



Cumberland Bird Observers Club

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PCU034183

26 May 2012

Mining & Industry Projects
NSW Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Re: Coalpac Consolidation Project: Application No. 10 0178 – impacts on Ben Bullen State Forest

Cumberland Bird Observers Club Inc. (CBOC) is a community-based organization with about 600 members who are interested in the observation and conservation of birds, in the Sydney region and wider afield.

We understand that in its Consolidation Project, Coalpac is proposing to expand open-cut and highwall coal mining in the western part of Ben Bullen State Forest (SF) and smaller areas of adjacent land. If this project proceeds as planned, it will destroy publicly-owned forest and woodland which is the habitat of several threatened bird and other animal species, as well as endangering magnificent pagoda rock formations in the Gardens of Stone area (a portion of which is within the proposed mining area).

CBOC much prefers that the proposed open-cut mining does not take place at all in Ben Bullen SF. Failing this, we request that you give serious consideration to our suggested modifications to the project, to help protect some of the rarer and more sensitive bird species, and also geological formations. Details are given below. These are based mainly on information from the *Coalpac Consolidated Project Ecological Impact Assessment, Final Report*, March 2012, by Cumberland Ecology (Report 9023RP2).

Impacts on wildlife habitats

About 958 ha of vegetation (including derived native grassland) within the project disturbance boundary is likely to be destroyed by open-cut mining and associated works, and 993 ha is proposed to be “retained”, although this latter area is mostly planned to be undermined by sub-surface highwall mining.

The portion planned for open-cut mostly contains diverse native forest and woodland types. Much of this vegetation is suitable habitat for a large number of bird species, which reside there or would be likely to visit when food resources such as nectar are present. Resident Vulnerable bird species listed under the NSW TSC Act 1995, recorded during the project Environmental Impact Assessment (EIA) include:

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Scanning Room

Gang-gang Cockatoo
Powerful Owl
Square-tailed Kite
Scarlet Robin
Speckled Warbler
Brown Treecreeper
Varied Sittella

Additional Threatened bird species listed under the NSW TSC Act 1995, which are likely to reside in the area or visit it when trees are flowering, are:

Masked Owl
Barking Owl
Swift Parrot (Nationally Endangered)
Little Lorikeet
Regent Honeyeater (nationally Critically Endangered)
Black-chinned Honeyeater
Painted Honeyeater
Diamond Firetail

The most suitable habitat for the threatened birds listed above is found primarily in the lower altitude parts of the project area, i.e. the section planned to be subjected to open cut-mining. We note that there is about 16.3 ha of listed Critically Endangered woodland vegetation types slated for destruction, while a further 29.9 ha of this vegetation is outside the open-cut area, and so should be retained. While 16.3 ha seems a relatively small area, it is likely to be important habitat for several threatened woodland birds in this district where very little similar woodland vegetation remains.

Therefore we request that every effort is made to retain the entire 46 ha of woodland, with all patches connected by intact vegetation corridors of at least 50 m width, if the woodland patches are not contiguous initially. (A patch of woodland kept as an isolated small island surrounded by open-cut mining would obviously have limited ecological value.) This small effort to retain some of the bird and other wildlife biodiversity on the project site would be very worthwhile.

The taller forest types in the project area would have large tree hollows necessary for nesting by Vulnerable large forest owls (Powerful, Masked, Barking) and cockatoos. These include forest communities such as Tableland Gully Ribbon Gum-Blackwood-Apple Box forest (94 ha to be destroyed, 17 ha retained) and Exposed Sydney Peppermint-Silvertop Ash Shrubby Woodland (370 ha to be destroyed, 308 ha retained). **We recommend that much larger proportions of both of these two forest types be protected from open-cut mining, particularly of the first type (Ribbon Gum-Blackwood-Apple Box), which has only 112 ha in total on the site.** In fact, almost all of this latter type should be protected as far as is logistically possible.

Rehabilitation of open-cut mined areas

There is an apparent commitment by Coalpac to rehabilitate the open-cut mined areas progressively to native vegetation, whereby they expect this to “ultimately” be similar to the forest and woodland types destroyed by mining. It is very dubious whether it is possible to re-create these habitats “from scratch”, so they will eventually have the species mixes and resources for wildlife, such as tree hollows, found in mature forests. In this project, efforts to set this re-creation in motion are only proposed to be applied for about 20 years at best. From that point onwards it would take at least another 80-100 years before the habitats resembled the original mature ones, assuming no setbacks.

Nevertheless, rehabilitation of the whole open-cut site with native vegetation should be carried out diligently. Photos of previous efforts in the Ben Bullen area (in the EIA document) indicate that native vegetation of some sort can be established within 8-10 years. Whether this will grow to resemble the original forest or woodland after several decades, with all its biodiversity, remains to be seen. This should be the subject of long-term studies. Rehabilitated areas should re-form connections between intact habitat areas and will presumably be utilized by increasing numbers of bird and other animal species over time, if the vegetation matures and increases in structural and species diversity.

