



ULAN COAL CONTINUED OPERATIONS PROJECT (EPBC 2009/5252) SITE INSPECTION REPORT

Departmental Officers in Attendance

s22 [redacted], Environmental Audit Section

s22 [redacted], Environmental Audit Section

Inspection Objectives

Officers from the Environmental Audit Section conducted a site inspection of the Ulan Coal Continued Operations Project on 15 March 2019. Key issues examined included:

- Verifying approval holder’s compliance status with EPBC Act conditions of approval;
- Discussing and verifying approval holder’s compliance status with EPBC Act approval conditions relating to securing offset properties; and
- Site familiarisation of actions.

Reference Documentation

- The approval decisions
- The 2018 annual compliance report

Site Visits Undertaken

ULAN COAL CONTINUED OPERATIONS PROJECT 2

ATTACHMENTS 9



ULAN COAL CONTINUED OPERATIONS PROJECT

The site inspection dated 15 March 2019 at the Ulan Coal Continued Operations Project the following approval relating to the mine:

1. EPBC 2009/5252 Ulan Coal Continued Operations Project, Ulan, NSW

Approval Holder Representatives in Attendance

- s47F [REDACTED]
- s47F [REDACTED]

Conditions reviewed/observed

The following conditions reviewed/observed within the scope of the site visit:

- Condition 2 – Legal security over offset sites - Bobadeen Offset Area and Bobadeen East Offset Area
- Condition 3 - Offset Management Plan - Bobadeen Offset Area and Bobadeen East Offset Area
- Condition 4 - Legal security over offset sites - Brokenback Conservation Area and Spring Gully Cliff Line Management Area
- Condition 5 - Offset Management Plan - Brokenback Conservation Area and Spring Gully Cliff Line Management Area

Key findings

Key findings from these conditions are outlined below and detailed in the evidence table at [Attachment A](#).

s47E(d)

Actions Taken

Officers met with the Approval Holder representatives at their Site Office. The approval holder representatives gave an overview of the status of the project.

s22 [REDACTED] declared that he and s22 [REDACTED] are EPBC Act Authorised Officers (showed Authorised Officer card), and explained that: the inspection was being undertaken under the consent of the approval holder; consent could be withdrawn by the approval holder at any time (and officers would then leave the site); that officers would be taking photographs and taking notes about the inspection; and that the approval holder may request officers to not take photographs of anything if they wish.

s47E(d) [REDACTED]

s47E(d) [REDACTED]



A total of 7 photos were taken during the site visit by s22 [REDACTED] s47E(d)
[REDACTED]

Summary overview of project

The Ulan Coal Mine is situated in the central west of New South Wales. It is located approximately 38 km north-northeast of Mudgee and 19 km northeast of Gulgong. The mining operations at Ulan are one of a number of mining assets owned and/or managed by Glencore.

Approval for the continued operations at Ulan Coal Mine was granted under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) ref 2009/5252 in November 2010, for continued operations over 21 years, and production of up to 20 Mtpa (million tonnes per annum) of product coal.

The Project Area comprises a total of 13,435 ha, made up of:

- Open Cut Mining – approximately 239 ha of approved open cut operations;
- Previous Mining and Surface Infrastructure Areas – approximately 1004 ha of previous open cut mining areas that have a combination of rehabilitation areas and final voids;
- Residual Project Area – the remainder of the Project Area includes large areas that were previously or will be undermined, agricultural grazing land, and large areas of remnant native vegetation;
- Biodiversity Offsets, including:
 - Bobadeen Offset Area – 1116ha;
 - Bobadeen East Offset Area – 243 ha;
 - Brokenback Conservation Area – 58 ha; and
 - Spring Gully Cliffline Management Area – 273 ha.

s47E(d)
[REDACTED]

Issues/Follow up actions

- Officers to send the approval holder a site visit close out letter. The letter will inform the approval holder that the site visit found instances of non-compliance.
- Refer Attachment B – Table of follow up actions



s47E(d)



s47E(d)



s47E(d)



s47E(d)



s47E(d)

Report Prepared by

s22, Environmental Audit Section

Report Approved by:

s22

Environmental Audit Section



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- Condition 5 - Offset Management Plan - Brokenback Conservation Area and Spring Gully Cliff Line Management Area

Key findings

Key findings from these conditions are outlined below and detailed in the evidence table at Attachment A.

