



Hunter Bird Observers Club Inc.

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HBOC Submission on the NSW Coal and Gas Strategy Scoping Paper

The Hunter Bird Observers Club Inc. (HBOC) welcomes the opportunity to comment on this document and we support the main aims of the Strategy. We have limited our comments to those concerning the environment with emphasis on the present and potential impacts of the coal and gas industries on biodiversity, particularly native vegetation and its avian communities.

One of the aims of HBOC is

to encourage and further the study and conservation of Australian birds and their habitat.

Pivotal to our submission is the position that land clearing and woodland habitat destruction, particularly in the central Hunter Valley, can no longer be justified.

Some facts are indisputable:

- “Land clearing remains the single greatest threat to terrestrial biodiversity in Australia according to the Australian State of the Environment Committee 2001. It impacts on ecosystems by killing biota and removing habitat; it fragments populations and undermines their long-term viability, and will reduce the resilience of ecosystems to forthcoming climate change.” (Gibbons & Lindenmayer (2007) p.26).
- Birds and other fauna cannot exist without the habitat on which they depend.
- Australia’s woodland birds, including many species generally regarded as common and widespread, are declining.
- Woodlands in the south-eastern areas of Australia are already extensively cleared; the majority of the Hunter Valley has been cleared.
- Forested remnants have the highest concentrations of threatened woodland species.
- These remnants are fragmented. There is a high risk of future local extinctions of threatened woodland species because fragmentation decreases the resilience of populations to adverse conditions like prolonged drought. The “extinction debt” (2011 Szabo) associated with past habitat removal in the Hunter Valley floor is yet to be fully paid.
- The current legislation (*NSW Threatened Species Conservation Act 1995* and the *Environment Protection and Biodiversity Conservation Act 1999*) are failing to protect the remaining remnant vegetation and its avifauna.

HBOC applauds the main aims of the Strategy, particularly the aims to “guide the sustainable development of the coal mining and coal seam gas industry and associated infrastructure, minimise adverse health,

environmental, agricultural and land use impacts of the industry” and to “strengthen the communication between Government, industry and the community on mining-related matters.”

HBOC believes that the biggest impediment to the sustainable development of the Coal and Gas Industry in a strategic manner is the rate at which it is being expanded. There is a need to curb that growth until strategies and an improved regulatory framework are in place.

We note that there is no Government Initiative concerning conservation of native vegetation and habitat for threatened species that will be affected by coal mining and gas extraction (p. 4). Furthermore, the cavalier attitude to what remains of our native vegetation is highlighted by statements such as: “Where possible, and environmental impacts can be successfully managed, the Government prefers gas pipelines to be laid in utility corridors such as road corridors or travelling stock routes” (page 6). HBOC points out that travelling stock routes and road reserves are key areas of remnant vegetation with high biodiversity values, which provide important wildlife corridors between more extensive areas of remnant vegetation. We would prefer an attitude which acknowledged the importance of remnant vegetation in road reserves and travelling stock routes and put the conservation of this habitat ahead of the use of these areas as utility corridors.

It is hoped that the Strategic Biodiversity Planning (p.10) will indeed identify areas in which coal mining or gas extraction will be avoided and areas where rehabilitation objectives will be driven by biodiversity outcomes. As the Scoping Paper recognizes, most mining takes place on the floor of the Hunter Valley where areas of high biodiversity are now limited due to past clearing. The floor of the Valley has the richest soils and thus food resources for birds and other fauna, which are more abundant there than on escarpments and ridges. Past and present mining activities have decimated and continue to decimate the few remaining tracts of woodland and its avifauna including Endangered Ecological Communities and Threatened bird species and populations. An example of this is provided by the proposed Warkworth Extension south of Singleton currently being determined by the NSW Planning Department. The Strategic Biodiversity Planning would gain a head start on achieving significant biodiversity outcomes by excluding remaining woodlands from development. In addition, HBOC looks forward to the strengthening of rehabilitation requirements and time frames so that mining companies are committed to achieving a certain standard of rehabilitation, not limited by the term of the mining lease.

We support most strongly the benefit of the Strategy which states: “For the environment, that an appropriate balance is being struck between protection of important environmental attributes and the use of coal and gas resources.” (p. 11) However, we suggest strengthening the wording to ensure that the intent is to balance both the environmental pollution and biodiversity protection attributes. Elsewhere in the Scoping Paper these two aspects are discussed as discrete issues; our position is that both are equally important and the wording of this statement should be unambiguous about the intent to protect both. We suggest the following wording. “For the environment, that an appropriate balance is being struck between protection of important environmental attributes **including biodiversity** and the use of coal and gas resources”.