Offset properties

The proposed Yarran View offset property contains about 43 ha of Endangered Box/Gum woodland (in scattered patches) and 220 ha of shrubby White Box Woodland. These areas may provide suitable habitat for up to nine (9) Vulnerable woodland bird species that were recorded about 5 km away in similar woodland on the edge of Wollemi National Park (EIA report). Extensive areas of derived native grassland (143 ha) might ultimately be revegetated to Box/Gum Woodland, but it would take many decades for this to mature, even assuming a prolonged effort was made to establish the relevant tree and understorey vegetation successfully. This property appears to be worth securing, for its present and possible future habitat values. It would need to be added to Wollemi National Park to guarantee its long-term environmental value.

The Hillview offset property has only 5 ha of Critically Endangered Apple/Red gum/Yellow Box woodland in scattered strips, plus about 29 ha of derived native grassland. This area may have some present value to woodland birds but this value will be very limited until woodland is also well established (after several-many years, if successful) on the grassland areas, to form a sizeable patch. The habitat value of this property also depends on its long-term retention as a conservation area.

Acquisition of Yarran View and Hillview together would protect a small area of existing Endangered woodland communities (total 48 ha), with value for woodland birds. This cannot be considered as “compensation” for the 16.3 ha proposed to be destroyed by open-cut mining. **CBOC considers that ALL the existing patches of Endangered Box/Gum woodland vegetation need to be conserved, both in the project area and the offsets.** This is especially necessary in a district where there is almost none of it left, as indicated by the apparent difficulty Coalpac has had in finding offset properties with more than small mature patches of this woodland type.

The proposed offset properties appear to contain little or none of the tall Tableland Gully Ribbon Gum-Blackwood-Apple Box forest, which is likely to have large tree hollows and which is mostly proposed for destruction in the project area. However, we note that the Hyrock Hartley offset property contains about 21 ha of Montane Gully Forest and *E. oreades* open forest, as well as a fairly large area (158 ha) of Sydney Peppermint-Silvertop Ash Woodland. These vegetation types may provide large nesting hollows for owls and cockatoos. Hyrock Hartley would be a useful conservation area if added to the nearby National Park for long-term security, as mooted in the EIA report.

Protection of sandstone pagodas and other surface rock features

The mine project area includes some of the famous Blue Mountains ‘pagoda’ rock formations near the SE boundary. We note that these pagodas are not proposed to be impacted by the open-cut operation, but mining beneath them using highwall underground methods is proposed. **Such mining must use techniques that are guaranteed not to cause any subsidence or cracking of the pagoda formations.** If there is any risk at all of damaging them, no mining should be permitted under them or close enough to endanger them. The amount of coal under the pagodas is presumably small, since

they occupy only a small part of the project area, and it would surely be worth foregoing this coal in order to protect them.

At present only about half of the c 60,000 ha containing Blue Mountains pagoda formations is adequately protected in National Parks. Important unprotected areas with pagodas exist in the rest of Ben Bullen and Newnes State Forests. These State Forest areas should be protected in formal reserves or National Park as a matter of urgency, and not be subjected to any future mining (preferably); or subjected only to the "safest" underground methods guaranteed not to damage surface soil, rock, watercourses, or plant life.

The proposed minimum setback for open-cut mining from cliff faces and escarpments in the current project is only 50 m. We question whether this is an adequate distance to ensure their stability and prevent any rock collapse. **To err on the side of caution, a minimum setback of 100 m is suggested as more appropriate.**

Conclusions

CBOC requests that the area of Ben Bullen State Forest proposed for open-cut mining under this Consolidation Project be protected instead as a Conservation Reserve, permitting very careful underground mining only.

Failing this outcome we request that:

- All listed Endangered woodland types (c 48 ha) in the project area will be protected from disturbance by open-cut mining or infrastructure;
- All proposed offset properties will be secured for conservation in perpetuity, with diligent attempts to re-establish woodland on derived native grassland areas on two properties (Yarran View and Hillview);
- Most or all of the 112 ha of Tableland Gully Ribbon Gum-Blackwood-Apple Box forest in the project area will be protected from open-cut mining;
- Diligent, long-term effort will be applied to rehabilitate open-cut areas back to original forest/woodland vegetation;
- Sandstone pagodas and escarpments will be strictly protected from any damage by mining, with conservative setbacks applied.

CBOC (and I personally) have not made any donations of \$1000 or more to any political party over the past two years.

Yours faithfully



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Conservation Officer, CBOC

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