


Armidale Action on Coal Seam Gas and Mining (AACSG&M), an action group of Sustainable Living Armidale (SLA), acknowledges the traditional custodians of the land upon which we are meeting and thanks the Independent Planning Commission for the opportunity to explore further our concern regarding the application of Boggabri Coal to modify the conditions of its Approval 09_0182 in the light of the company's response and observations from other stake-holders.

AACSG&M wishes to express concern at the short time frame for comments given the prevailing drought conditions and the extraordinary impost made on the time of community members already dealing with other mine-related issues and the matters of everyday family life.

The current restructuring of Government instrumentalities and departments is also causing concern that too hasty decision-making may have 'regrettable consequences; we urge the IPC to acknowledge the importance of assuring community confidence in the transparency of the process by allowing for further consultation. At no stage has our concern that the Modification is inaccurately described as 'administrative' been addressed. The Modification is complex with five parts and, while some of the matters referred to are minor or administrative, others will have significant impact on the community and environment (particularly with regard to offsets, transport of coal by road, drilling and exploration activities and management of biodiversity).

Offsets and Management of Biodiversity: It would seem appropriate that the Modification be separated into its component parts and each treated separately. This is especially the case with matters regarding offsets and the security of offsets which were being dealt with by the Office of Heritage and Environment which was dissolved earlier this month. AACSG&M seeks assurances that the IPC will carefully examine the Proponent's proposals regarding the mechanism proposed for securing the required offsets. The request by Boggabri Coal to modify condition 47(a) of its consent to extend the time limit to register offsets (which were to have been registered by December 2014) and to decrease the specificity of offset provision is disturbing.

Acceptance of this aspect of the Modification would create a precedent unacceptable to the community however welcomed by mining companies; one which would completely undermine an already struggling and unviable system of biodiversity offsets in NSW. Transfer of responsibility of offsets to Tarawonga Mine, which is now under the full control of Whitehaven Coal, is of particular concern because, not only is it taking advantage of the weak protection laws for nationally listed threatened and endangered species, it has recently received its almost now routine extension on the mechanism/s for registering a legally binding covenant that must provide protection for the offset areas in perpetuity and be registered by 31 March 2020. Minimal harm to the community and environment from mining must be at the heart of decision making on this point. Currently the IPC is being asked to act contrary to the precautionary principle and allow piecemeal approval by the Department of Planning that benefits mining not the environment or community. Further,

 AACSG&M seeks reassurance that the Regional Boggabri- Tarrawonga Maules Creek Biodiversity Strategy Stage 3 due December 2018 is now in place.

In 2012 The Planning and Assessment Commission recommended a strategy for the Boggabri Coal Extension and the Maules Creek Coal Mine Approval. The PAC said- "the strategy will need to set out the long-term framework of management, monitoring and land use security to be applied consistently across all biodiversity conservations in the region."

However, by November 2015- Boggabri Coal- only three years after the Granting of the Extension- realised it had significantly underestimated its water usage and applied for a massive bore field and land use requirements that required clearing which resulted in distinct cumulative impacts on regional biodiversity including fragmenting escape corridors for wildlife.

AACSG&M calls on the IPC to halt further clearing of Leard State Forest until such time that we are assured that the Government is able to keep up with the pace of rural industrialisation and to appropriately manage Biodiversity . Boggabri Coal did not have a Community Consultative Committee Environmental Representative in place during the approval process despite the requirements to do so -preventing proper community consultation of the people concerning Leard State Forest.

As indicated in our initial submission it is of concern to AACSG&M that the proposal threatens the existence of the East-West Biodiversity Corridor which is required to be preserved under the EPBC approval and is vital for the biodiversity protection for the Critically Endangered Ecological Community which is intended by the Commonwealth approval. If anything administrative changes at this time to strengthen the original corridor, should be put in place. The Precautionary Principle requires that this corridor of Critically Endangered White Box Grassy Woodland be preserved; it is simply impossible to replace. Management of Koala habitat, similarly, requires the continued existence of this corridor. Further the PAC recommendation for a finalised Regional Biodiversity Strategy is still not in place.

We have been given to understand that the Mine has approval to mine the Biodiversity Corridor under its current conditions. However, there has been no approval to even undertake testing (which would, of necessity, require destruction of habitat) in this area – we ask that the IPC seek clarification of this matter and that the Proponent be required provide clear details of proposed drilling and exploration activities. This additional information should include details of the location, intensity and volume of the proposed activities, including the clearing of vegetation. This is a really significant issue in our region. This IPC hearing is an opportunity for the IPC to put in place conditions to ensure full scientific certainty regarding the risks of aquifer interference before any exploration approval is granted to Boggabri Coal.


These changes are not at all minor or administrative from the perspective of the community or the environment; we understand the importance of moving from fossil fuels and protecting our carbon-sink forests if we are to avoid catastrophic climate change.

Transport of coal by road: The concerns expressed by AACSG&M that additional information should be made available by the Proponent to the Department of Planning regarding its proposal for transportation of coal by road has yet to be addressed. In addition to our concerns that the proposal contains no limit on the frequency of the proposed transportation by road and no indication of destination or explanation as to the sample size of 60 tonnes referred to in the proposal, we wish to add our developing understanding that the Mine's owners are looking to move into metallurgical (rather than thermal) markets overseas which leads to a concern that the transportation of coal across the area (by road and a proliferation of railway spurs) will be intensified in the process of 'blending' for export.

Also yet to be addressed is the failure to consider cumulative impacts created by a concurrent modification and assessment for transport associated with the adjacent Tarrawonga Coal Mine.

It is ironic that none of the **three banners** on the Idemitsu (80% stakeholder in Boggabri Mine) refers to mining at all. One announces 'Sustainable Future; Idemitsu plans to build on its sustainable agricultural and cattle business'; the second proclaims 'investing in renewables...and pumped hydro' and the third says 'committed to the safety and well-being of our people and working closely with local communities'.

These slogans point to a way forward for a company which has no social licence to destroy an important carbon sink through this proposed expansion in a community which has, through experience, come to regard its reassurances with scepticism.

 An example of this breach of trust was evident when, two years after the Mine issued assurances that it had sufficient water allocation to service the expansion sought in the approved Modification 5, it set about creating a new borefield. If the Mine owners were to take the current opportunity to rehabilitate the entire Mine site with a full suite of plant assemblage not only would jobs be created but issues of sustainability would be addressed and the community would be reassured.

We request that the IPC thoroughly review the Modification and make representations to the Minister for further studies, especially with regard to the shallow and deep aquifers, biodiversity and transport and the implementation of a transparent compliance regime.

Elizabeth O'Hara (on behalf of Armidale Action on Coal Seam Gas & Mining)

