

Hello Commissioners,
My name is Marg Mclean.

I have chosen to take 5 minutes of your time to try to satisfy myself that you will have some idea of the actual impact of the proposed Mangoola Mine Extension on the biodiversity of the Hunter Valley.

The impression given by the Executive Summary of the Biodiversity Assessment Report (Appendix 13 of the EIS) is that it's all okay, the impact has been accounted for. BUT this is misleading. It is not the case at all.

I have to give you an historical context for you to have some gauge of my concern.

I actually hope that I am teaching my grandmother to suck eggs. I sincerely hope that you are familiar with the evolution of the approach to biodiversity protection in Australia and this state.

In the 1990s there was an attempt to establish a Comprehensive, Adequate and Representative Reserve system. I was a community environmental representative in the Lower North East Regional assessment process. It was a multi-million dollar joint affair between the Federal and State governments. This assessment process was data rich, rules-based, target driven, computer assisted decision-making with expert panel support. The threatened fauna species targets included seeking to protect enough appropriate habitat to support enough breeding females to enable the perpetuation of viable regional populations. My involvement meant that I was acutely aware of the biodiversity crisis that was in train. For instance of the 61 species assessed south of the Hunter River, 49 of these failed to meet target. These species are very vulnerable to extinction.

In 2006, I submitted my objection (attached now FYI) to the destruction of the remnant woodland of the Mangoola mine site. It had been identified by the CRA process as irreplaceable. There was record of 14 fauna species that were part of populations that had not met target. They needed the habitat that ecosystems of the mine site provided. Also, the EIS then (and now also) did not recognise the regional biodiversity corridor that NPWS had identified in their Key Habitats and Corridors Project (see attachment). The proposed destruction of a further 570 hectares of native vegetation if the Mangoola Mine was extended northward now further compromises the connectivity value of this country of the Central Hunter Foothills. This Mitchell Landscape was 79% cleared in 2006. I have so far been unable to discover what the extent of clearing is now, 15 years and more than 15 mines later.

I approached this EIS with trepidation. I thought I would be confronted with the results of flora and fauna survey work depicting an even more tenuous existence of many threatened species. On the surface, I was wrong. It seems to me that there is some basic (false) premise that all impact can be offset. But I surely don't know how you can offset the extinction of a species. And I do know that loss of habitat and food and denning resources, contraction of vegetation extent and distribution, lack of connectivity and loss of local populations at their geographic limits escalates the process of extinction.

It seems to me that the Vegetation legislation of the early 2000s notion of "maintain or improve" as the operating principle for a minimalist acceptable environmental outcome has infected policy and regulation to the extent that now "offsetting" is deemed to be the goal, that the output from the Biobanking Credit Calculator is our ticket to ride. We are living only in the present.

We are denying the impact from the past clearing. This cannot continue indefinitely. There is a cumulative impact. There is a tipping point, populations crash. There will be ecosystem collapse.

I have only recently become aware that the Upper Hunter Strategic Assessment has never actually seen the light of day, it has not been publicly released. The need for the cumulative impact assessment of mining projects on biodiversity of the Upper Hunter had finally been acknowledged in the agreement between the Federal Government and the NSW Government in 2012. [Strategic assessment of a biodiversity plan for coal mining in the Upper Hunter Valley \(environment.gov.au\)](http://environment.gov.au) The work proceeded in to 2015 with the limited release of some material to stakeholders but then stalled. I can only assume that with due respect paid to the conservation of biodiversity it was just too constricting for further mining development. In 2021, perhaps we can do better.

I ask you Independent Planning Commissioners to do your utmost to act in the public interest for Ecologically Sustainable Development. The MCCO project application should be rejected

Marg McLean March 3, 2021

Executive Summary

Mangoola Coal Operations Pty Limited (Mangoola) operates the Mangoola Coal Mine and is preparing an application for development consent for the Mangoola Coal Continued Operations Project (MCCO Project). The MCCO Project will allow for the continuation of mining at Mangoola Coal Mine into a new mining area to the immediate north of the existing operations.

