

Ulan West Continued Operations Modification

Application Number: 02766

Commencement Date:
31/01/2025

Status: Locked

1. About the project

1.1 Project details

1.1.1 Project title *

Ulan West Continued Operations Modification

1.1.2 Project industry type *

Mining

1.1.3 Project industry sub-type

Coal

1.1.4 Estimated start date *

01/05/2027

1.1.4 Estimated end date *

31/12/2041

1.2 Proposed Action details

1.2.1 Provide an overview of the proposed action, including all proposed activities. *

The Ulan Coal Complex (UCC) is located approximately 38 km north-east of Mudgee and 19 km north-east of Gulgong in New South Wales (NSW) (refer to the **Figure 1** in **Attachment 1**). The UCC is owned by Glencore Coal Pty Limited (Glencore) and operated by Ulan Coal Mines Pty Limited (UCMPL), a subsidiary of Glencore.

Mining has been undertaken in the area since the 1920s and the UCC currently operates pursuant to Project Approval (PA) 08_0184 which was granted under Part 3A of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) on 15 November 2010 for the Ulan Coal – Continued Operations Project (UCCO Project). PA 08_0184 has been previously modified on six occasions, with another modification pending (Modification 6). The UCC is also subject to two approvals (2009/5252 and 2015/7511) issued under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Modification 6 was declared a controlled action (EPBC 2022/09292) on 12 September 2022 due to controlling provisions related to listed threatened species and communities, and impacts to a water resource. EPBC 2022/09292 will be assessed under the Bilateral Agreement made under section 45 of the EPBC Act between the Commonwealth of Australia and NSW.

Approved mining operations within the UCC consist of underground mining and construction and operation of related ancillary infrastructure in the Ulan Underground and Ulan West Underground areas as well as open cut mining, and coal handling, processing and transport through to 30 August 2035 (refer to **Figure 2** in **Attachment 1**). The open cut operations are currently in care and maintenance.

UCMPL has identified additional mineable resources within Exploration Licence (EL) 8687 and EL 9363 located to the west of the currently approved Ulan West Underground mining area. UCMPL is proposing the Ulan West Continued Operations (UWCO) Modification (the Proposed Action) to obtain approval to access additional resources within EL 8687 and EL 9363 (refer to **Figure 3** in **Attachment 1**).

The Proposed Action would maintain the currently approved coal extraction rate of up to 20 million tonnes per annum (Mtpa) of product coal and will enable extraction of approximately 43 million tonnes (Mt) of additional product coal. The Proposed Action will extend the life of the approved UCC operation by approximately six years to 31 December 2041.

The Proposed Action includes the following (refer to **Figure 3** in **Attachment 1**):

- widening of the approved Ulan West Underground Longwall (LW) 12 from approximately 220 m to 400 m
- an additional four longwall panels (three of which are separated by a step around that considers surface features) consisting of LW13A and LW13B, LW14A and LW14B, LW15A and LW15B and LW16.

The Proposed Action is also proposing the following new surface infrastructure (refer to **Figure 4** in **Attachment 1**) items to support underground mining activities:

- upcast ventilation shafts, fans and associated infrastructure
- powerlines and associated power infrastructure including substation(s)
- dewatering infrastructure
- roads and access tracks
- communication and monitoring services
- tailings storage facility within the existing surface infrastructure area
- other associated infrastructure required to service the approved and proposed mining operations.

The Proposed Action does not include any currently existing or approved activities (approved under State and/or Commonwealth approvals) within the UCC including the approved conceptual mine plans and the ongoing use of existing or approved infrastructure to support continuing underground mining activities.

The final location of infrastructure is subject to ongoing consultation with landholders. To retain flexibility in the location of surface infrastructure proposed until consultation have been completed, two alignments for the end of block infrastructure at the northern end of LW13A and LW14A are currently being assessed (refer to **Figure 4** in **Attachment 1**). This approach allows for the full extent of potential biodiversity impacts that may occur as a result of the Proposed Action to be assessed, noting that these impacts would be refined, minimised and offset as required. The impact of both alignments of the Proposed Action is the subject of this referral. However, it is planned that only one of the alignments will be constructed for the Proposed Action and hence if offsets were identified as being required as part of any determination, only the offsets from impacts of the final constructed alignment would be required.

The UCC will continue to utilise the existing approved mine infrastructure, including the Coal Handling and Preparation Plant (CHPP) and train loading facilities for the life of the operations.

The subject of this referral is the extraction of coal through longwall mining in the proposed additional underground mining area and the proposed new infrastructure associated with the proposed additional mining operations. The details of the Proposed Action which is the subject of this referral (Referral Area) are shown in **Figure 3** and **Figure 4** in **Attachment 1**. As stated above, the Proposed Action does not include any currently existing or approved activities within the UCC (approved under State and/or Commonwealth approvals). The existing or approved works, and the continued operation of these works, do not form part of the Proposed Action and if the Proposed Action does not proceed for any reason the existing and approved works will continue as currently approved under NSW approval PA 08_0184 (as modified) and EPBC Act approvals 2009/5252 and 2015/7511 (and 2022/09292, should it be approved).

The Referral Area covers an area of approximately 1,743 hectares (ha). The direct disturbance footprint for the purposes of this referral, and subject to ongoing refinement, is approximately 191 ha. The Referral Area includes parcels of land that are owned by UCMPL, with the majority of land being either privately owned or Crown Land (refer to **Figure 5** in **Attachment 1**). A schedule of lands for the Referral Area is provided in **Attachment 2**.

1.2.2 Is the project action part of a staged development or related to other actions or proposals in the region?

Yes

1.2.3 Is the proposed action the first stage of a staged development (or a larger project)?

No

1.2.4 Related referral(s)

EPBC Number	Project Title
2009/5252	Continued Mining Operations and Construction of Associated Infrastructure
2022/09292	Ulan Coal Modification 6 - Underground Mining Extension
2015/7511	Ulan West Extension, Near Mudgee NSW

1.2.5 Provide information about the staged development (or relevant larger project).

UCMPL currently operates the UCC in accordance with Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approvals 2009/5252, 2015/7511 for Controlled Activities within the approved Project Area:

- mining operations at the UCC until 30 August 2035
- longwall mining of Ulan Underground
- longwall mining of Ulan West Underground
- open cut operations over a 239-ha area
- continued use of existing surface facilities and ancillary activities, and construction and use of approved and new surface facilities and ancillary activities to support operations.

EPBC 2022/09292 for Modification 6 is currently under assessment as described in Section 1.2.1.

The UCC currently operates 24 hours per day, seven days per week, including construction and maintenance activities. Coal extracted at the UCC is processed at the CHPP (apart from low ash coal that bypasses the CHPP), stockpiled and loaded via the dedicated UCC rail loading facility for transport by rail to domestic markets or to the Port of Newcastle. Most of the coal is sold to the thermal coal export market.

The Proposed Action would require an extension of the Project Approval Boundary, hereafter referred to as the Referral Area. The Referral Area covers an additional approximately 1,743 hectares (ha) (refer to **Figure 3 in Attachment 1**). The Referral Area includes the extension to the existing underground mining area and additional surface infrastructure which is the subject of the Proposed Action. No other changes to the approved operations subject to EPBC Approvals 2009/5252 and 2015/7511 are required as a result of the Proposed Action.

It is noted that Modification 4 of PA 08_0184 was referred under the EPBC Act in 2018 (EPBC 2018/8337) and was determined to be 'not a controlled action'.

1.2.6 What Commonwealth or state legislation, planning frameworks or policy documents are relevant to the proposed action, and how are they relevant? *

The approved UCC operations are subject to Project Approval (PA) 08_0184, granted under the NSW EP&A Act in 2010 and modified on six occasions, with another modification pending (Modification 6).

UCMPL seeks to modify PA 08_0184 pursuant to section 4.55(2) of the NSW EP&A Act (the Proposed Modification). As State Significant Development (specified in Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021*), the NSW Minister for Planning and Public Spaces, or their delegate, or the Independent Planning Commission will be the consent authority.

Modifications sought under section 4.55(2) must be substantially the same development for which the original consent was granted, or as last modified under section 75W for 'transitional Part 3A projects', including UCC.

The Proposed Modification which includes the Proposed Action is considered to be substantially the same development as that approved under PA 08_0184 as last modified under section 75W being Mod 4, for reasons that include:

- the overall nature of the development remains unchanged
- there is no proposed change in annual production rates, mining method, transportation, CHPP or key infrastructure
- the key project components remain largely unchanged from the current approval
- there are no substantive changes to environmental impacts and the Proposed Modification can be undertaken in accordance with the approved environmental impact criteria contained in the current conditions of PA 08_0184 (as modified).

Based on consultation with the NSW Department of Planning, Housing and Infrastructure (DPHI), section 4.55(2) of the EP&A Act is available as the approval pathway for the Proposed Action.

The modification application under the NSW EP&A Act will be accompanied by a Modification Report which is currently being prepared in accordance with the NSW legislation and policies and relevant Commonwealth requirements (pending the outcome of this referral) and includes detailed assessments of all relevant aspects including water resources, biodiversity, subsidence, air, noise, social, Aboriginal heritage, agriculture and economics. Specific assessments for water resources and biodiversity have been completed to inform the assessment of the Proposed Action in relation to potential impacts on Matters of National Environmental Significance (MNES) using the relevant Significant Impact Guidelines. These assessments are provided in **Attachment 3** (biodiversity), **Attachment 4** (groundwater) and **Attachment 5** (surface water).