Similar problems arise in the Gunnedah Basin where a Key Issue (page 8) is the “Management of the potential cumulative impacts of mining in the Leard State Forest area”, where white box vegetation is acknowledged as having high biodiversity value. It appears that agricultural land in the Gunnedah Basin will be preserved (as it should be) by mining the coal using underground methods whereas Leard State Forest will be mined by open-cut methods (page 7). Surely it is now time to value environmental attributes such that remnant vegetation is preserved and coal mining is required to be underground. This may require amendments to the Mining Act but it would acknowledge the intrinsic long-term worth of the natural environment above that of extracting a mineral resource for short-term gain.

It is our experience that although biodiversity trading programs (which include biodiversity compensation, offsets, and biobanking) are regarded as being the solution to the complex problem of maintaining and improving biodiversity, they do not in fact increase biodiversity. Walker *et al.* (2009, p.155) conclude:

“In sum, while compensation and no net loss are worthy goals, and bartering biodiversity might appear more promising than simple and weakly enforced prohibitions, this article suggests policies that enable biodiversity trading may perversely yield worse biodiversity outcomes. All theoretical predictions point to further biodiversity loss paving the way for development in any biodiversity trading program, while a no net loss tag-line defuses potential opposition and impetus for change.”

HBOC refutes the popular claim made in various circles that remnant vegetation may be too small to serve any useful ecological purpose. Revegetation studies have found that:

“Landscapes with remnant vegetation or a mix of remnant and revegetation have more species than a landscape with revegetation alone. Further, remnant vegetation provides resources that are scarce in younger revegetation, and supports species that depend on mature trees.” (2009 Clarke *et. al* p.9)

HBOC believes it is therefore imperative that remaining areas of woodland are identified and excluded from the environmentally destructive processes of open cut mining and gas extraction before licences are issued and consents granted.

HBOC is concerned that Section 12 on “Regulation and standards” on p.11 does not make any provision for biodiversity outcomes. We suggest that the goal should be that projects make no further contribution to cumulative biodiversity loss. Furthermore, the Scoping Paper should identify the need for “auditing biodiversity” targets and making provisions for ongoing remedial action where targets are not achieved. A serious shortcoming of the existing regulation of the industry is that there are inadequate provisions for ongoing maintenance of offset and rehabilitated areas.

There is little consideration in the Scoping Paper about the infrastructure impact on ports particularly with respect to the unique nature of the ecologically sensitive attributes of estuaries. The Port of Newcastle, a shallow estuary, has three coal export terminals with a proposed fourth terminal reaching the end of its feasibility study. Community concerns are more than justified in the face of the past destruction of wetlands, the probable destruction another and the increased presence of coal dust in the atmosphere.

The Scoping Paper has acknowledged community concerns and the need to find a balance between development and the environment. Birds are a highly visible component of the environment and have always played a role in human history and culture. For this to remain so, they need sufficient habitat to survive. The proposition that there is plenty of bush out there is no longer true, particularly for habitat-sensitive species. The new Coal and Gas Strategy has an opportunity to redress the imbalance between industrial/economic needs and the needs of our biodiversity, particularly our avifauna. Do we really want to go down the road where the only bird calls to be heard are those broadcast in shopping centres?

HBOC’s position is that for developments to be approved they must be able to fund their environmental cost including their biodiversity debt. That is penalty for the lofty ambitions of sustainability if the triple bottom line (point 2 on p. 9) are to be achieved.

In order to facilitate your understanding of the seriousness of the situation with regard to the declining avifauna in the Hunter Region, we are attaching a copy of our publication, *The Whistler*, No. 4, containing a paper on the **Status of threatened bird species in the Hunter Region**. 74 bird species are threatened and listed under the *NSW Threatened Species Conservation Act 1995* and/or the Australian Government’s *Environment Protection and Biodiversity Conservation Act 1999*. The paper summarises the key threats and you will find that **loss of habitat** is a feature of all of those key threats. A hard copy of this submission and of *Whistler*, No. 4 will be posted to you.

HBOC welcomes the opportunity to provide further comment on the Scoping Paper and to contribute to the ongoing development of a Coal and Gas Strategy for NSW.

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References

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