This Biodiversity Assessment Report (BAR) has been prepared by Umwelt (Australia) Pty Limited (Umwelt) to assess the biodiversity impacts of the MCCO Project and forms part of an Environmental Impact Statement (EIS) prepared to accompany the development application for the MCCO Project. It has been prepared in accordance with the Framework for Biodiversity Assessment (FBA) (OEH 2014b) and the NSW *Biodiversity Offsets Policy for Major Projects* (OEH 2014a) under Clause 27(2) of the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*.

The MCCO Project will result in the removal of approximately 570 hectares (ha) of native vegetation (consisting of 196 ha of woodland and balance of derived native grassland) and fauna habitat, including four NSW listed threatened ecological communities, one of which is also listed as threatened at the Commonwealth level; White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Critically Endangered Ecological Community.

A total of 17,718 ecosystem credits are required to offset impacts to native vegetation and fauna habitats as a result of the MCCO Project.

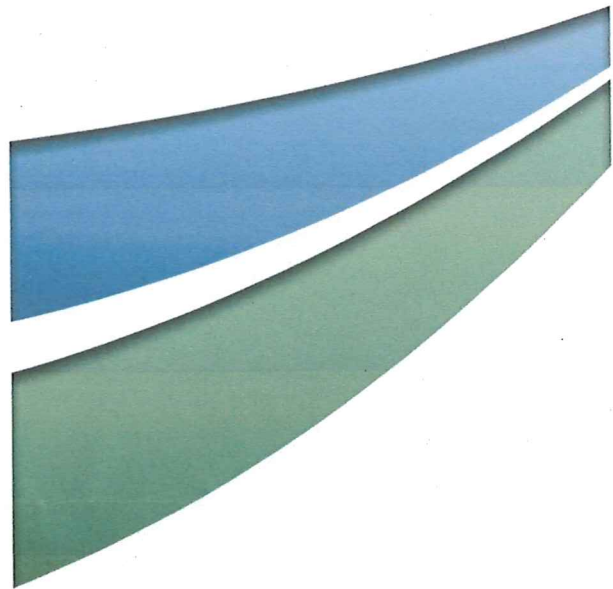
11 threatened species have been recorded in the MCCO Additional Project Area including five birds, four bats and two orchids. This biodiversity assessment

identified that under the FBA impacts to four of these threatened species would require specific offsetting requirements, in addition to offsetting the impacts on native vegetation, being:

