

16/12/2021

MCO modification MP08_0135Mod-4

Submission of Objection

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.

We received a letter from DPIE dated 3rd December 2021, advising of 'Notice of Exhibition of Moolarben Coal Project Stage2 – Modification 4'. The project exhibition commenced on the day the letter was written, and closes on 16th December 2021.

We raise the following matters of concern and objection at this time. We will write with further details in due course:

Late notice: As might have been expected letters took up to a week to reach MDEG and other community members. We believe this very short notice of 6 or 7 days into a 2 week exhibition period is inadequate. Also the timing of the exhibition period so close to Christmas makes it impossible for appropriate feedback to be provided in submissions.

Request for exhibition extension: We request that DPIE extend the exhibition period for this project until at least the 10th January 2022. This extension is necessary to give the community adequate time to review and assess the project details, and compile proper responses. We note that some of the project documents were written over a 5 month period and extend to several hundred pages: to expect a response in 1 week is unrealistic.

Lack of community consultation:

1. Moolarben UG2 Modification Report Section 5 Engagement states that Public Consultation occurs by the company putting updates on their website. This is not consultation, as one must know that the project exists in the first place to find out about it.
2. The advertisement of a Hotline for enquiries or complaints is likewise not consultation or engagement.
3. The Newsletter referred to as the tool for Local Community Engagement (which was distributed in June and July 2021) was titled 'Moolarben Coal Complex Open Cut Extension Project'. MDEG called the feedback line advising our availability and willingness to participate in the Scoping Report and the Social Impact Assessment for that project. Our call was not returned.
4. The last paragraph of the Newsletter (above) on the last page (of 4) gives the following information:
UG2 Modification Moolarben is also investigating options to optimise the UG2 mining domain. Optimisations include extending underground mining to the south-east and increasing the maximum extraction height from 3.0 to 3.5 metres. Approval will be sought via a separate section 4.55

modification application to Project Approval (08_0135), which is planned to be lodged later this year.
MDEG believes that this notification to the community was inadequate, and there was no community consultation and engagement in relation to the modification.

Aboriginal Cultural Heritage Assessment: MDEG believes the project will have unacceptable impacts on significant Aboriginal cultural heritage sites. The Traditional Pathways of the Aboriginal people are intrinsically tied to the landscape. Changes to the visual landscape impact negatively on their connection to the land. It is imperative that all artefacts and occupation sites, including cave shelters, be treated with the greatest respect and according to their wishes, including allowing access to sites and a guaranteed continuity of landscape – that is, no subsidence.

The sandstone ridge-line above UG2 includes cave shelters, overhangs, artwork and artefacts. It is highly culturally significant. There must be no impact to this landscape.

UG2 undermines the heritage site S2MC236 a rock shelter, artwork and artefact scatter of high archaeological significance. There are 4 more sites identified in the extension area, with a total 10 new Aboriginal cultural heritage sites identified (Appendix E). This includes five rock shelters with potential archaeological deposit (PAD), three rock shelters with artefacts and PAD; and one rock shelter with artefact.

MDEG believes the assessment focusses on individual artefacts and materials too much instead of the overall site context and landscape. We are diminished by such lack of sensitivity.

The evidence of Aboriginal use of this ridgeline is overwhelming. It must be protected. Subsidence is the most likely potential impact and this cannot be permitted to occur. The planned step around by Moolarben below heritage site S2MC236 will not be sufficient to protect this significant landscape. Therefore the extension of longwall panels, and increasing the extraction height from 3.0 to 3.5m cannot be permitted.

MDEG will make a further submission in regard to this project.

Sincerely,

Rosemary Hadaway

Chair

Mudgee District Environment Group

M: 0411755682