As outlined in Section 1.2.1, the final location of surface infrastructure is subject to ongoing consultation with landholders. To retain flexibility in the location of surface infrastructure proposed until consultation has been completed, two alignments for the end of block infrastructure are currently being assessed (refer to **Figure 4 in Attachment 1**). This approach allows for the full extent of potential biodiversity impacts that may occur as a result of the Proposed Action to be assessed, noting that these impacts would be refined, minimised and offset as required. The impact of both alignments of the Proposed Action is the subject of this referral. However, it is planned that only one of the alignments will be constructed for the Proposed Action and hence if offsets were identified as being required as part of any determination, only the offsets from impacts of the final constructed alignment would be required.

Other minor approvals will also be required under the NSW *Mining Act 1992*, the *Protection of the Environment Operations Act 1997*, and the *Water Management Act 2000*.

1.2.7 Describe any public consultation that has been, is being or will be undertaken regarding the project area, including with Indigenous stakeholders. Attach any completed consultation documentations, if relevant. *

UCMPL has an established relationship with the surrounding community and other stakeholders and has implemented a process for ongoing engagement regarding its mining operations. A stakeholder engagement program was undertaken by UMCPL specifically in relation to the Proposed Action, utilising existing UCMPL consultation mechanisms in addition to specific activities focused on the Proposed Action.

A program of engagement with the Registered Aboriginal Parties for the Proposed Modification is also being undertaken as part of the Aboriginal Cultural Heritage Assessment. Consultation is also being undertaken with a native title group associated with certain mining tenement aspects.

A Community and Stakeholder Engagement Plan (CSEP) has been developed for the Proposed Action to outline the community and stakeholder engagement approach and implementation program which will inform the Social Impact Assessment (SIA).

The preliminary social baseline completed for the UWCO Project, combined with UCMPL's existing knowledge of the community, identified a number of stakeholders to be engaged as part of the SIA and engagement program. These stakeholders have been grouped and prioritised. The consultation process for the Proposed Action is being undertaken in stages to align with the key milestones of the environmental assessment process. The key stages of the consultation process are outlined below:

Stage 1 – Issue Scoping Stage. In the scoping stage, individual project meetings with residents and landholders within the Referral Area, proximal community, local businesses and service providers were undertaken and an online survey was provided to those unable to attend an individual meeting. A link to the survey was also included on the UWCO Modification Update Project Information Sheet that was distributed to approximately 117 stakeholders including landholders in the Referral Area and proximal communities. Project briefings were also held with key government and community stakeholders including the NSW DPHI, Mid-Western Regional Council and the UCC Community Consultative Committee (CCC) and two community information sessions were held at the Bungaba Hall on 21 February 2024.

Stage 2 – Modification Report and SIA Development. This stage is currently being undertaken. This stage builds on engagement from the previous SIA, ongoing consultation processes and the consultation commenced within Stage 1. Consultation includes meetings with community and agency stakeholders as necessary and provision of updated project information as it becomes available via mechanisms including the CCC and further Project Information Sheets.

Stage 3 — Submission and assessment. This will be the final stage of consultation prior to determination of the NSW modification application and will involve consultation during the Modification Report public exhibition phase and subsequent assessment and approval process. The main purpose of this stage of consultation will be for interested stakeholders to make formal submissions on the Modification Report and for UCMPL to respond to issues raised during the public exhibition phase. Note that if the modification is approved, engagement will continue in accordance with current site procedures, taking into consideration outcomes of the assessment process.

1.3.1 Identity: Referring party

Privacy Notice:

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

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Alternatively, email us at privacy@awe.gov.au.

☒ **Confirm that you have read and understand this Privacy Notice ***

1.3.1.1 Is Referring party an organisation or business? *

Yes

Referring party organisation details

ABN/ACN	80000189248
Organisation name	ULAN COAL MINES PTY LIMITED
Organisation address	Private Mail Bag 3006, Mudgee NSW 2850

Referring party details

Name	Greg Newton
Job title	Approvals Manager
Phone	0439462416
Email	Greg.Newton@glencore.com.au
Address	

1.3.2 Identity: Person proposing to take the action

1.3.2.1 Are the Person proposing to take the action details the same as the Referring party details? *

No

1.3.2.2 Is Person proposing to take the action an organisation or business? *

Yes

Person proposing to take the action organisation details

ABN/ACN	80000189248
Organisation name	ULAN COAL MINES PTY LIMITED
Organisation address	2850 NSW

Person proposing to take the action details

Name	Peter Ostermann
Job title	General Manager Ulan Coal
Phone	0411204903
Email	peter.ostermann@glencore.com.au
Address	Private Mail Bag 3006 Mudgee NSW 2850 Australia

1.3.2.14 Are you proposing the action as part of a Joint Venture? *

No

1.3.2.15 Are you proposing the action as part of a Trust? *

No

1.3.2.17 Describe the Person proposing the action's history of responsible environmental management including details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the Person proposing to take the action. *

UCMPL has a satisfactory record of responsible environmental management.

The Proposed Action would be undertaken in accordance with Glencore's 11.0 Environment Standard (refer to **Attachment 6**). UCMPL maintains an Environmental Management Strategy (EMS) for mining operations as required by Condition 1 of Schedule 5 of PA 08_0184. The EMS describes the controls, procedures and management plans, to protect and preserve environmental and community values; ensure adherence to regulatory and internal Glencore standard requirements and continually improve performance. This includes identification of areas required for management (aspects) and impact identification and management, monitoring and reporting and training of personnel.

The EMS sets out responsibilities that all employees and contractors must adhere to in relation to minimising, mitigating and managing impacts to the environment. The EMS operates under a number of Management Plans in relation to noise and vibration, air quality (including dust), Aboriginal and European heritage, biodiversity, surface and groundwater, waste and chemicals, subsidence, rehabilitation and pollution incident response.

Regular auditing is undertaken to assess performance and compliance with regulatory requirements in accordance with Schedule 5, Condition 8 of the current approval. Relevant monitoring programs and management plans will be modified as a result of the Proposed Modification if it is approved, and changes will be incorporated into the EMS as required. No major non-compliance or breach of conditions has occurred at the UCC.

UCMPL also engages with the community via a number of mechanisms including a dedicated Community Consultative Committee (CCC), regular community engagement events, preparation of bi-annual Community Newsletters and through participation and support of community groups and events.

Copies of Management Plans, Annual Compliance reports, CCC meeting minutes, Community Newsletters, monitoring results and compliance audit reports are made available via UCMPL's website (refer to www.ulancoal.com.au).

UCMPL was prosecuted by the NSW Environment Protection Authority (EPA) in 2001 under NSW legislation for an uncontrolled release of mine water into the receiving catchment. The incident was a result of pipe damage due to a fallen tree limb. Since this incident Burst Pipe Protection systems were upgraded and the overall surface water management system and the premises water management and monitoring systems, such as routine monitoring and inspection programs to reflect the risk level of these systems have all been upgraded. These are the only proceedings that have been brought against UCMPL in relation to the protection of the environment.

1.3.2.18 If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

Refer to **Attachment 6** and <https://www.glencore.com.au/operations-and-projects/coal/current-operations/ulan-coal/management-plans>.

1.3.3 Identity: Proposed designated proponent

1.3.3.1 Are the Proposed designated proponent details the same as the Person proposing to take the action? *

Yes

Proposed designated proponent organisation details

ABN/ACN	80000189248
Organisation name	ULAN COAL MINES PTY LIMITED
Organisation address	2850 NSW

Proposed designated proponent details

Name	Peter Ostermann
Job title	General Manager Ulan Coal
Phone	0411204903
Email	peter.ostermann@glencore.com.au
Address	Private Mail Bag 3006 Mudgee NSW 2850 Australia

1.3.4 Identity: Summary of allocation

✔ Confirmed Referring party's identity

The Referring party is the person preparing the information in this referral.

ABN/ACN	80000189248
Organisation name	ULAN COAL MINES PTY LIMITED
Organisation address	Private Mail Bag 3006, Mudgee NSW 2850
Representative's name	Greg Newton
Representative's job title	Approvals Manager
Phone	0439462416
Email	Greg.Newton@glencore.com.au
Address	

✔ Confirmed Person proposing to take the action's identity

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	80000189248
Organisation name	ULAN COAL MINES PTY LIMITED
Organisation address	2850 NSW
Representative's name	Peter Ostermann
Representative's job title	General Manager Ulan Coal
Phone	0411204903
Email	peter.ostermann@glencore.com.au
Address	Private Mail Bag 3006 Mudgee NSW 2850 Australia

✔ Confirmed Proposed designated proponent's identity

The Person proposing to take the action is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