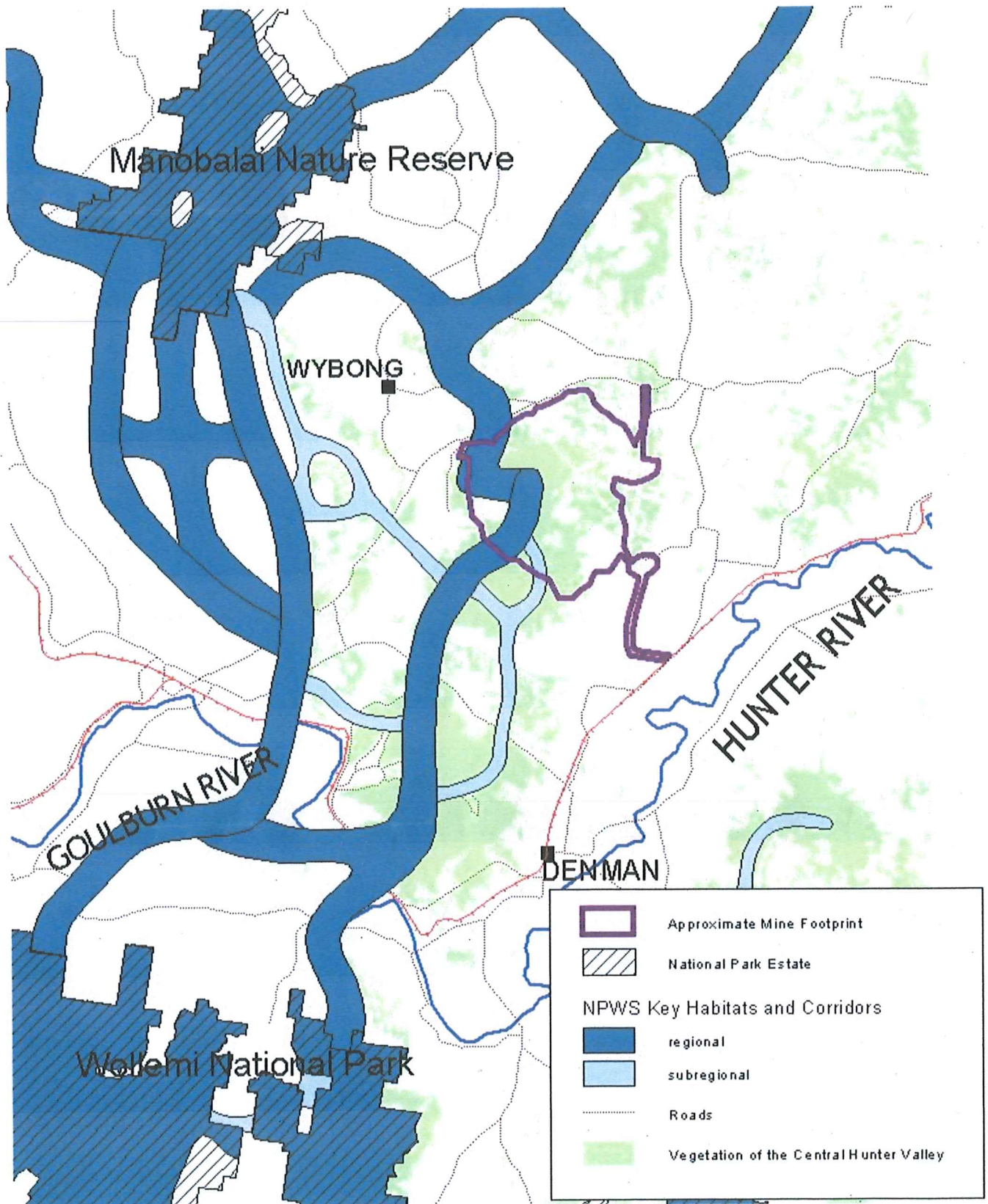
- large-eared pied bat (*Chalinolobus dwyeri*) – 27 credits
- southern myotis (*Myotis macropus*) – 20 credits
- Tarengo leek orchid (*Prasophyllum petilum*) – 8,983 credits
- pine donkey orchid (*Diuris tricolor*) – 17,238 credits

Mangoola has developed a biodiversity offset strategy that fully meets the offset requirements for the MCCO Project and builds on the existing offsets established by the mine. The biodiversity offset strategy for the MCCO Project includes:

- In-perpetuity conservation achieved through the retirement of biodiversity credits through the establishment of the following Stewardship Sites:
 - Mangoola Offset Site
 - Wybong Heights Offset Site
 - Mangrove Offset Site
 - Highfields Offset Site
- Restoration of up to 456 ha of native vegetation communities as part of ecological mine rehabilitation.
- Retirement of the remaining credits through either payment into the Biodiversity Conservation Fund or purchase of available credits from the credit market.



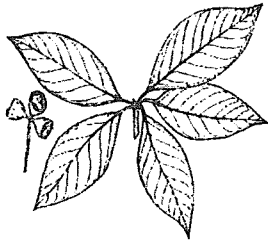
Anvil Hill Regional Biodiversity Corridor



3 0 3 6 Kilometers

Map compiled by
NEFA Hunter, October 6, 2006

Copyrights:
Vegetation of the Central Hunter Valley,
Hunter Central Rivers CMA, Final Draft 2006
NPWS Key Habitats & Corridors, 2001



Brush Box

Leobostemon canaliculatus

NEFA
North East Forest Alliance
HUNTER REGION
P.O. Box 9 Singleton NSW 2330
phone: 02- 6577 3105
email: bgriffiths@hunterlink.net.au

October 9th 2006, by e-mail.

TO:
Major Development Assessments
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Objection to Proposed Open Cut Mine at Anvil Hill, near Wybong, Central Hunter Valley floor

My primary objection is that it is not environmentally responsible to accelerate climate change by digging up coal that will release the equivalent of 27 million tonnes of carbon dioxide per year. It is also not socially responsible as the impacts of climate chaos are already apparent. There already will be a 2 degree rise in temperature by 2100 regardless of the level of carbon dioxide emission reduction that is achieved in the immediate future. The Anvil Hill Project is not in accord with Ecologically Sustainable Development as defined in the Protection of the Environment Administration Act. There is no inter-generational equity in today's standard of living being at the expense of those of tomorrow.

