

July 4th, 2015

Re: Wongawilli Mine – Time extension modification

We are writing regarding the modification application submitted by Wollongong Coal Pty, to the NSW Department of Planning and Environment, under section 75W of the Environmental Planning & Assessment Act 1979 (EP&A Act), to allow approved mining activities under PA 09_0161 to be undertaken until 31 December 2020 (The Modification). The Modification represents a 5 year time extension to the approved duration of mining operations.

The Illawarra Branch of the NPA has over 130 members and like other branches of the NPA it is engaged in both conservation work and conducting outdoor activities with the aim of fostering appreciation and protection of our natural heritage.

The Project includes the mining of 6 longwalls in the Nebo Area, which is in the Illawarra on the Woronora Plateau. The Project was approved by the NSW Planning Assessment Commission in November 2011, and by the Commonwealth government, under the EPBC Act (EPBC/5404). We believe that the time extension requested should be carefully considered in the light of the fact that **koalas in NSW are now listed by the Commonwealth Department of Environment as a Vulnerable species (2012). There is a high probability that koalas migrate through the Nebo area and a colony may have been established since the cursory investigation of fauna made in 2010 by ERM.**

There is little doubt that there are likely to be koalas found in the Project area. The NRE Wongawilli Colliery Nebo Area Environmental Assessment (EA) of October 2010 states (p. 287 of pdf)

“Potential habitat for the Koala was identified within the ecology study area associated with Tall Open Peppermint – Blue Gum Forest. The Koala is a threatened species listed under the TSC Act and was heard calling within tall open forest to the north of Fire Road 6D. However, the species was unable to be visually identified. “

and earlier in the EA (p. 104 of pdf)

“The Nebo area represents potential koala habitat under SEPP 44 of the EP&A Act, given the representation of E. haemastoma as a dominant tree species, over 15% of canopy cover”

The EA includes a map of historical sightings of fauna, and the DECCW data supplied therein records about **20 sightings of koalas**. (p.275 Figure 16.4)

“Threatened Fauna Previously Recorded within 10km of the Nebo Longwalls”

Koalas are notoriously difficult to spot and the usual scientific method for searching for evidence of koalas is by sighting of their pellets under likely habitat trees. The Annex M of the EA documents that ERM made only one search for koala scats or pellets, under 30 trees.

There are now two known major koala colonies to the North of the Project, in the Georges River area and in Wedderburn. Estimates of total numbers range from 300 to 600. There is research being carried out to learn more about their movements, by micro-chipping some animals, and about habitat and potential corridors by vegetation mapping. The Picton Rd, between the Hume Highway and the Princes Highway, acts as a barrier for migrating koalas and in October 2013 WIRES reported 3 koalas killed on this road in as many weeks. A YouTube dashboard video shows a live koala on Picton Rd in December 2014.

There is also a major koala conservation effort to the South of the mine Project. Now known recognised as the Southern Highlands Koala Conservation Project it involves a number of key agencies including the NSW Office of Environment & Heritage and Sydney University, as well as Wingecarribee Shire Council (via the Environment Levy). Estimates of numbers of koalas in the Southern Highlands area are as high as 400.

According to the Australia Koala Foundation...

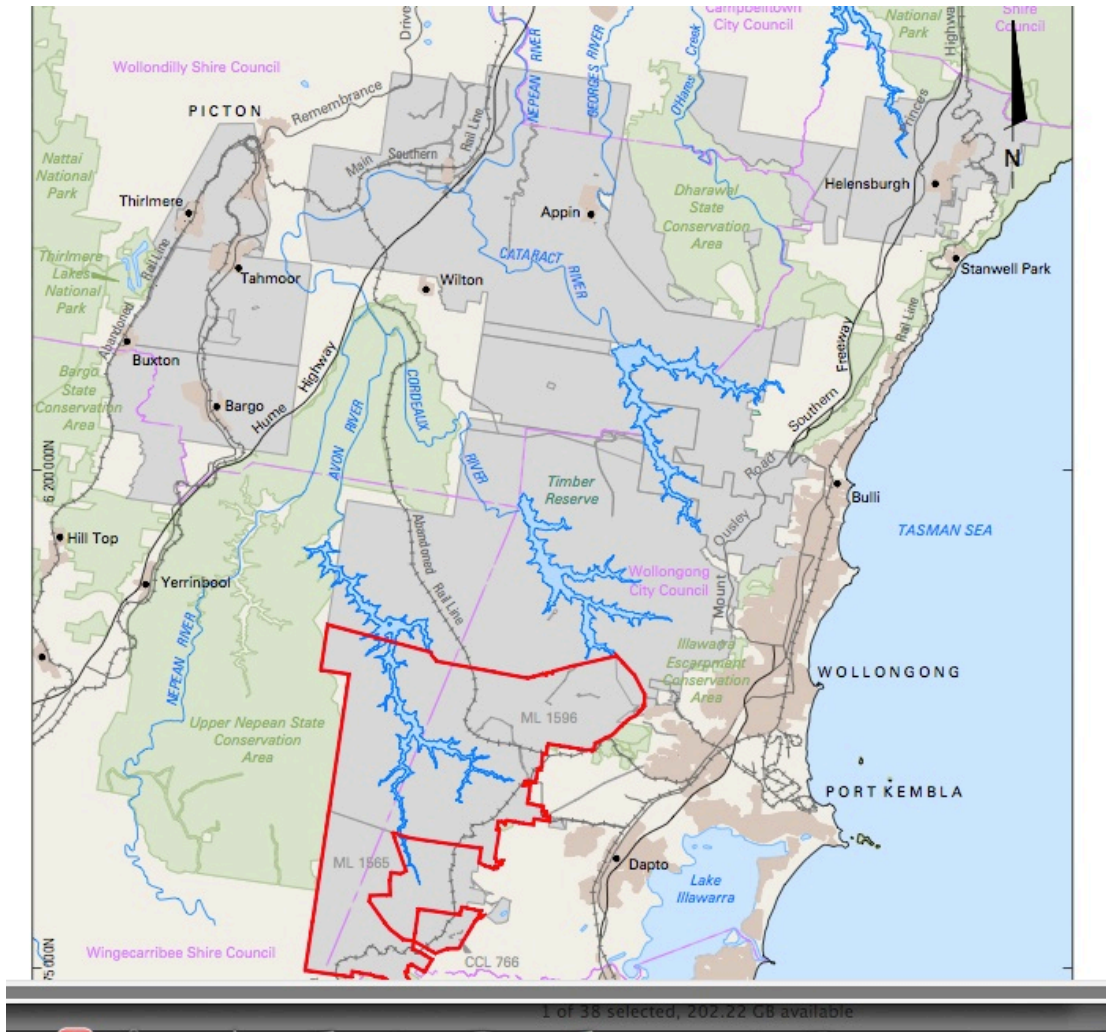
The relatively sedentary and localised movements of koalas in a socially stable breeding aggregation are in stark contrast to the movements of dispersing koalas of both sexes (those leaving their maternal home range to establish a home range of their own) and other transient members of koala society. These animals are capable of extensive movements, often in excess of 40-50km over periods of a few weeks to several months.