1.4 Payment details: Payment exemption and fee waiver

1.4.1 Do you qualify for an exemption from fees under EPBC Regulation 5.23 (1) (a)? *

No

1.4.3 Have you applied for or been granted a waiver for full or partial fees under Regulation 5.21A? *

No

1.4.5 Are you going to apply for a waiver of full or partial fees under EPBC Regulation 5.21A?

No

1.4.7 Has the department issued you with a credit note? *

No

1.4.9 Would you like to add a purchase order number to your invoice? *

Yes

1.4.10 Enter purchase order number *

6000954795

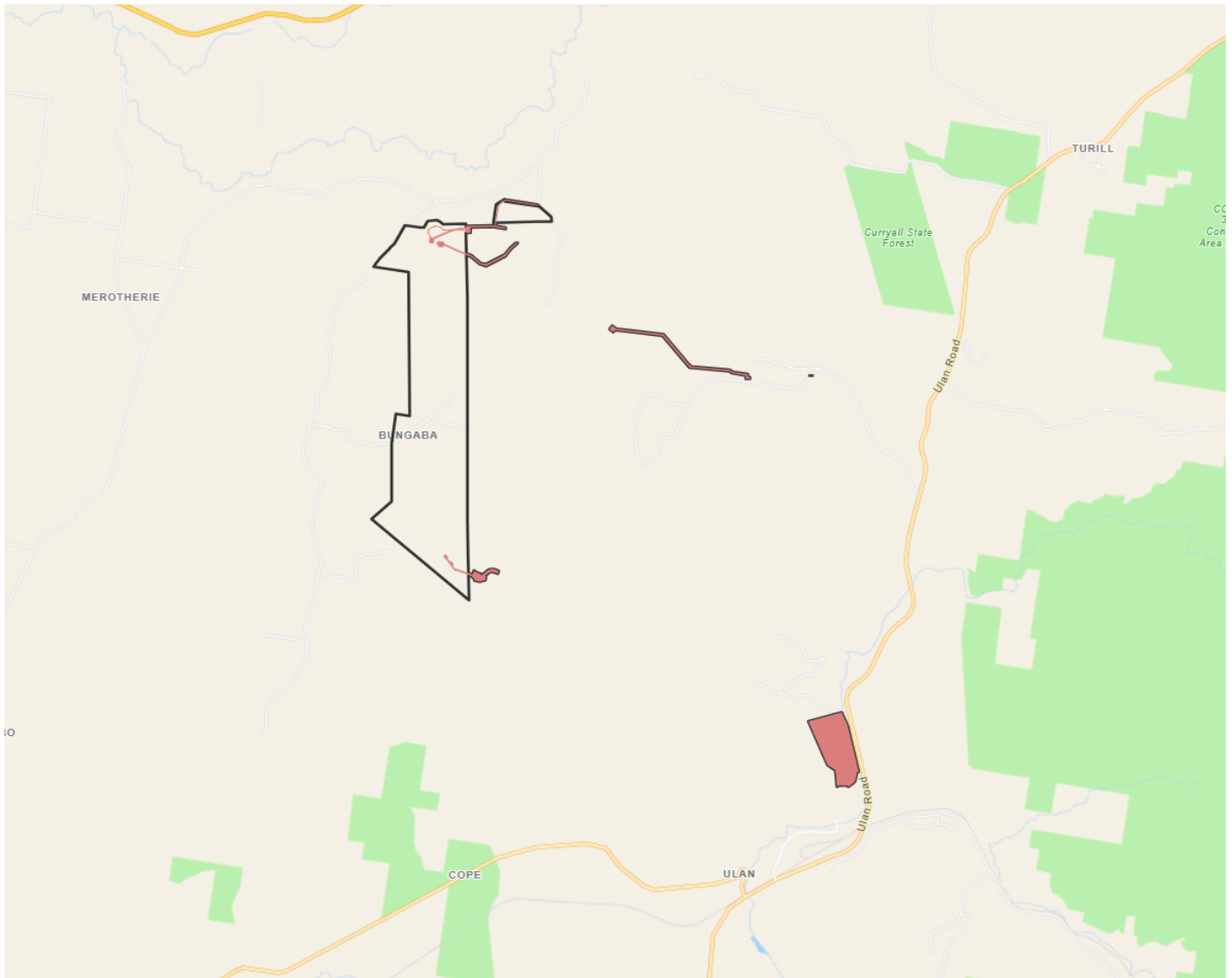
1.4 Payment details: Payment allocation

1.4.11 Who would you like to allocate as the entity responsible for payment? *

Person proposing to take the action

2. Location

2.1 Project footprint



Project Area: 1742.44 Ha Disturbance Footprint: 190.61 Ha

2.2 Footprint details

2.2.1 What is the address of the proposed action? *

4505 Ulan Road, Ulan NSW 2850

2.2.2 Where is the primary jurisdiction of the proposed action? *

New South Wales

2.2.3 Is there a secondary jurisdiction for this proposed action? *

No

2.2.5 What is the tenure of the action area relevant to the project area? *

The land pertaining to the Referral Area is primarily privately owned, with areas of UCMPL owned land and Crown Land (refer to **Figure 5** in **Attachment 1**).

Native title has not been extinguished on areas of Crown Land within the Referral Area and is subject to native title negotiations.

Proposed surface infrastructure is predominantly on privately owned land and Crown Land. UCMPL will consult with private landholders, in relation to surface works on private land and native title claimants and the NSW Government regarding works proposed on Crown land.

A schedule of lands for the Referral Area is provided in **Attachment 2**.

3. Existing environment

3.1 Physical description

3.1.1 Describe the current condition of the project area's environment.

The UCC is in the Mid-Western Regional LGA, with the village of Ulan located 1.5 km west of the CHPP. The site is located approximately 38 km north-east of Mudgee and 19 km north-east of Gulgong in New South Wales.

The Referral Area has been subject to agricultural pursuits and contains extant native vegetation. The surrounding land is mainly used for primary industries such as agriculture, forestry, mining and private rural dwellings. Coal mining has been undertaken in the Ulan area since the 1920s, including immediately adjacent to the Referral Area.

The Referral Area is located on the western side of the Great Dividing Range within the Talbragar River catchment which drains west to meet the Macquarie River near Dubbo. Much of the Referral Area is located between approximately 450 metres (m) and 600 m above sea level. The topography is characterised by a series of east-west tending ridges separated by landforms of a gentler gradient surrounding minor ephemeral waterways. In general, the ridges are rounded and of a moderate gradient. In places, escarpments are present on the southern face of ridges. There is approximately 6.5 km of sandstone escarpments throughout the Referral Area.

The Referral Area is located predominantly within the Cockabutta Creek catchment which is a tributary of the Talbragar River. Three tributaries of Cockabutta Creek (two third order streams and one fourth order stream) traverse the Referral Area, however Cockabutta Creek itself would not be directly affected by the Proposed Action.

The geology of the Referral Area is dominated by Triassic era Narrabeen Group sandstones with smaller areas of alluvium and Purlawaugh formation sandstones, mudstones, claystones and coal. The soil types occurring within the Referral Area generally have low fertility with minor areas of moderately low fertility associated with cleared areas used for light grazing. NSW regional land and soil capability mapping identifies the Referral Area as being of moderate to very low capability.

The slopes and rocky escarpment landscapes of the Referral Area support large areas of relatively intact native vegetation comprising a range of vegetation types. The occurrence of disturbances such as weeds, erosion and pests in these areas is limited, with the vegetation comprising largely native species and low-impact introduced species. Much of the broad valley floor and floodplain areas have been historically cleared for agricultural practices, predominantly cattle grazing, which continues in some areas. Due to the agricultural land practices, these valley floor areas now comprise derived grasslands which support a higher abundance and diversity of weed species than the surrounding slopes.

3.1.2 Describe any existing or proposed uses for the project area.

Current land use within the Referral Area includes non-intensive grazing. Large areas of the Referral Area include intact vegetation. Due to the underground nature of mining activities, land within the Referral Area would continue to be available for limited agricultural use.

Surrounding the Referral Area, the alluvial lands located along the Talbragar River approximately 3 km to the north of the UCC, are used for intensive cropping. Forestry activities are undertaken in the Durrigere and Cope State forests to the east and southwest. Significant areas of national park also exist in close proximity to the UCC, with the Goulburn River National Park located to the east and Durrigere State Conservation Area located to the north-east. The Munghorn Gap Nature Reserve is situated approximately 20 km to the south-east of the UCC.

More recently, the region has been identified by the NSW Government as an important site for renewable energy generation with a range of wind and solar energy projects being proposed or developed within the Central-West Orana Renewable Energy Zone (REZ), including the proposed Energy Corporation (EnergyCo) 330 kilovolt (kV) transmission line located immediately to the north of the UCC and Referral Area. The Proposed Action would not impact on the EnergyCo transmission line project.

3.1.3 Describe any outstanding natural features and/or any other important or unique values that applies to the project area.

Cliff lines (i.e. continuous sandstone formations with a height greater than 10 m and slopes greater than 66°) occur across the UCC. There is approximately 6.5 km of sandstone escarpments occurring within the Referral Area. Subsidence impacts within areas of underground mining are expected to be similar to previous underground mining at the UCC, with impacts to cliff lines not expected to exceed the subsidence performance measures in the existing NSW Project Approval (PA 08_0184).

3.1.4 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area.

The Referral Area lies immediately west of the Great Dividing Range, which represents the watershed between the Goulburn River catchment to the east and the Talbragar River catchment to the west. Much of the Referral Area is located between about 450 m and 600 m above sea level. The topography is characterised by a series of east-west tending ridges separated by landforms of a gentler gradient surrounding minor waterways. In general, the ridges are rounded and of a moderate gradient. In places, escarpments are present on the southern face as described in Section 3.1.3.

3.2 Flora and fauna

3.2.1 Describe the flora and fauna within the affected area and attach any investigations of surveys if applicable.

A Biodiversity Development Assessment Report (BDAR) is currently being prepared for the Modification Report for the Proposed Modification of the Project Approval, including the impacts of the Proposed Action. The BDAR is being prepared in accordance with the NSW *Biodiversity Conservation Act 2016* (BC Act) Biodiversity Assessment Method (BAM) to assess impacts to biodiversity which may occur because of the Proposed Action. Comprehensive vegetation and habitat mapping has been undertaken within the Referral Area, which combined with the results of desktop database searches and records has provided a list of threatened ecological communities, species and or their habitat potentially occurring within the Referral Area for inclusion in the BDAR. The vegetation mapping is detailed in Section 3.2.2 and Appendix B of **Attachment 3**. Survey and assessment have been undertaken for those species identified as potential, likely, or known to occur in the Referral Area to determine presence and potential for impact.