Valuation of the true cost of digging up the Anvil Hill Project Area would evidence a net loss of dollars when future costs are included and present ecosystem services were valued.

The transition from an economy based on fossil fuels has begun. There is no time left to open-up another open cut coal mine.

The Anvil Hill Project would also have a significant impact on biodiversity.

The indigenous vegetation of the Central Hunter Valley Floor has been extensively cleared over the last two hundred years of European occupation of the Wanarua people's traditional land. One consequence of the past removal and disturbance of the vegetation communities is the loss of habitat for the flora and fauna that they support. The local populations of species become extinct as their habitat diminishes in size, quality and connectivity. The cumulative loss of local populations threatens the species survival, particularly populations at the geographic limits of their distribution.

Legislative protection of threatened species was eventually enacted under the NSW Threatened Species Conservation Act 1995 in recognition of the extinction debt that is now in train in NSW and the crying need for recovery action. NSW threatened species protection and threat abatement action is essential for Australian biodiversity conservation under International Treaty. Responsibility, both legal and moral, for conservation of our web of life is extant at all scales from the local to the global or from individual to the collective arms of government.

Hill itself which in fact would remain an island in a sea of destruction, dust, noise and light.

It does not matter how many hectares are in the POA. The identified significant impact on the populations of threatened species of the Anvil Hill Project Area includes both the Proposed Disturbance Area and the POA. It is an artificial, abstract, non-ecological, unsubstantiated proposition that the destruction of over half on a large intact remnant woodland providing habitat for viable local populations of at least 15 threatened species and habitat used at least by individuals of a further 15 threatened species can be 'balanced out' by increasing the conservation management of a similar area.

The fact that the species who live and migrate through the PDA/POA would have less habitat and likely to be no longer able to sustain viable population is not signified. This is even acknowledged on p174 *"As a number of records were obtained for most threatened species it is likely that there is intra-specific as well as inter-specific competition occurring for general foraging habitat, as well as for specific habitat resources. With the loss of habitat from the Proposed Disturbance Area, it is likely that such competition, will be increased considerably within the Proposed Offset Area due to dispersing individuals."*¹⁰ This will be particularly pertinent to territorial species such as Hooded Robins, and territorial species with critical habitat features such as hollows that are a limited resource. Nest boxes will not do the trick.

How does Centennial Coal propose to mitigate the loss of these populations of threatened species? Conceptual corridors are not the answer.

The Anvil Hill proposal must be rejected.

Marg McLean, NEFA Hunter

¹⁰ op cit p179

ⁱ Scotts,D (2001), Key habitats and corridors for fauna of north-east nsw, limitations and decision rules inherent within the mapping D. Scotts, Key Habitats and Corridors Project Zoologist; NSW National Parks & Wildlife Service, Northern Directorate; Locked Bag 914; Coffs Harbour; NSW; 2450

ⁱⁱ Mitchell, P.B. (2002) NSW Ecosystems study:background and methodology. (Unpubl) NPWS and Mitchell,P.B. (2003) NSW ecosystems database mapping unit descriptions. (Unpubl) NPWS cited p28in Draft Native Vegetation Regulation 2004: Environmental Outcomes Assessment Methodology DIPNR

ⁱⁱⁱ Smith,PL & Siverstein,D, (2001) Part A Landscape Composition for the Maintenance of Biodiversity Values in Production -Oriented Landscapes. Draft Background Paper (Unpubl.) DLWC

APPENDIX 2
(Rule 33 (2))

FORM OF APPOINTMENT OF PROXY

I,
 (full name)
 of
 (address)
 being a member of
 (name of incorporated association)
 hereby appoint
 (full name of proxy)
 of
 (address)
 being a member of that incorporated association, as my proxy to vote for me on my behalf at
 the general meeting of the association (annual general meeting or special general meeting, as
 the case may be) to be held on day of 19..... and at any adjournment of that meeting.

* My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution
 (insert details).
 * To be inserted if desired.

.....
 Signature of member appointing proxy

Date.....
 NOTE: A proxy vote may not be given to a person who is not a member of the association.