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Major Mine Assessments  
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Wednesday 29 July 2015

Dear Sir,

**Submission of Objection: Moolarben UG1 Optimisation Modification**

Central West Environment Council (CWEC) is an umbrella organization representing conservation groups and individuals in central west NSW working to protect the local environment for future generations

CWEC strongly objects to the Moolarben UG1 Optimisation Modification (the proposal) because it cannot be justified and has not been adequately assessed.

The cumulative scale of the combined large mining operations in the Ulan-Wollar region has not been taken into account in the assessment of this new round of alteration and expansion of mining development at the Moolarben Coal Complex.

The piecemeal change in mine design and operation across this large mine provides no certainty for the environmental integrity of the region.

CWEC considers that the planning system in NSW is not operating with any coherence or rigor when ongoing modification of approved major mining development can continue unhindered.

We recommend that the proposal not be approved for the following reasons:

**1. Poor Ecological Assessment**

CWEC considers that the flora & fauna survey effort for the proposal was entirely inadequate being held over just 3 days in the middle of winter from 17 – 19 June 2014.

The Flora & Fauna Impact Assessment (Appendix E) admits that a comprehensive flora and fauna survey was not conducted and that only rapid assessment vegetation survey plots were undertaken.<sup>1</sup>

The identified limitations of the survey effort are considerable.<sup>2</sup> CWEC does not consider that reliance on ecological survey work carried out for Moolarben Stage 2 in 2008 is acceptable.

The survey concentrated on the areas of proposed expansion of the longwall panels and surface disturbance. There was no updated flora and fauna survey of the entire area of impact of the proposal.

It is noted that the study area contains habitat supporting two threatened ecological communities, three threatened flora species, 37 threatened fauna species and 7 non-threatened migratory species that have potential to occur or have been recorded in the area.

CWEC considers this to be an indication of a very high conservation value habitat that should not be threatened by the impacts of mining.

Even with such short and inadequate survey effort one threatened flora species, Scant Pomaderris, and six threatened fauna species, Glossy Black-Cockatoo, Brown Treecreeper, Speckled Warbler, Varied Sittella, Diamond Firetail and Eastern Bentwing Bat were recorded on the 115ha of additional impact from the proposal.

We consider that a more comprehensive survey effort across the entire area of impact would have revealed a much higher number of threatened species relying on the available habitat.

Of the two threatened ecological communities identified in part of the area of impact, the assessment report correctly identifies Grassy Box Gum Woodland as a critically endangered ecological community (CEEC) under the Federal *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

However, the report fails to recognize the recent listing of Central Hunter Grey Box-Ironbark Woodland in the NSW North Coast and Sydney Basin Bioregions as part of the Central Hunter Valley eucalypt forest and woodland CEEC under the EPBC Act.

A more comprehensive assessment of the entire area of impact is required to identify the presence of this CEEC and an assessment of significant impact under the EPBC Act guidelines.

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<sup>1</sup> App E p6

<sup>2</sup> App E p8

We do not support the recommendation by Eco Logical Australia Pty Ltd that the impacts of the proposal do not trigger the need for an EPBC referral.<sup>3</sup>

## **2. Poor cumulative impact assessment**

The proposal fails to identify the extent of threatened species habitat impacted by mining development in the region. It also fails to identify if the Central Hunter Valley eucalypt forest and woodland CEEC occurs in the current Biodiversity Offset Strategy for Moolarben Stage 2.

The increased scale of subsidence assessed for the proposal is not insubstantial. CWEC considers that a maximum increase of 20% subsidence is significant and warrants more substantial impact assessment than has occurred.

The cumulative and permanent loss of cliff lines in the region due to longwall mining operations at Ulan and proposed impacts approved for underground mining in Stage 1 and Stage 2 of the Moolarben Coal Complex have not been identified in the assessment report.

The cumulative impact on surface water sources, groundwater sources and base flows to the Goulburn River from mining operations across 3 large adjacent mines has not been identified or clearly assessed.

CWEC cannot support the conclusion of the Environmental Assessment that the increased level of subsidence will be generally consistent with currently approved performance measures causing minimal additional environmental impacts.<sup>4</sup>

There has been minimal evidence provided that this will be the case. Appendix A Subsidence Assessment identifies that management of subsidence impacts on key natural and built features in the landscape will be dealt with after approval within Extraction Plans (and component management plans)<sup>5</sup>

CWEC considers that there is little scope for Government Agencies to manage impacts adequately through a post approval process. There is little or no continuity between agency compliance staff, company staff and consultants.

The impact of a doubling of coal extraction, as proposed, will be significant.

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<sup>3</sup> App E Executive Summary piii

<sup>4</sup> Environmental Assessment Executive Summary pES-4

<sup>5</sup> App A p72

More rigorous assessment of potential irreversible environmental impact should occur during the approvals process. This is particularly the case for cumulative impacts of large scale mining operations.

### **Conclusion**

The very poor level of impact assessment does not provide consent authorities with enough detail to make an informed decision on the merits of the proposal.

The proposal cannot be justified and should be rejected.

Yours sincerely

A handwritten signature in black ink on a light-colored, textured background. The signature is written in a cursive style and reads "CM Kinross".

President