Flora

Targeted surveys were completed during September and October 2024 (refer to to **Section 1.2.1** of **Attachment 3**). Surveys were carried out in accordance with the Surveying Threatened Plants and their Habitats: NSW survey guide for the Biodiversity Assessment Method (Department of Planning, Industry and Environment, 2020) and included both direct impact areas (those impacted by infrastructure development) and indirect impact areas (those potentially impacted by rock-fall related subsidence within 100 m of mapped sandstone escarpment areas (Umwelt Australia Pty Ltd, 2009)).

No EPBC listed flora species were identified within the Referral Area. A detailed description of vegetation communities present within the Referral Area is provided in Section 3.2.2.

Fauna

Targeted fauna surveys were undertaken for species identified by the desktop assessment, vegetation and habitat mapping as potentially occurring in the Referral Area. Targeted species surveys were undertaken in accordance with the survey timing and methodology prescribed by the NSW Threatened Biodiversity Data Collection (NSW Government, 2024) and NSW Biodiversity Assessment Method (Department of Planning and Environment, 2020), and additional specific guidelines. Targeted surveys were conducted during December 2023, January 2024, September 2024, October 2024, and November 2024 (refer to **Section 1.2.1** of **Attachment 3**).

As per the conclusion of **Section 1.2.1 (pp. 3-4)** of **Attachment 3**, the following fauna species, which are EPBC Act listed, were confirmed present or are considered likely or have the potential to be present within the Referral Area:

Presence confirmed:

- Painted Honeyeater
- White-throated Needletail
- South-eastern Glossy Black-Cockatoo
- Large-eared Pied Bat
- Corben's Long-eared Bat.

Likely or have potential to occur:

- Brown Treecreeper
- Fork-tailed Swift
- South-eastern Hooded Robin
- Diamond Firetail
- Koala
- Brush-tailed Rock Wallaby.

3.2.2 Describe the vegetation (including the status of native vegetation and soil) within the project area.

Vegetation

The Referral Area contains dry sclerophyll forest vegetation on hill slopes, and grassy woodland vegetation in valley floor positions. Historical land use has significantly influenced vegetation condition across the Referral Area. Grassy woodlands were likely cleared of woody vegetation during the early 1990s for agricultural purposes, but these are now undergoing extensive regeneration of midstorey and canopy strata, as observed during field survey and corroborated by aerial imagery. Dry sclerophyll forest areas have been influenced by small scale logging, bushfire and more recent vegetation clearing associated with exploration drilling programs.

Seven PCTs have been identified within the Referral Area (refer to **Section 1.2.2 of Attachment 3**):

- PCT 3334 Western Hunter Flats Red Gum Sedge Forest
- PCT 3396 Northwest Slopes Box – Blakely's Red Gum Woodland
- PCT 3403 Western Hunter Creekflat Apple Grassy Forest
- PCT 3530 Western Hunter Sandy Riparian Red Gum Shrub Forest
- PCT 3756 Gulgong Ranges Stringybark – Ironbark Forest
- PCT 3763 Northwest Wollemi Colluvial Apple Forest
- PCT 3781 Ulan Sandstone Ironbark – Pine Woodland.

In addition to the PCTs listed above, the Referral Area contains rehabilitated areas of a former open cut mine, which comprises the following vegetation communities:

- Grassland -dominated by *Eragrostis curvula* (African Lovegrass) and *Bothriochloa macra* (Red Grass). A PCT has not been assigned due to the absence of midstorey and canopy species, and remnant abiotic factors (landscape position, soil etc) required to make a definite PCT selection.
- Shrubland containing *Cassinia sifton* (Sifton Bush), *Acacia implexa* (Hickory Wattle) and *Eucalyptus blakelyi* (Blakely's Red Gum). PCT 3403 has been selected as the best fit PCT.
- *Eucalyptus albens* (White Box) woodland. PCT 3388 Central West Valleys White Box Forest has been selected as the best fit PCT.
- *Casuarina cunninghamiana* (River Sheoak) forest along a channel created to divert the flow of the Goulburn River. A PCT has not been selected for this vegetation as it is unlikely that the area supported *Casuarina cunninghamiana* prior to clearing and construction of the diversion in the 1980s.

Five Threatened Ecological Communities (TECs) were identified by the EPBC Act Protected Matters Report as may occur or likely to occur within the Referral Area (Department of Climate Change, Energy, the Environment and Water, 2024a):

- Central Hunter Valley eucalypt forest and woodland.
- Coolibah – Black Box Woodlands of the Darling Riverine Plains and Brigalow Belt South Bioregions.
- Grey Box (*Eucalyptus microcarpa*) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia.
- Natural grasslands on basalt and fine-textured alluvial plains of northern New South Wales and southern Queensland.
- White Box – Yellow Box – Blakely's Red Gum grassy woodland and derived native grasslands (hereafter referred to as 'Box Gum Woodland').

Field surveys conducted from late 2023 to November 2024.

The extent of PCT 3396 within the Referral Area conforms to the EPBC Act listed Box Gum Woodland Critically Endangered Ecological Community (CEEC) (hereafter referred to as Box Gum Woodland CEEC). An assessment against the Approved Conservation Advice for the White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland (Threatened Species Scientific Committee, 2023)

was undertaken for woodland and derived native grassland (DNG) patches of PCT 3396, which determined that the all key diagnostic characteristics were met. Additional details are provided in **Section 1.2.2** (p. 5) of **Attachment 3**.

The extent of PCT 3388 within the Referral Area is not considered to be Box Gum Woodland. This PCT is located on rehabilitated areas of a former open cut mine. An assessment against the Approved Conservation Advice found that not all key diagnostic characteristics were met. Additional details are provided in **Section 1.2.2** (p. 5-6) of **Attachment 3**.

No other TECs were identified within the Referral Area.

The approximate extent of Box Gum Woodland within the Referral Area is 61 ha. This corresponds to 59 ha of PCT 3396 within the Referral Area of which 1.8 ha of PCT 3396 within the proposed infrastructure areas and will be subject to direct disturbance.

Soils

The Referral Area encompasses several distinct soil landscapes as classified by Murphy and Lawrie (1998). These include the Turill landscape, characterized by earthy sands and yellow soloths with low fertility and weakly structured surface soils, which limit agricultural or ecological productivity. The Munghorn Plateau landscape consists of siliceous sands and yellow earths, also with low fertility. Its surface soils are slightly to moderately acidic, loose, and possess low water-holding capacity, making them prone to erosion and less capable of sustaining diverse vegetation. Similarly, the Lees Pinch landscape is defined by shallow siliceous sands, shallow acid soils, and yellow earths. These soils are acidic, sandy, and exhibit very low water-holding capacity, contributing to their fragility and limited ecological suitability. The Ulan landscape, comprising yellow podzolic soils, is slightly more resilient with moderate water-holding capacity, though it still has low fertility and slightly acidic, fragile, light-textured surface soils. These soil characteristics will influence the management of soil stability, vegetation rehabilitation, and water retention during and after project activities. Additional detail on soil types is provided in **Section 1.2.2** (p. 6) of **Attachment 3**.

3.3 Heritage

3.3.1 Describe any Commonwealth Heritage Places Overseas or other places recognised as having heritage values that apply to the project area.

The Proposed Action will not impact any Commonwealth Heritage places overseas.

Desktop assessment and surveys indicate that there are no historic heritage sites across the Referral Area. Any incidentally identified historic heritage sites would be assessed and appropriate management and/or mitigation measures implemented in accordance with approved UCC management plans.

3.3.2 Describe any Indigenous heritage values that apply to the project area.

The Aboriginal heritage values of the UCC have been well documented over its long history.

Parts of the Referral Area have previously been subject to a number of archaeological and cultural heritage investigations that have identified numerous archaeological sites, most of which are artefact scatters or isolated artefacts.

Additional surveys were completed in late 2023 and 2024 on those parts of the Referral Area that had not previously been subject to archaeological investigations. Consistent with the surrounding area, these surveys found rockshelters, artefact scatters and isolated finds. The Aboriginal archaeology and cultural heritage assessments are being prepared in consultation with the Registered Aboriginal Parties (RAPs) and in accordance with relevant NSW guidelines will be included in the Modification Report to be submitted to DPHI.

Brokenback Conservation Area (BCA) is located between the northern and southern sections of five approved longwall panels, Ulan West LW8 to LW12, comprising approximately 58 ha (refer to Figure 2 in **Attachment 1**). The Proposed Action will not result in any changes to the BCA.

Crown land within the Referral Area is subject to a native title claim and UCMPL is currently negotiating with native title claimants as part of the right to negotiate process under the *Native Title Act 1993*.

3.4 Hydrology

3.4.1 Describe the hydrology characteristics that apply to the project area and attach any hydrological investigations or surveys if applicable. *

The Referral Area is located wholly within the Talbragar River catchment. The Talbragar River forms part of the Murray-Darling Basin and has a catchment area of approximately 485,000 ha.

The Referral Area is located predominantly within the Cockabutta Creek catchment, a fourth order stream and tributary of the Talbragar River, with a catchment area of approximately 10,330 ha. The Cockabutta Creek catchment equates to approximately 2% of the Talbragar River catchment. The Referral Area makes up less than 0.3% of the Talbragar River catchment.

