



870 Ophir Rd
Summer Hill Creek
NSW 2800
www.cwecouncil.com

Anthony Ko
Resources Assessment
Department of Planning and Environment
PO Box 39
Sydney NSW 2001

Dear Sir,

Submission of Objection: Ulan Mine Modification 4 (08-0184)

Introduction:

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 is lodging an objection to this application to extend longwall mining (Ulan Mod 4) on the following grounds:

1. Poor planning decisions
2. Cumulative impacts on the Goulburn River and Talbragar River
3. Increased mining impacts on the Durrigere State Conservation Area (SCA)
4. No long-term environmental, social or economic benefits

The cumulative environmental impacts of coal mining operations in the Mudgee region are substantive, irreversible and poorly assessed.

The combined addition to the global carbon budget from the three Mudgee coal mines until at least 2033 is far too great. The NSW Government is irresponsible through its current planning processes to continue approving increased coal production at a time when climate change is the largest single threat to our economy and environment.

CWEC recommends that Ulan Mod 4 is rejected as an unsustainable development.

1. Poor planning decisions

CWEC strongly objects to Ulan Mod 4 being assessed and determined under Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The decision by Department of Planning and Environment (DP&E) to continue using the Part 3A transitional arrangements provided under Schedule 6A of the EP&A Act in December 2017 when it was fully known that this planning loophole was to be closed by amendments to the Act adopted in March 2018, is unacceptable.

The continued use of the Part 3A transitional arrangements has caused the requirements of the Biodiversity Conservation Act, commenced in August 2017, to not apply to this mine modification application.

CWEC considers that DP&E have been irresponsible in the application of NSW law in this instance. The Ulan Mod 4 application could have been required to be relodged under the new amendments to the EP&A Act.

A precedence was set for this type of requirement when the Wilpinjong Coal Mine application was advised to be relodged when the Part 3A amendment was originally introduced to the EP&A Act in 2005.

2. Cumulative impacts on the Goulburn River and Talbragar River

CWEC objects to the cumulative drawdown of groundwater sources that provide base surface water flows to the Goulburn River and the Talbragar River.

The fact that the Ulan Coal Mine is mining under the Great Diving Range is a significant impact in itself.

The Upper Talbragar River has been identified as having high instream values and a key section of the Talbragar Alluvial Groundwater Source occurs near the influence of the Ulan Coal Mine subsidence impacts.

It is an ephemeral stream that supports a large number of water users. The impacts of groundwater drawdown on stream flow during dry times has not been assessed.

The Upper Goulburn River Water Source has also been identified with high instream values. It is a particularly important asset through the Goulburn River National Park.

The Upper Goulburn River was originally a perennial gaining stream prior to the approval of three large coal mining operations across its headwaters.

The assessment of impacts for Ulan Mod 4 fails to adequately recognize and include the impacts of past mining approvals on both these water sources.

2.1 The Drip

CWEC is also concerned about the cumulative loss of groundwater reporting to the significant groundwater dependent ecosystem on the Goulburn River known as 'The Drip'.

This iconic natural landscape feature is a very popular recreational tourism destination in the region. The protection of The Drip escarpment within Goulburn River National Park has been applauded by all.

However, the protection of the groundwater sources reporting to The Drip also needs to occur.

CWEC objects to Ulan Mod 4 because the monitoring of groundwater sources to The Drip has been very poor. Further drawdown through subsidence from extended longwall panels is not sustainable and should not be approved.

2.2 Release of mine water

Groundwater and surface water flows interception by Ulan Mine is substantial. Currently, this water can be discharged into the Goulburn River, after treatment, at the convenience of the mining operation.

The release of these intercepted volumes of water back into the river system must be regulated through a set of environmental flow rules that meet the ecological requirements of the river.

This is particularly important in times of low flow climatic conditions. The restoration of more natural flow regimes through regulated mine water discharge should be an essential element of any further decision-making in relation to Ulan Mine operations.

3. Increased mining impacts on the Durridgere State Conservation Area (SCA)

CWEC does not support the proposal to increase surface disturbance in the Duridgere SCA up to 6.31 ha and subsidence disturbance over 87 ha.

The ecological assessment of impacts on the SCA is very poor and does not identify key habitat features for the large number of threatened fauna species recorded in the area.

The concentration on vegetation types with no reference to other habitat values such as tree hollows, rocky outcrops, gullies and drainage lines is a key omission of the survey effort.

There are 22 threatened woodland bird species recorded within 3 km of the Ulan Mod 4 area, including the critically endangered Swift Parrot, and three threatened mammal species, including two listed as vulnerable under Federal environmental legislation.

The survey and reporting on reptiles in the area appears to be non-existent.

The ongoing cumulative impact on and loss of habitat for threatened microbat species in this region is alarming. The loss of habitat for the Large-eared Pied Bat, *Chalinolobus dwyeri*, (conservation status 'vulnerable' at both state and federal level) across the three large coal mines operating in the area has been considerable causing major impediment to the implementation of the National Recovery Plan for the species.

CWEC considers that the ecological impact of Ulan Mod 4 has not been properly assessed, particularly in relation to the impacts on Durrigere SCA.

4. No long-term environmental, social or economic benefits

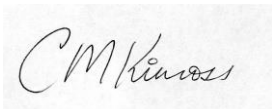
The proposal provides no long-term environmental, social or economic benefits:

- The extraction of a further 6.4 million tonnes of coal will add to the global carbon budget and increase the impacts and costs of climate change
- No new jobs will be created
- Any short-term economic benefit to the local and state economy will be outweighed by the growing costs of extreme weather events such as the catastrophic fires at Dunedoo and Wollar in February 2017.
- The ecological and hydrological impacts will not be adequately mitigated for generations, if at all.
- The 'do nothing' approach (Environmental Assessment p22) is the best alternative to Ulan Mod 4 for ecologically sustainable development (ESD) considerations.

Conclusion

CWEC recommends that Ulan Mod 4 be rejected on the grounds of not meeting ESD principles and causing cumulative damage to the local and global environment.

Yours sincerely



President

Tuesday 1 May 2018