- s47E(d) [REDACTED]
- [REDACTED]
- [REDACTED]

Actions Taken

Officers met with the Approval Holder representatives at their Site Office. The approval holder representatives gave an overview of the status of the project.

s22 [REDACTED] declared that he and s22 [REDACTED] are EPBC Act Authorised Officers (showed Authorised Officer card), and explained that: the inspection was being undertaken under the consent of the approval holder; consent could be withdrawn by the approval holder at any time (and officers would then leave the site); that officers would be taking photographs and taking notes about the inspection; and that the approval holder may request officers to not take photographs of anything if they wish.

s47E(d) [REDACTED]

s47E(d) [REDACTED]



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s47E(d)

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s47E (d)



s47E (d)



s47E (d)



s47E (d)



s47E (d)

Report Prepared by

s22

Report Approved by:

s22

Environmental Audit Section



ATTACHMENTS

A: Completed evidence evaluation table for EPBC Act approval visited by officers from the Environmental Audit Section.

B: Table of follow up actions



EPBC 2009/5252 Ulan Coal Continued Operations Project, Ulan, NSW

EPBC Approval Condition 2

To offset impacts on the listed White Box – Yellow Box Blakely’s Red Gum Grassy Woodlands and Derived Native Grasslands threatened ecological community, and foraging habitat of the listed Swift Parrot, Regent Honeyeater and Large – eared Pied Bat, the person taking the action must register a legally binding conservation covenant in perpetuity over Bobadeen Offset Area and Bobadeen East Offset Area as described in Appendix 1. The covenants must be registered within 2 years of the date of this approval and covenant conditions must ensure that management is for the protection and enhancement of the matters of national environmental significance identified above.

s47E(d)

EPBC Approval Condition 3

To offset the impacts to the White Box – Yellow Box Blakely’s Red Gum Grassy Woodlands and Derived Native Grasslands ecological community, and to the habitat for the Swift Parrot, Regent Honeyeater and Large – eared Pied Bat, the person taking the action must, before commencement of operations (excluding first workings), obtain the Minister’s approval of an Offset Management Plan for the Bobadeen and the Bobadeen East Offset Area.
The approved Offset Management Plan must be implemented.

s47E(d)

EPBC Approval Condition 4

To offset the impacts on Large – eared Pied Bat, the person taking the action must provide a legally binding conservation mechanism for the long term protection of the Brokenback Conservation Area and Spring Gully Cliff Line Management Area as described in Appendix 1. The conservation mechanism must be agreed to in writing by the Department and must be finalised within 2 years of the date of this approval.
If the conservation mechanism cannot be finalised within 2 years of the date of this approval, the proponent must submit for the Minister’s approval an alternative offset within 3 years of the date of this approval. The alternative offset must provide at least an equivalent environmental outcome to those specified under condition 5.

s47E(d)



s47E(d)

EPBC Approval Condition 5

To offset the impacts on the Large – eared Pied Bat, the person taking the action must, before commencement of operations, (excluding first workings), obtain the Minister’s approval of an Offset Management Plan for the Brokenback Conservation Area and Spring Gully Cliff Line Management Area.

This plan must include details of:

- a. the desired outcomes/objectives of implementing the plan;
- b. details of the Brokenback Conservation Area, clearly define the location and boundaries of the Brokenback Conservation Area, through maps and / or textual descriptions as well as an accompanying *shapefile*;
- c. details of the Spring Gully Cliff Line Management Area, clearly define the location and boundaries of the Spring Gully Line Management Area, through maps and / or textual descriptions as well as an accompanying *shapefile*;
- d. management actions that are proposed to protect areas and to enhance their value to Large – eared Pied Bat including weed control, fire management, erosion and sediment control, livestock management, and restrictions on access;
- e. measures for the long-term protection of these areas;
- f. the timing responsibilities and performance criteria for such actions;
- g. the development and implementation of a monitoring program;
- h. a process to report to the department the offset area management actions undertaken and the outcome of those actions, identifying any need for improved management. For the five years after the commencement of operations, reports are to be submitted annually on or before the anniversary of the commencement of operations. Subsequently reports are to be submitted every fifth year on or before the anniversary of the commencement of operations;
- i. a description of the potential risks to successful management and rehabilitation in the offset areas, and a description of the contingency measures that would be implemented to mitigate these risks; and
- j. details of parties responsible for monitoring, reviewing and implementing the plan.

The approved Offset Management Plan must be implemented. Any changes to the Offset Management Plan must be approved by the Minister and approved variations to the Plan must be implemented. This plan may be made publicly available on the internet by the Department.

s47E(d)



ATTACHMENT B

**ULAN COAL CONTINUED OPERATIONS PROJECT,
SITE INSPECTION REPORT – FOLLOW UP ACTIONS**

EPBC REFERENCE	DETAILS OF FOLLOW UP ACTIONS REQUIRED	STATUS
EPBC 2009/5252	s47E(d) [REDACTED] [REDACTED] [REDACTED] [REDACTED]	s47E(d) [REDACTED]