Three unnamed tributaries (one fourth order and two third order) of Cockabutta Creek overlie the proposed longwall panels and are the primary water resources to potentially be impacted by the Proposed Action. These tributaries have been informally named the Northern Tributary, Central Tributary and Southern Tributary for reference purposes.

The watercourses in the catchments associated with the Proposed Action are in moderate to good geomorphic condition, with a dense cover of vegetation in the riparian zones.

The three main hydrostratigraphic units identified as occurring within and surrounding the UCC are:

1. unconsolidated alluvial and colluvial sediments occurring along watercourses, with the most significant to the Proposed Action being the colluvial sediments of Cockabutta Creek and its tributaries
2. shallow regolith and near surface weathered rock profiles, which can host unconfined groundwater during extended wet periods when the recharge rate exceeds the rate of downward or lateral flow
3. hard rock aquifers within Jurassic, Triassic and Permian strata which are recharged by rainfall, including the Permian coal measures where groundwater is held predominantly as interstitial storage.

There has been extensive depressurisation of the deeper hard rock groundwater systems within and surrounding the UCC, as a result of approved mining operations. At the same time no response has been observed in the groundwater levels in the shallow groundwater systems (i.e. Jurassic formations) that directly overlie the mined underground areas.

The avoidance of longwall mining below the Central Tributary (brought about by the step arounds in LW13, LW14 and LW15) will result in few direct impacts on the associated creek line. Flows in this creek may still be impacted through reduced flows associated with increased infiltration in the catchment due to subsidence effects and potential loss of groundwater. Flows in other lower order streams over the longwall mining area would also be reduced due to potential cracking within the drainage line itself and reduced runoff within the catchment areas above longwall panels. These impacts are similar to both actual and approved impacts on other creeks located above existing approved longwall mining areas. Depressurisation of groundwater systems would also be expected to result in reduced baseflow in streams.

Further information on groundwater and surface water is provided in **Section 4.1 of Attachment 4** and **Section 3 of Attachment 5**, respectively.

4. Impacts and mitigation

4.1 Impact details

Potential Matters of National Environmental Significance (MNES) relevant to your proposed action area.

EPBC Act section	Controlling provision	Impacted	Reviewed
S12	World Heritage	No	Yes
S15B	National Heritage	No	Yes
S16	Ramsar Wetland	No	Yes
S18	Threatened Species and Ecological Communities	Yes	Yes
S20	Migratory Species	Yes	Yes
S21	Nuclear	No	Yes
S23	Commonwealth Marine Area	No	Yes
S24B	Great Barrier Reef	No	Yes
S24D	Water resource in relation to large coal mining development or coal seam gas	Yes	Yes
S26	Commonwealth Land	No	Yes
S27B	Commonwealth Heritage Places Overseas	No	Yes
S28	Commonwealth or Commonwealth Agency	No	Yes

4.1.1 World Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.1.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.1.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

There are no World Heritage properties located within or in the vicinity of the Referral Area.

4.1.2 National Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.2.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.2.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

There are no National Heritage places located within or in the vicinity of the Referral Area.

4.1.3 Ramsar Wetland

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	Ramsar wetland
No	No	Banrock Station Wetland Complex
No	No	Hunter Estuary Wetlands
No	No	Riverland
No	No	The Coorong, and Lakes Alexandrina and Albert Wetland
No	No	The Macquarie Marshes

4.1.3.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.3.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

There are no Ramsar wetlands located within or in the vicinity of the Referral Area. Surface water assessments have concluded that the Proposed Action is likely to have negligible impact on ecosystems and downstream users and any predicted impacts are within the natural variation of the existing creek systems.

4.1.4 Threatened Species and Ecological Communities

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Threatened species

Direct impact	Indirect impact	Species	Common name
No	No	<i>Androcalva procumbens</i>	
No	No	<i>Anthochaera phrygia</i>	Regent Honeyeater
No	No	<i>Aphelocephala leucopsis</i>	Southern Whiteface
No	No	<i>Aprasia parapulchella</i>	Pink-tailed Worm-lizard, Pink-tailed Legless Lizard
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
No	No	<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo
Yes	No	<i>Calyptorhynchus lathami lathami</i>	South-eastern Glossy Black-Cockatoo
Yes	Yes	<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat, Large Pied Bat
Yes	No	<i>Climacteris picumnus victoriae</i>	Brown Treecreeper (south-eastern)
No	No	<i>Dasyurus maculatus maculatus</i> (SE mainland population)	Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)
No	No	<i>Dichanthium setosum</i>	bluegrass
No	No	<i>Euphrasia arguta</i>	
No	No	<i>Falco hypoleucos</i>	Grey Falcon
No	No	<i>Galaxias rostratus</i>	Flathead Galaxias, Beaked Minnow, Flat-headed Galaxias, Flat-headed Jollytail, Flat-headed Minnow
No	No	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe
Yes	No	<i>Grantiella picta</i>	Painted Honeyeater
Yes	No	<i>Hirundapus caudacutus</i>	White-throated Needletail
No	No	<i>Homoranthus darwinioides</i>	
No	No	<i>Lathamus discolor</i>	Swift Parrot

Direct impact	Indirect impact	Species	Common name
No	No	Leipoa ocellata	Malleefowl
No	No	Lepidium aschersonii	Spiny Peppercress
No	No	Maccullochella macquariensis	Trout Cod
No	No	Maccullochella peelii	Murray Cod
No	No	Macquaria australasica	Macquarie Perch
Yes	No	Melanodryas cucullata cucullata	South-eastern Hooded Robin, Hooded Robin (south-eastern)
No	No	Neophema chrysostoma	Blue-winged Parrot
Yes	No	Nyctophilus corbeni	Corben's Long-eared Bat, South-eastern Long-eared Bat
No	No	Ozothamnus tessellatus	
No	No	Pedionomus torquatus	Plains-wanderer
Yes	No	Petrogale penicillata	Brush-tailed Rock-wallaby
Yes	No	Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)	Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)
No	No	Polytelis swainsonii	Superb Parrot
No	No	Prasophyllum sp. Wybong (C.Phelps ORG 5269)	a leek-orchid
No	No	Pseudomys novaehollandiae	New Holland Mouse, Pookila
No	No	Pteropus poliocephalus	Grey-headed Flying-fox
No	No	Pycnoptilus floccosus	Pilotbird
No	No	Rostratula australis	Australian Painted Snipe
Yes	No	Stagonopleura guttata	Diamond Firetail
No	No	Swainsona murrayana	Slender Darling-pea, Slender Swainson, Murray Swainson-pea
No	No	Swainsona recta	Small Purple-pea, Mountain Swainson-pea, Small Purple Pea
No	No	Thesium australe	Austral Toadflax, Toadflax

Direct impact	Indirect impact	Species	Common name
No	No	Vincetoxicum forsteri	

Ecological communities

Direct impact	Indirect impact	Ecological community
No	No	Central Hunter Valley eucalypt forest and woodland
No	No	Coolibah - Black Box Woodlands of the Darling Riverine Plains and the Brigalow Belt South Bioregions
No	No	Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia
No	No	Weeping Myall Woodlands
Yes	No	White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland

4.1.4.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.4.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

The installation of surface infrastructure to service the Proposed Action will require land clearing and will have direct impacts on biodiversity. Additional indirect impacts to biodiversity as a result of subsidence across the proposed underground mining area could potentially include:

- impact from subsidence related effects such as cracking and land deformation (e.g. tree falls)
- loss of habitat associated with impacts to cliffines
- loss of habitat associated with changes to groundwater systems (e.g. stygofauna and other groundwater dependent ecosystems) and surface water regimes (aquatic and hyporheic fauna impacted through loss of or changes to surface flows and loss of base flow)
- direct impacts associated with subsidence remediation work, including clearing for access tracks and earthworks required for physical repair to land deformation and subsidence cracks.

The Proposed Action will have, or has the potential to have, a direct impact on the following listed species due to the clearing of 35 ha of native vegetation for surface infrastructure:

- South-eastern Glossy Black-Cockatoo – removal of up to 35 ha of potential foraging and breeding habitat.
- Brown Treecreeper – removal of up to 35ha of potential foraging and breeding habitat.
- Painted Honeyeater – removal of up to 35 ha of potential foraging and breeding habitat.
- South-eastern Hooded Robin – removal of up to 35 ha of potential foraging and breeding habitat.
- Diamond Firetail - removal of up to 35 ha of potential foraging and breeding habitat.
- Large-eared Pied Bat –removal of up to 35 ha of potential foraging habitat.
- Corben's Long-eared Bat –removal of up to 35 ha of potential foraging and roosting habitat.
- Koala – removal of up to 35 ha of potential foraging habitat

The proposed action will have or has the potential to also have a direct impact on White-throated Needletail due to removal of potential foraging and perching habitat. This species forages aerially above the canopy and above native grasslands. The extent (ha) of impact is difficult to quantify.

The Proposed Action will also result in a direct impact to 1.8 ha of Box Gum Woodland CEEC due to the clearing of native vegetation for surface infrastructure.

The Proposed Action may also result in potential indirect impacts relating to underground mining induced subsidence. Potential indirect impacts have the potential to impact on the following entities due to longwall mining related subsidence impacts:

- Box Gum Woodland
- Large-eared Pied Bat habitat.

Refer to **Section 2** (pp. 7-12) of **Attachment 3** for additional information on biodiversity impacts.

