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Parliamentary Inquiry into Koala Populations and Habitat

Additional information for Committee members

The attached information is provided to the Parliamentary Inquiry to assist in their consideration of the matters raised by Wando Conservation and Cultural Centre Inc.

These include:

1. Media release from Wando Conservation and Cultural Centre Inc, 13 December 2019
2. Scene of Whitehaven felling Leard State Forest
3. Aerial pics of Lawler's Well, the only permanent water source in Leard State Forest before it was destroyed by Whitehaven Coal, shown in its natural condition, and
4. The Leard Travelling Stock Route which was good quality old growth White Box CEEC, which was a corridor of koala habitat acquired by Whitehaven and destroyed.
5. BACKGROUND INFORMATION
6. Biodiversity Corridor

1. MEDIA RELEASE

13 December, 2019

Koala habitat destruction based on dodgy offsets, FOI documents show

Permission to destroy hundreds of hectares of prime koala habitat in the state's northwest was granted on allegedly dodgy biodiversity offsets, new freedom of information documents show.

Whitehaven Coal was given permission in 2012 to bulldoze 1,665 hectares of native vegetation in the Leard State Forest, which was the largest intact remnant of nationally listed Critically Endangered Ecological Community of White Box Grassy Woodland in NSW.

The approval was conditional on the company acquiring and protecting equivalent or greater of this koala habitat. Accordingly, Whitehaven Coal acquired numerous properties as offsets, some of which are farms the company was under requirement to rehabilitate into woodland.

The Planning Department approved the Maules Creek Coal Mine offsets in March 2018 and forwarded them to another government agency, the Biodiversity Conservation Trust (BCT), to negotiate Conservation

Agreements, which have been much delayed for years following repeated extensions of time granted to Whitehaven.

"The documents we have obtained through freedom of information laws show the BCT has repeatedly visited the offsets and found in many instances the vegetation mapping incorrect and the offset areas are not as described and do not protect koala habitat," said Wando Conservation and Cultural Centre Chairperson Peter Wills. "Under the circumstances, we call on the NSW Government to order Whitehaven to cease land clearing operations."

"Whitehaven has gained extension after extension of their deadline to enable them more time to massage their offset maps to satisfy the BCT requirements, and they have failed," says Mr Wills. "Under pressure from environmentalists, they continually blame the BCT for the delays but now it's been revealed that the BCT is refusing to register the Maules Creek Coal Mine offsets for good reason."

The BCT's criticisms over an 18 month period corroborate many objections to the Maules Creek offsets, including a Federal Court legal challenge by the Northern Inland Council for the Environment in 2013 and a formal complaint to the Ecological Consultants Association levied against the original ecologist who designed the offset package, Cumberland Ecology.

"It is really important that Whitehaven are not allowed to clear any more of the Leard State Forest in these circumstances" said Mr Wills "and considering the next clearing window starts in February next year, an urgent investigation into how the offsets were approved by the Department of Planning needs to be undertaken."

ENDS

FURTHER INFORMATION: Peter Wills, Chairperson, 0417 333 669 and Anna Christie, Research Officer, 0425 322 186

