



Nature Conservation Council

The voice for nature in NSW

Department of Planning and Environment
Major Projects Assessment
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Friday, 13 June, 2014

Additional Submission of Objection

Integra Mine Complex Modification 4 - Biodiversity Offset Strategy
08_0101 MOD 4 and 08_0102 MOD 4

This additional submission provides more detailed information following the short submission lodged on Friday 6 June. NCC does not support the proposed removal of current biodiversity offset areas (BOAs) from the conditions of approval for Integra Mine Complex.

1. The proposal to remove the Supplementary and a significant section of the Northern onsite BOAs will impact on the protection of a large meander in Glennies Creek.

Glennies Creek is a significant corridor for native species dispersal through the landscape. Connectivity between the creek biodiversity values and BOAs is a very important factor in providing access to habitat.

The Supplementary and Northern BOAs assist in protecting an edge of the alluvial aquifer system of Glennies Creek, as demonstrated in Appendix 7 of the conditions of consent. These additional biodiversity values are not identified in the assessment report.

There is no information provided about the area of threatened species and ecological communities contained in these BOAs or the significance of the relationship with Glennies Creek.

The justification for the modification is that a significant coal resource had been identified since the development of the original BOAs. However, the assessment report does not identify the size or area of the resource.

The resource may underlie Biophysical Strategic Agricultural Land under the Gateway process. This is likely for the Western and Supplementary BOAs. NCC considers that an integrated planning process for any future expansion of Integra mining operations is needed.

The concentration on excising areas established to offset previously approved biodiversity impacts without assessing the future use of this land is a failure of the planning system.

2. The loss of the Western onsite BOA and a significant section of the Martins Creek BOA reduces the connectivity design of the current approved Biodiversity Offset Strategy.

Landscape connectivity for improved biodiversity outcomes in the future is critical for the Central Hunter. NCC considers that the proposed revised BOAs provide considerably less connectivity for species movement.

The loss of connectivity to Glennies Creek and the loss of the corridor to the west are significant.

The breakup of the Martins Creek BOA also removes connectivity at the northern end of this area. The justification for this excision is for a proposed dam. However, the assessment report does not provide any information on this proposed change to the current approval.

The proposed BOAs at Appletree Flat are a considerable distance from the BOAs on and adjacent to the Integra Mine Complex. These blocks are also disconnected and the eastern block has a power line easement through it.

NCC considers that the proposed revised Biodiversity Offset Strategy for the Integra Mine Complex is vastly inferior to the approved approach in regard to landscape connectivity.

3. The proposed new offsets, 30km away from the impacts of the mine, do not contain either of the endangered ecological communities (EEC) approved to be destroyed. These are Central Hunter Ironbark-Spotted Gum-Grey Box Forest EEC and Swamp Oak Floodplain Forest EEC.

NCC is particularly concerned that the NSW Government is moving away from the 'like-for-like' principle for biodiversity offsets in the Hunter region.

NCC does not support the proposed Biodiversity Offset Policy for Major Development and is concerned that this draft policy is being used to assess the impact of the Modification 4 proposal.

The Appletree Flat BOAs occur in a different Bioregion on a Narrabeen Sandstone landscape. Therefore they do not contain any remnants of the impacted EECs.

NCC is concerned that the revised BOAs may result in further loss of these ecosystems in future expansion of mining operations. It is critical that all remaining remnants of these EECs on the floor of the Hunter Valley are protected so that future rehabilitation of the landscape has a core of established areas on which to build.

This should be a major consideration of the assessment of this proposal and of the planning process. The future viability of ecosystems in the Hunter region is of major concern and has not been adequately addressed in any current government policy including the Hunter Strategic Regional Land Use Plan.

4. The proposal does not identify the cumulative loss of either of these EECs on the floor of the Hunter valley due to mining operations.

The cumulative loss of the Central Hunter Ironbark-Spotted Gum-Grey Box Forest EEC and Swamp Oak Floodplain Forest EEC on the floor of the Hunter Valley has not been identified in the assessment report.

The revised Biodiversity Offset Strategy does not improve or maintain the area of these ecosystems in the Hunter Region. The proposed excised BOAs contain areas of these EECs that are likely to be impacted by future mine development.

The incremental loss of EECs through piecemeal planning decisions is not sustainable. A landscape scale approach is needed with good mapping that provides the capacity to make this decision in a regional context.

5. The proposal also does not identify the cumulative loss of threatened species habitat on the floor of the Hunter valley due to mining operations.

The proposed excised BOAs were approved in the first instant because they contain habitat for a range of threatened fauna species. The cumulative loss of habitat values has not been assessed in the environmental report for the proposal.

The habitat values contained in the Appletree Flat BOAs are currently protected by the *Native Vegetation Act 2003*. The recorded threatened species and likely habitat values approved to be impacted by the current mining operations have not been identified in the assessment report.

These values were identified for protection in the Biodiversity Offset Strategy. The importance of the EECs for the suite of threatened species identified in and around the mine site has not been assessed in the proposal.

The habitat loss for the nine threatened species identified in the current approval is a cumulative loss. These species are continually losing feeding, breeding and roosting sites in the Central Hunter region.

The loss of connectivity of habitat and of mature habitat values has significant impact on threatened species survival capacity. These impacts have not been addressed.

The assessment report identifies that the revised onsite BOAs are likely to provide habitat for the Spotted-tailed Quoll. NCC is concerned that this species is listed as a matter of environmental significance under the federal *Environmental Protection and Biodiversity Conservation Act 1999*. There have been records of this nationally listed endangered species in the area surrounding the Integra Mining Complex.

There is no assessment of the habitat needs of this significant species or the impact of the revised BOAs.

The connectivity to Glennies Creek is likely to be important for the movement of the Spotted-tailed Quoll across the landscape.

6. Issues raised by the Office of Environment and Heritage (OEH) in October 2012 during the assessment of Modification 2, in relation to the biodiversity offset arrangements for the Integra Mine Complex, have been ignored by the Department of Planning and Infrastructure.

NCC is concerned that Modification 4 is part of a series of extension of time for the protection of the approved BOAs under the current approval.

This is particularly demonstrated in the extension of time provided by Modification 3 before Modification 2 was assessed.

OEH states in a submission to Modification 2 that the agency does not support the extension of time or the mining of offset areas.

NCC supports this position and considers that it should also be the main policy of the Department of Planning and Environment.

The piecemeal planning approach to coal mining development in the Hunter region is not sustainable and needs to be overhauled. Four modifications of the Biodiversity Offset Strategy for this approval and the discounting of the position of OEH indicates a poor planning process that will not provide good outcomes for the future of biodiversity in the Hunter.

All the resource on the Integra Mining Complex should be mapped and included in the assessment report for this proposal. This is the approach that needs to occur at the exploration stage of a mining proposal.

NCC objects to the proposed fourth modification of the Integra Mining Complex Biodiversity Offset Strategy because it will not result in improved biodiversity outcomes in the Central Hunter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Clarke', with a stylized, flowing script.

Pepe Clarke
Chief Executive Officer
Nature Conservation Council of New South Wales