4.1.4.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

*

Yes

4.1.4.5 Describe why you consider this to be a Significant Impact. *

Preliminary assessment indicates that the potential indirect impacts to Large-eared Pied Bat roosting habitat may be a Significant Impact. Undermining activities may modify, destroy, remove, isolate or decrease the availability or quality of habitat to an extent that could result in a decline of the species within the area. Although no Critical Habitat or Important Populations for the Large-eared Pied Bat have been identified, the reduction in roosting and breeding sites due to rockfall could decrease the area of occupancy for the local population, and potentially lead to a reduction in population size. Up to 1.3 km of roosting habitat for this species could potentially be impacted by the Proposed Action.

Preliminary assessments also found that the direct impact to potential foraging and breeding habitat for the endangered South-eastern Hooded Robin, Brush-tailed Rock Wallaby and Koala may be a Significant Impact. These impacts could result in an approximately 35 ha reduction of the area of occupancy for these species within the Referral Area.

The direct impact to Box Gum Woodland CEEC (1.8 ha) is considered a Significant Impact as the Proposed Action will result in a reduction in the extent of the ecological community. A detailed assessment of the significance of impacts for each community/species is provided in **Section 2.1.2 of Attachment 3**.

4.1.4.7 Do you think your proposed action is a controlled action? *

Yes

4.1.4.8 Please elaborate why you think your proposed action is a controlled action. *

The proposed action is likely to have a significant impact on potential foraging, roosting and/or breeding habitat of the following species:

- Large-eared Pied bat
- Koala
- Brush-tailed Rock Wallaby
- South-eastern Hooded Robin.

Refer to **Section 2.1.3** (p. 9) of **Attachment 3** for further details.

4.1.4.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

The Proposed Action aims to provide an appropriate balance between accessing economic coal reserves whilst avoiding and minimising potential environmental and community impacts. UCMPL has sought to firstly avoid and then minimise potential impacts on the ecological values of the Referral Area throughout the project planning process.

The underground mine plan has been revised multiple times to minimise potential impacts on key habitats within the Referral Area, including those for the Large-eared Pied Bat. These revisions have significantly reduced the extent of proposed undermining of potential breeding habitat for this species. Notably, sandstone escarpments located in the centre of the underground area, subject of the referral, have largely been avoided, with no undermining proposed in this area.

Surface infrastructure has generally been strategically located at least 100 m away from sandstone escarpment areas where possible to minimise direct impacts on potential breeding habitat for the Large-eared Pied Bat, and other cave dwelling bats. Additionally, the location of surface infrastructure has been integrated with existing approved infrastructure, reducing the amount of new vegetation clearing required for the Proposed Action.

Revisions to the underground mine plan have also eliminated the requirement for mid-block infrastructure, further reducing the overall extent of vegetation clearing required for the Proposed Action.

Previously disturbed land has been prioritised for surface infrastructure locations, including:

- Positioning infrastructure along existing access tracks where possible.
- Positioning infrastructure within secondary grassland areas which contain fewer habitat features compared to remnant woodland/forest.
- Positioning infrastructure along existing powerline and pipeline easements.
- Positioning the proposed tailings dam within previously mined open cut rehabilitation and avoiding established areas of rehabilitation.

The approved operations at the UCC are undertaken in accordance with the NSW Project Approval, existing EPBC approvals, the Environment Protection Licence (EPL), approved Environmental Management Plans and Strategies. The detailed environmental assessments being undertaken to support the environmental impact assessment for the Proposed Action will include the identification and development of any management measures required. Should the Proposed Action be approved, updates would be undertaken to the existing Environmental Management Plans and Strategies to incorporate the management requirements resulting from the Proposed Action.

A habitat pre-clearing procedure will be implemented for the Proposed Action, containing measures to minimise impacts on native fauna species, especially threatened species, and microhabitat-dependent fauna, through staged and progressive clearance of habitat features. This procedure will include the clear demarcation of clearance boundaries to prevent unnecessary disturbance and protect biodiversity and will follow the procedures implemented under the approved UCC Biodiversity Management Plan (BMP).

Efforts will be made to salvage resources and habitat feature such as hollows, bush rock, topsoil and native mulch for relocation to adjoining areas where suitable. The Referral Area would be subject to the same ecological monitoring as the remainder of the UCC. A detailed monitoring program for the broader UCC has been developed and described within the approved BMP, and comprises:

- micro-bat monitoring of rehabilitation, offset areas, subsidence impacts and the broader UCC
- general fauna and fauna habitat monitoring across the rehabilitation, offset areas, subsidence impacts and the broader UCC
- cliff line monitoring above longwall underground mining areas
- floristic monitoring of the UCC, including areas of rehabilitation, offset areas and subsidence impacts.

This monitoring covers a range of techniques (and purposes) and would be extended (where necessary) to include monitoring of the anticipated impacts resulting from the Proposed Action. General flora and fauna monitoring would continue to be completed on a regular basis, as per the BMP.

4.1.4.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

All direct impacts associated with the final surface infrastructure locations would be offset in accordance with the requirements of the NSW Biodiversity Assessment Method. Offsetting requirements will be confirmed in the BDAR to support the NSW modification application.

4.1.5 Migratory Species

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	Species	Common name
No	No	<i>Actitis hypoleucos</i>	Common Sandpiper
Yes	No	<i>Apus pacificus</i>	Fork-tailed Swift
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
No	No	<i>Calidris melanotos</i>	Pectoral Sandpiper
No	No	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe
Yes	No	<i>Hirundapus caudacutus</i>	White-throated Needletail
No	No	<i>Motacilla flava</i>	Yellow Wagtail

4.1.5.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.5.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

The Proposed Action would involve the direct disturbance of potential habitat for the following species (refer to **Section 2.2 of Attachment 3**):

- White-throated Needletail
- Fork-tailed Swift.

4.1.5.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

*

No

4.1.5.6 Describe why you do not consider this to be a Significant Impact. *

An assessment was undertaken in accordance with the Matters of National Environmental Significance significant impact guidelines 1.1 (Department of the Environment, 2013), (refer to **Section 2.2.2 of Attachment 3**), which found that the Proposed Action is unlikely to have a significant impact on White-throated Needletail and Fork-tailed Swift. The Proposed Action will not substantially modify, destroy, or isolate an area of important habitat for White-throated Needletail or Fork-tailed Swift, nor will it seriously disrupt the lifecycle (breeding, feeding, migration or resting behaviour) of these species.

There are several recent records of White-throated Needletail foraging near existing areas of infrastructure within the Ulan region (NSW Government, 2024). The White-throated Needletail spends its time in the air feeding on insects mostly above woodland and open forests, and roosts in dense canopies. Given that there is considerable area of foraging habitat for this species in the surrounding landscape, as well as suitable resting habitat (tree hollows, decorticated bark, and rock faces), it is unlikely that the Proposed Action would significantly impact habitat for this species.

There is one nearby record of Fork-tailed Swift in the surrounding landscape (NSW Government, 2024). Fork-tailed Swift is considered to be exclusively aerial, feeding in flight (Department of the Environment, 2015). It is unlikely that the Proposed Action will result in a decrease in the food availability for this species.

A detailed assessment of the impact of the Proposed Action on these species is provided in **Section 2.2** (pp. 10-11) of **Attachment 3**.

4.1.5.7 Do you think your proposed action is a controlled action? *

No

4.1.5.9 Please elaborate why you do not think your proposed action is a controlled action.

*

A detailed assessment of the impact of the Proposed Action on migratory species is provided in **Section 2.2** of **Attachment 3**. The Proposed Action is not considered a controlled action due to predicted impacts on migratory species.

4.1.5.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

The location of surface infrastructure has been integrated with existing approved infrastructure, reducing the amount of new vegetation clearing required for the Proposed Action.

Revisions to the underground mine plan have also eliminated the requirement for mid-block infrastructure, further reducing the overall extent of vegetation clearing required for the Proposed Action by approximately 39 ha.

Previously disturbed land has been prioritised for surface infrastructure locations, including:

- Positioning infrastructure along existing access tracks where possible.
- Positioning infrastructure within secondary grassland areas which contain fewer habitat features compared to remnant woodland/forest.
- Positioning infrastructure along existing powerline and pipeline easements.
- Positioning the proposed tailings dam within previously mined open cut rehabilitation areas, while avoiding established areas of rehabilitation.

If approved, current biodiversity monitoring programs will be extended to include the Referral Area to validate the continued presence of threatened species habitat within areas subject to undermining.

4.1.5.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

The Proposed Action will be assessed and offset in accordance with the NSW BC Act Biodiversity Offset Scheme. All native vegetation will be offset through the securing of ecosystem credits in accordance with the scheme. Ecosystem credits are designed to offset a range of species which are associated with the vegetation including EPBC Act listed migratory species where there would be a significant impact.

4.1.6 Nuclear

4.1.6.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.6.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The Proposed Action is not a nuclear action.

4.1.7 Commonwealth Marine Area

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

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4.1.7.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.7.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.
*

The Referral Area is over 200 km from the marine environment and will not impact any Commonwealth Marine Areas.