Male koalas are known to travel as far as 20 km in 24 hrs when looking for a female for mating. It therefore seems very likely that the geographic area between the known colonies of Wedderburn and the Southern Highlands is important for conservation. **Surely any consideration of a time extension for mining in the Nebo area should include a new ecological study of the potential importance of the area for koalas.** The Project is located in a Special Area of the water catchment, meaning that access is denied to the public, so there may well be koala colonies which have been established in the last few years.

Looking at the following map of the Project area, there are obvious barriers to north/south koala migration, in the form of the large Avon and Cordeaux reservoirs. The Project area is located in the top North East area of the portion outlined in red and forms an important part of potential corridor areas.

According to the EA and the topographic map of the area, there are a variety of landforms and soils in the Project area, encouraging koala habitats in some areas. The sandstone area in the SSW of the Project is particularly likely for a colony habitat.

“All of the ground surface area above the proposed Nebo mining area lies on the Woronora Plateau west of the escarpment. It ranges in elevation from around approximately 370m to 500m AHD. In this area landforms include steep to very steep ridges, plateaus, gently undulating crests and ridges and sandstone gorges incised by the deep valleys of tributaries to Lake Cordeaux.”



The original project was listed by the EPBC as requiring assessment and approval as a controlled action. The reason was given as “Listed threatened species and communities”. In spite of the paragraph on page 287 above, by ERM, there was **no mention of koalas** in the reconsideration request made to the EPBC, also written by ERM on 8 November 2010, on behalf of Gujarat NRE. **Somehow this vulnerable species became invisible in spite of the evidence to the contrary.**

Monitoring of fauna is required at six monthly intervals when mining is proceeding. Mining of longwall N2 in the Nebo area commenced in June 2013 but was suspended in February 2014 due to a roof fall on the longwall miner.

The Wongawilli Colliery Annual Review/Annual environmental report July 2013 - 30 June 2014 was published in January 2015, but in spite of a mention of koalas, there is no record of any monitoring for their presence. The fauna monitoring appears to be limited to searching for frogs and tadpoles along Wattle Creek, quite far from the most likely area for a koala colony. Older studies identified 'koala food trees' as those with the greatest number of koala scats beneath, or based on anecdotal information as to trees that koalas were found roosting in. Recent studies analyse koala scats to identify which trees koalas are eating, and discovered that preferred roosting trees are not necessarily those which koalas eat.

We suggest that the mining time extension should be delayed until a new, thorough study is carried out for the area, a study which surveys for a koala colony and for migrating koalas.

Any determination of the importance of activity levels should be informed by a broader, soil-based understanding of tree preferences. We advocate a precautionary approach whereby the presence of any activity in areas occupied by naturally occurring, low density populations should be regarded as ecologically meaningful for conservation and management purposes until proven otherwise. According to more current studies, SEPP 44 is very limited in the koala food trees which it lists and a new assessment of vegetation is called for.

The Wongawilli colliery is currently under care and maintenance and employing few staff, so the economic impact of delaying a time extension would be minimal. After koala numbers are determined, the situation can be reassessed. **We submit that the conservation of this iconic Vulnerable species should be regarded as a priority rather than a secondary consideration.**

Submitted on behalf of the Illawarra Branch of the NPA

President: Graham Burgess

Secretary: Helen Wilson