goulburn River will replace flows a long way from the point of interception. This will not assist the depleted flows and river ecology directly downstream of the mining operations and through the Goulburn River National Park.

The assessment report fails to recognize that the Triassic sandstones have perched aquifer systems that form a vital part of the landscape. This water source has been

⁴ MOD 9 EA Vol 1 p 87

⁵ MOD 9 EA Vol 1 p 31

clearly measured by the Ulan groundwater modeling. The destruction of the ridgelines will remove this water supply that cannot be replaced through rehabilitation of mine overburden.

The proposed Water Management Plan for the Moolarben Complex including Mod 9 has a number of key failings.

It relies on a high risk strategy that uses a series of sediment and mine water storage dams dependent on a complicated pumping regime with little room for human error or climatic extremes.

It is under designed and allows for mine water discharge into the Goulburn River during moderate to high rainfall events. This involves the suspension of the Environmental Pollution License should rainfall exceed 44 mm over 5 consecutive days permitting uncontrolled overflows from sediment dams and mine water dams (including open cut water stored in these dams). This proposal is not acceptable because these rainfall events occur 3 to 4 times per year on average.

This is a water management plan designed to pollute the Goulburn River on a regular basis and should not be approved. The buildup of sediments on the riverbed downstream of the Ulan and Moolarben Mine operations has increased over a number of years. An increase in uncontrolled mine water releases will cause a continued decline in river health.

3. Cumulative impact on local community and amenity

The cumulative loss of local population, local services ie Ulan and Wollar Bushfire Brigades, local churches, loss of enrollments at local schools and other social impacts has not been adequately considered in the Mod 9 assessment.

The proposal to remove three high ridgelines from the landscape will cause a major impact on visual amenity, as does the current ridgeline removal occurring in Open Cut 1.

The increase in dust and noise emitted from the operation to remove these ridgelines has not been assessed. While the social impact assessment goes to great lengths to demonstrate that the population at Cooks Gap has increased over the last few years, these are the landholders who will be impacted by the Mod 9 proposal.

Numbers at Ulan School have dropped to 12 pupils. The continuing acquisition of landholdings in the area will cause the demise of this school population, as has occurred at Wollar.

The Mod 9 assessment concludes that *'the proposed modification will extend the substantial regional and local economic benefits from the Stage 1 operation.'*⁶

Many local people have only experienced disbenefits from the Moolarben Mine. These have not been adequately assessed, including the burden on ratepayers for the increased traffic movements on local roads.

⁶ MOD 9 EA Vol 1 ES.19

The proposal to increase greenhouse gas emissions by 27,434,059 t CO₂ –e per year will have a major long term impact on the local community and amenity by increasing the severity of bushfire, drought, storm events and heat waves.

These impacts have not been considered in the economic assessment.

4. Poor corporate ethic

Moolarben Coal Operations (MCO) does not have a good relationship with neighbours, its Community Consultative Committee or community groups in the region.

MDEG has not been contacted or consulted by MCO staff at any time during the life of current operations or in the preparation of the MOD 9 proposal.

The ongoing breaches of conditions of approval have lowered community confidence in MCO as a responsible corporate citizen.

The Mod 9 proposal to lengthen the life of mining operations at Moolarben to 2033 is unacceptable. It means that another 20 years of cumulative environmental and social impact will occur in the region.

5. The protection of ‘The Drip’ in Goulburn River National Park

MDEG considers it inappropriate for a further expansion of the Moolarben Mine to be approved before ‘The Drip’ is protected in an extension of the Goulburn River National Park.

This outcome would demonstrate that MCO has a commitment to environmental protection that has widespread community support.