4.1.8 Great Barrier Reef

4.1.8.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.8.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

1. The Proposed Action will involve the emission of GHGs into the atmosphere. These emissions include:
 1. the Scope 1 emissions from the operation of the Proposed Action, including fugitive gas releases and vehicle exhaust emissions;
 2. the Scope 2 emissions from the generation of purchased electricity consumed by the Proposed Action; and
 3. the Scope 3 emissions that are a consequence of the Proposed Action (occurring at sources owned or controlled by other entities), such as upstream emissions from providers of energy and materials for, and transport to the UCC, and downstream emissions from the transport and combustion of coal. Scope 3 GHG emissions are indirect (rather than direct) consequences from the extraction of coal.
 4. GHG emissions of the Proposed Action would be proportionally a very small component of global GHG emissions. For example, the UN Environment Programme's (UNEP) *Emissions Gap Report 2023* estimates global anthropogenic GHG emissions in 2022 to be 57.4 Gt CO₂e. On average over the past 3 years (FY22 to FY24) UCMPL has produced ~ 11.3Mt per annum of thermal coal which results in ~27.5MtCO₂e per annum of Scope 3 emissions from the combustion of coal. UCMPL's Scope 1 and 2 emissions for the same period are significantly lower and represent an additional ~0.68% of UCMPL's Scope 3 emissions. UCMPL's total Scope 1, 2 and 3 emissions (annual average over FY22 to FY24) equate to ~0.048% of annual global anthropogenic emissions as estimated by the UNEP(2023).
2. The Proposed Action intends to produce a total of approximately 43 Mt of thermal coal over 6 years which (on average) would result in ~17.5MtCO₂e per annum of Scope 3 emissions from the combustion of coal. This equates to ~0.031% of annual global anthropogenic emissions as estimated by the UNEP(2023). It is expected the Scope 1 and 2 emissions intensity from the Proposed Action will be similar to historic levels (over the last three years), representing an additional ~0.68% of the Proposed Action's Scope 3 emissions.
3. Consistent with the EPBC Act, as interpreted by the courts, the Proposed Action will not have an 'impact' on the Great Barrier Reef as:
 1. the Scope 3 GHG emissions from the Proposed Action (arising predominantly from the downstream burning of coal and representing by far the largest component of GHG emissions associated with the Proposed Action), will be an indirect, rather than direct consequence of the proposed action (within the meaning of section 527E(2) of the EPBC Act);
 2. the Proposed Action will not be a 'substantial cause' of a global increase in GHG emissions and any corresponding physical effects of climate change because they:
 1. will not cause a net increase in global GHG emissions and global average temperature since there are multiple other variables that will determine whether this does or does not occur; or alternatively,
 2. represent only a very small contribution to global GHG emissions; and
 3. the adverse effects on MNES, including the Great Barrier Reef, resulting from a global increase in GHG emissions and the corresponding exacerbation of the physical effects of climate change are therefore not impacts (within the meaning of section 527E(1) of the EPBC Act) from the carrying out of the Proposed Action (including its Scope 3 GHG emissions).

4.1.9 Water resource in relation to large coal mining development or coal seam gas

4.1.9.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

Yes

4.1.9.2 Briefly describe why your action has a direct and/or indirect impact on this protected matter. *

Groundwater

Historical coal mining in the area has resulted in the depressurisation of hard rock groundwater systems and corresponding effects on the local hydrogeological regime.

Predicted impacts on groundwater resources are summarised below with detail provided in **Section 5 of Attachment 4**.

- Additional drawdown due to the Proposed Action is predicted to mainly affect the Lithic Triassic and Ulan Seam strata and to be localised around the longwall panels. There is a small amount of drawdown predicted in the alluvium, colluvium and regolith along a tributary to Cockabutta Creek and also in an isolated area just over the southern part of LW12 due to fracturing above the panels.
- Predicted peak mine inflow remains unchanged with the addition of the Proposed Action, however the duration of inflow is extended by an additional six years, corresponding to the time period during which the Proposed Action will be active beyond the approved mine plan.
- Predicted direct water take from the North Coast Fractured and Porous Rock – Sydney Basin – North Coast Groundwater Source is not changed by the addition of the Proposed Action and the take from the NSW Murray Darling Basin Porous Rock Groundwater Sources 2020 - Sydney Basin MDB (Other) Management Zone is increased by 634 ML/year.
- Indirect take from the Jurassic, Talbragar and Goulburn sources are all slightly increased by the Proposed Action. There is an expected take within the Talbragar River source and is largely due to the additional predicted drawdown in the tributary creek over the proposed mine panels.
- The number of private bores predicted to experience greater than 2 m of drawdown under the approved mine plan will remain unchanged with the addition of the Proposed Action. Additionally, most bores are not predicted to experience considerable change in the amount of drawdown with the Proposed Action. The exceptions were bores completed within the Permian strata and located directly over, or adjacent to the proposed longwall panels, with one bore experiencing an additional 80 m of drawdown due to the Proposed Action.

Groundwater Dependent Ecosystems (GDEs)

No high priority GDEs have been identified in Water Sharing Plans (WSPs) covering the UCC. Riparian vegetation is present; however, these areas will not be impacted by the Proposed Action.

Three local perched recharge springs (including the GDE feature known as The Drip) located approximately 6 to 10 km north and east of UCC have been assessed, however no impacts as a result of the Proposed Action are predicted as all are disconnected from the regional groundwater (refer to **Section 5.7 of Attachment 4**).

Surface Water

The Proposed Action would not result in any significant changes to surface water catchments. Predicted impacts on surface water resources are summarised below with additional detail provided in **Section 6 of Attachment 5**:

- Based on the preliminary assessment of potential impacts, streamflow impacts are expected to be similar to those associated with existing approved operations for the UCC.
- Peak flood levels in the Northern and Southern Tributary areas are likely to rise in some areas within the Referral Area. Peak flow velocities may also increase in localised areas as a result of subsidence-induced steepening and this could potentially increase the risk of erosion.
- Discharge volumes associated with the Proposed Action are expected to be similar to those previously predicted for controlled discharge to the Goulburn River via Ulan Creek. Licensed discharge would continue to comply with the relevant approvals including the discharge criteria specified under EPL 394. As such, impacts to flow and water quality are not expected to be significant.

With the continuation of discharge in accordance with the relevant regulatory regimes, the cumulative impacts on downstream water users associated with the Proposed Action are expected to be negligible.

4.1.9.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

*

Yes

4.1.9.5 Describe why you consider this to be a Significant Impact. *

A detailed assessment of the significance of impacts on groundwater and surface water resources is provided in **Section 5 of Attachment 4** and **Section 7 of Attachment 5**.

It is considered that the Proposed Action is likely to result in significant impacts to water resources due to changes in the water quantity, including the timing of variations in water quantity based on an increased indirect water take from the Talbragar River source, largely due to additional predicted drawdown in tributaries above the proposed longwall panels. Additional drawdown is also predicted for private bores completed within the Permian strata and located directly over, or adjacent to, the proposed longwall panels.

4.1.9.7 Do you think your proposed action is a controlled action? *

Yes

4.1.9.8 Please elaborate why you think your proposed action is a controlled action. *

The Proposed Action is likely to have a significant impact on water resources due to the potential reduction of water availability for third party users for the additional duration of the proposed mine plan (i.e. six years beyond the current approved mine plan).

4.1.9.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

The Proposed Action aims to provide an appropriate balance between accessing economic coal reserves whilst avoiding and minimising potential environmental and community impacts. UCMPL has sought to firstly avoid and then minimise potential impacts on the water resource values of the Referral Area throughout the project planning process. Significantly, UCMPL has designed the proposed mine plan to avoid sections of a 4th order unnamed tributary of Cockabutta Creek that flows through the centre of the UWCO Modification Area.

Water management at the UCC is undertaken within the highly regulated NSW water management regime and in accordance with the UCC Water Management Plan (WMP) which details the approach to groundwater and surface water management at the UCC. The scope of the WMP includes all activities associated with the management of water at UCC and includes:

- A Site Water Balance
- Goulburn River Diversion Remediation Plan
- Erosion and Sediment Control Plan
- Surface Water Monitoring Program
- Groundwater Monitoring Program
- Surface and Groundwater Response Plan.

Under the existing WMP, UCMPL has commitments to provide an alternative long-term supply of water that is equivalent to the loss to any adversely impacted third party user as a result of their operations. It is proposed that these measures would be continued for the Proposed Action.

The existing WMP will be updated specifically for the Proposed Action and the updated WMP applied to the Proposed Action, including any specific mitigation measures identified in the detailed environmental assessments undertaken.

4.1.9.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

Water management at the UCC is undertaken within the highly regulated NSW water management regime, designed to provide for the sustainable management of the State's water resources. This includes licensing of allowable water take from both surface and groundwater with consideration of the environmental flow requirements of watercourses and the needs of other water users; control of water quality; and guidelines that govern the appropriate design of water management systems for mines.

The Water Management Plan described in Section 4.1.9.10 above provides a framework for the management of water at the UCC and outlines the interaction between the various policies, plans, programs and procedures in line with State Government requirements. Existing water management systems will be continued and expanded to offset any additional impacts of the Proposed Action as required. This may entail the purchase of additional water licenses (if final modelling determines that current licensed volumes are insufficient), and the application of 'make good' measures to additional private bores affected by drawdown greater than 2 m. This includes refurbishment of bores to address supply changes and/or provision of alternative water supply.

4.1.10 Commonwealth Land

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.10.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.10.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

There is no Commonwealth land located within or in the vicinity of the Referral Area.

4.1.11 Commonwealth Heritage Places Overseas

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.11.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.11.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

The Proposed Action will have no impacts on Commonwealth heritage places overseas.

