

Phil Jones
Project Manager
Department of Planning and Infrastructure
GPO Box 39, Sydney 2001

Monday 15 October 2012

Phil.Jones@planning.nsw.gov.au

Dear Mr Jones

Submission of Objection – Hunter Valley Operations South Modification 5
Dedication of lands for offsets (Ref No: 06_0261 MOD 5)

The Nature Conservation Council of NSW (NCC) is a non-profit, non-government organisation representing more than 100 community environment groups across NSW.

NCC strongly objects to the proposal to alter the conditions of approval for the Hunter Valley Operations South (HVOS) coal mining project in relation to biodiversity offset arrangements.

NCC lodged an objection to this modification when first exhibited in 2010 in conjunction with the proposal to extend the Warkworth coal mine into an area of endangered ecological community that was protected by a Ministerial Deed of Agreement. (submission attached)

The trading of approved offsets for one mining operation to facilitate the approval of biodiversity loss from a separate proposal is inappropriate and not conducive to good planning outcomes.

The proposal to trade biodiversity offsets on the floor of the Hunter Valley for 140ha of native vegetation that occurs over 100km from the area of original impact does not meet the Office of Environment and Heritage 'Principles for the use of biodiversity offsets in NSW'.

The proposed area to be swapped for the current offset areas on the Archerfield property has different ecological character because it occurs in a different bioregion with different geology and different climatic conditions.

There appears to be no assessment of the original area of disturbance of biodiversity values on the floor of the Hunter Valley that led to the approval of the Archerfield offset area for the HVOS operation to proceed.

NCC does not support the trading of the HVOS biodiversity offset as part of the approval process for the Warkworth Mine expansion.

NCC recommends that this application to correct administrative omissions and clarifications be rejected on the grounds of poor process and significant compromise of the principles of ecologically sustainable development

Yours sincerely,

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

Pepe Clarke
Chief Executive Officer