4.1.12 Commonwealth or Commonwealth Agency

4.1.12.1 Is the proposed action to be taken by the Commonwealth or a Commonwealth Agency? *

No

4.2 Impact summary

Conclusion on the likelihood of significant impacts

You have indicated that the proposed action will likely have a significant impact on the following Matters of National Environmental Significance:

- Threatened Species and Ecological Communities (S18)
- Water resource in relation to large coal mining development or coal seam gas (S24D)

Conclusion on the likelihood of unlikely significant impacts

You have indicated that the proposed action will unlikely have a significant impact on the following Matters of National Environmental Significance:

- World Heritage (S12)
- National Heritage (S15B)
- Ramsar Wetland (S16)
- Migratory Species (S20)
- Nuclear (S21)
- Commonwealth Marine Area (S23)
- Great Barrier Reef (S24B)
- Commonwealth Land (S26)
- Commonwealth Heritage Places Overseas (S27B)
- Commonwealth or Commonwealth Agency (S28)

4.3 Alternatives

4.3.1 Do you have any possible alternatives for your proposed action to be considered as part of your referral? *

No

4.3.8 Describe why alternatives for your proposed action were not possible. *

The main alternative to the Proposed Action is to not undertake the operations as proposed (i.e. the 'do nothing' option), which would potentially sterilise the coal resources that would be accessed through the Proposed Action. As the coal is extracted via longwall mining method, the panels must be extracted in sequence and in parallel to the adjacent approved mining area as it is progressed. Any separate future operations would be highly unlikely to be considered commercially viable as the benefits of being able to continue mining within an approved mining area and utilise existing infrastructure may not be available if the Proposed Action does not proceed. The extraction of this coal now, during existing mining operations and utilising mostly existing infrastructure, is substantially more efficient and would result in reduced environmental impacts compared to establishing a new 'greenfield' mine elsewhere, or if the existing operations were closed and then had to be reopened to allow recovery of this resource.

As part of the mine planning process for the Proposed Action a range of mine plan layouts were considered. The layouts considered the potential for significant environmental impact, and additional environmental studies were undertaken in the area to guide this process. The approved mine plan defined the start points for the proposed mine plan, and the nature of the coal resources and other mine planning and geological constraints were considered. The proposed mine plan was chosen to maximise the avoidance of sensitive surface features, including clifflines, the BCA, creeklines and private dwellings.

Surface infrastructure requirements for an underground mining project are largely dictated by the location of the longwalls within the mine plan. Within these limitations, UCMPL has considered avoiding direct surface disturbance as far as practicable by reducing the quantity of surface infrastructure to the minimum required for safety and efficiency of operations, while also working to reduce the footprint associated with that infrastructure. The final location of infrastructure is subject to ongoing negotiations consultation with landholders and, as noted in Section 1.2.1, two infrastructure alignment alternatives for the end of block infrastructure at the northern end of the Referral Area have been assessed and included in this referral. This approach allows for the full extent of potential impacts that may occur as a result of the Proposed Action to be assessed, noting that these impacts would be refined, minimised and offset as required. However, it is planned that only one of the alignments will be constructed for the Proposed Action and hence if offsets were identified as being required as part of any determination, only the offsets from impacts of the final constructed alignment would be required.

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - Figures.pdf Figures described in the text of the application	12/03/2025	No	High
#2.	Document	Attachment 2 - Schedule of Lands.pdf Schedule of lands	18/02/2025	No	High

1.2.5 Information about the staged development

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - Figures.pdf Figures described in the text of the application	11/03/2025	No	High

1.2.6 Commonwealth or state legislation, planning frameworks or policy documents that are relevant to the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - Figures.pdf Figures described in the text of the application	11/03/2025	No	High
#2.	Document	Attachment 3 - Biodiversity Supporting Documentation.pdf Biodiversity supporting documentation	11/02/2025	No	High
#3.	Document	Attachment 4 - Groundwater Supporting Documentation.pdf Groundwater supporting documentation	14/02/2025	No	High
#4.	Document	Attachment 5 - Surface Water Supporting Documentation.pdf Surface water supporting documentation	07/02/2025	No	High

1.3.2.17 (Person proposing to take the action) Proposer's history of responsible environmental management

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 6 – Glencore Coal Assets Australia HSEC Standard 11.0 Environment.pdf GCAA HSEC Standard 11 Environment	18/02/2025	No	High

1.3.2.18 (Person proposing to take the action) If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 6 – Glencore Coal Assets Australia HSEC Standard 11.0	17/02/2025	No	High

2.2.5 Tenure of the action area relevant to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - Figures.pdf Figures described in the text of the application	11/03/2025	No	High
#2.	Document	Attachment 2 - Schedule of Lands.pdf Schedule of lands	17/02/2025	No	High

3.2.1 Flora and fauna within the affected area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 3 - Biodiversity Supporting Documentation.pdf Biodiversity supporting documentation	10/02/2025	No	High

3.2.2 Vegetation within the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 3 - Biodiversity Supporting Documentation.pdf Biodiversity supporting documentation	10/02/2025	No	High

3.3.2 Indigenous heritage values that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - Figures.pdf Figures described in the text of the application	11/03/2025	No	High

3.4.1 Hydrology characteristics that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 4 - Groundwater Supporting Documentation.pdf Groundwater supporting documentation	13/02/2025	No	High
#2.	Document	Attachment 5 - Surface Water Supporting Documentation.pdf Surface water supporting documentation	06/02/2025		High

4.1.4.2 (Threatened Species and Ecological Communities) Why your action has a direct and/or indirect impact on the identified protected matters

Type	Name	Date	Sensitivity	Confidence
#1.	Document Attachment 3 - Biodiversity Supporting Documentation.pdf Biodiversity supporting documentation	10/02/2025	High	

4.1.4.5 (Threatened Species and Ecological Communities) Why you consider the direct and/or indirect impact to be a Significant Impact

Type	Name	Date	Sensitivity	Confidence
#1.	Document Attachment 3 - Biodiversity Supporting Documentation.pdf Biodiversity supporting documentation	10/02/2025	High	

4.1.4.8 (Threatened Species and Ecological Communities) Why you think your proposed action is a controlled action

Type	Name	Date	Sensitivity	Confidence
#1.	Document Attachment 3 - Biodiversity Supporting Documentation.pdf Biodiversity supporting documentation	10/02/2025	High	

4.1.5.2 (Migratory Species) Why your action has a direct and/or indirect impact on the identified protected matters

Type	Name	Date	Sensitivity	Confidence
#1.	Document Attachment 3 - Biodiversity Supporting Documentation.pdf Biodiversity supporting documentation	10/02/2025	High	

4.1.5.6 (Migratory Species) Why you do not consider the direct and/or indirect impact to be a Significant Impact

Type	Name	Date	Sensitivity	Confidence
#1.	Document Attachment 3 - Biodiversity Supporting Documentation.pdf Biodiversity supporting documentation	10/02/2025	High	

4.1.5.9 (Migratory Species) Why you do not think your proposed action is a controlled action

Type	Name	Date	Sensitivity	Confidence
#1.	Document Attachment 3 - Biodiversity Supporting Documentation.pdf Biodiversity supporting documentation	10/02/2025	High	

4.1.9.2 (Water resource in relation to large coal mining development or coal seam gas) Why your action has a direct and/or indirect impact

Type	Name	Date	Sensitivity	Confidence
#1.	Document Attachment 4 - Groundwater Supporting Documentation.pdf	13/02/2025	High	

Groundwater supporting documentation				
#2.	Document	Attachment 5 - Surface Water Supporting Documentation.pdf Surface water supporting documentation	06/02/2025	High

4.1.9.5 (Water resource in relation to large coal mining development or coal seam gas) Why you consider the direct and/or indirect impact to be a Significant Impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 4 - Groundwater Supporting Documentation.pdf Groundwater supporting documentation	13/02/2025		High
#2.	Document	Attachment 5 - Surface Water Supporting Documentation.pdf Surface water supporting documentation	06/02/2025		High

5.2 Declarations

✔ Completed Referring party's declaration

The Referring party is the person preparing the information in this referral.

ABN/ACN	80000189248
Organisation name	ULAN COAL MINES PTY LIMITED
Organisation address	Private Mail Bag 3006, Mudgee NSW 2850
Representative's name	Greg Newton
Representative's job title	Approvals Manager
Phone	0439462416
Email	Greg.Newton@glencore.com.au
Address	

☒ Check this box to indicate you have read the referral form. *

☒ I would like to receive notifications and track the referral progress through the EPBC portal. *

☒ By checking this box, I, **Greg Newton of ULAN COAL MINES PTY LIMITED**, declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. *

☒ I would like to receive notifications and track the referral progress through the EPBC portal. *

✔ Completed Person proposing to take the action's declaration

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	80000189248
Organisation name	ULAN COAL MINES PTY LIMITED
Organisation address	2850 NSW
Representative's name	Peter Ostermann

Representative's job title	General Manager Ulan Coal
Phone	0411204903
Email	peter.ostermann@glencore.com.au
Address	Private Mail Bag 3006 Mudgee NSW 2850 Australia

☒ Check this box to indicate you have read the referral form. *

☒ I would like to receive notifications and track the referral progress through the EPBC portal. *

☒ I, **Peter Ostermann of ULAN COAL MINES PTY LIMITED**, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity. *

☒ I would like to receive notifications and track the referral progress through the EPBC portal. *

☒ Completed Proposed designated proponent's declaration

The Proposed designated proponent is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

☒ Check this box to indicate you have read the referral form. *

☒ I would like to receive notifications and track the referral progress through the EPBC portal. *

☒ I, **Peter Ostermann of ULAN COAL MINES PTY LIMITED**, the Proposed designated proponent, consent to the designation of myself as the Proposed designated proponent for the purposes of the action described in this EPBC Act Referral. *

☐ I would like to receive notifications and track the referral progress through the EPBC portal. *