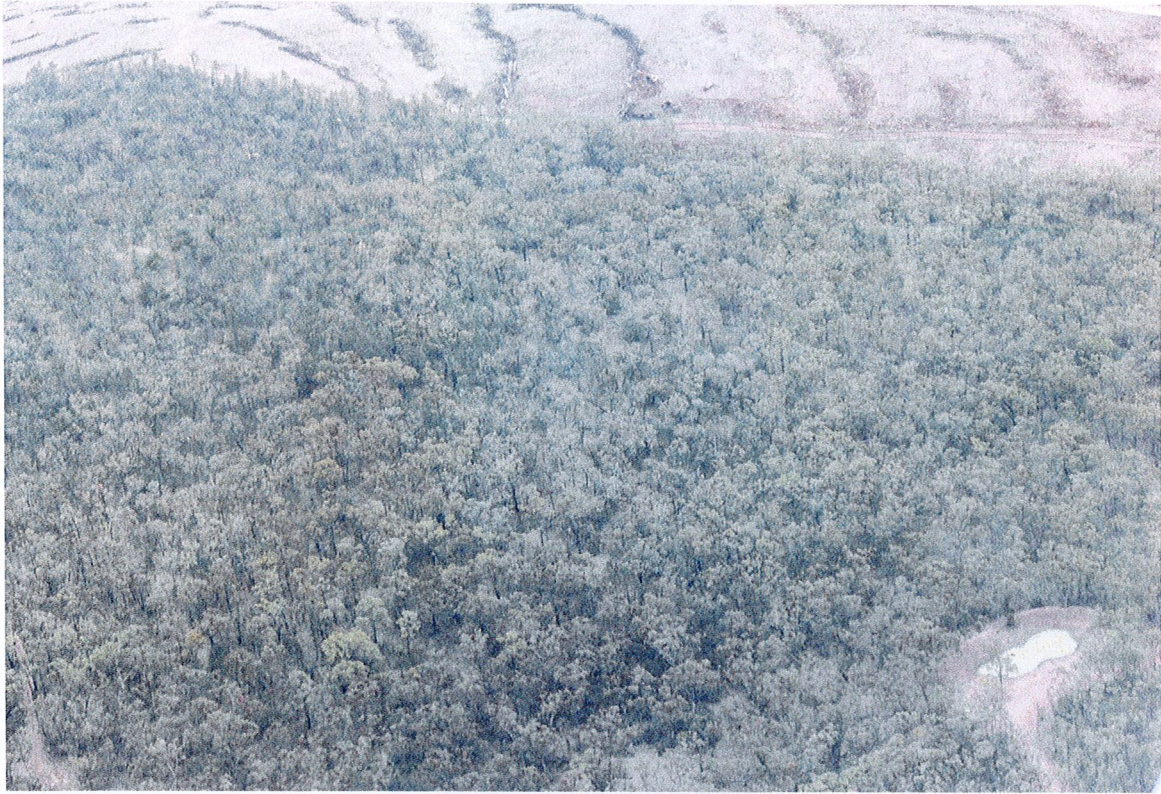
2. Whitehaven fells Leard State Forest



3. Aerial pics of Lawler's Well, the only permanent water source in Leard State Forest before it was destroyed by Whitehaven Coal.



The photo below shows Lawlers Well and its juxtaposition with Maules Creek mine clearing.



4. **The Leard Travelling Stock Route which was good quality old growth White Box CEEC, which was a corridor of koala habitat acquired by Whitehaven and destroyed.**

How ironic that the trees in this picture had previously been marked as habitat trees, only to be cleared by Whitehaven Coal in February 2018.



The Travelling Stock Route would have formed an important component of an East-West corridor when the mine site would be rehabilitation at the cessation of mining



5. BACKGROUND INFORMATION

- 13 applications for Conservation Agreements (CA's) for Maules Creek Project total an area of 12,275Ha. These include 11 of the original 2017 Biodiversity Conservation Trust (BCT) applications and an additional 2 submitted in May 2018, which are the offsets for the Maules Creek Coal Mine, Project Approval PA10_0138. Four of these properties have been accepted to be incorporated into the NSW National Parks estate, under unknown terms. The remainder have now been shown to be falsely described as offsetting the damage to the Leard Forest.
- These do not include additional Commonwealth offsets.
- On 23rd March, the Department of Planning's Mike Young signed off on the Maules Creek offsets (see Document 46b, p. 137 of the GIPA), satisfied that they fulfil the Conditions of the mine approval.
- An initial site visit between the BCT and Whitehaven Coal in May 2018 scoped the work required and highlighted some key decisions to be made, which needed resolution to progress the CA's. These included ground-truthing the vegetation maps provided by Whitehaven Coal to the BCT and the amount of revegetation and ecological restoration needed.
- While on site conducting ground-truthing of the Maules Creek Coal mine offset properties (22-24th May 2018) BCT staff made observations that many of the vegetation maps provided did not accurately reflect the vegetation on site, leading the BCT to call for Whitehaven Coal to supply "Accurate vegetation mapping to at least Plan Community Types" "to portray the actual vegetation in Conservation areas with the agreement."
- To summarise BCT ground-truthing notes of the offsets: (see Document 5, p. 28 of the GIPA)
 - *"Veg mapping provided to BCT has poor accuracy on some sites with some areas mapped as Box EEC inconsistent with site observations.."*
- Information supplied by Cumberland Ecology resulted in State and Federal approvals of Maules Creek mine which permitted clearing 1,665 hectares of native vegetation in Leard State Forest, including 544 hectares of White box – Yellow box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland Critically Endangered Ecological Community (CEEC).
- The vegetation mapping and description of the habitat in the offsets by Cumberland Ecology enabled the approval of Maules Creek mine, paving the way for the destruction of the aforementioned Critically Endangered Ecological Community.

6. BIODIVERSITY CORRIDOR

Under the Regional Biodiversity Strategy, it is intended to create a terrestrial corridor from the Nandewar Ranges in the East to the Pilliga East in the West of this diagram.

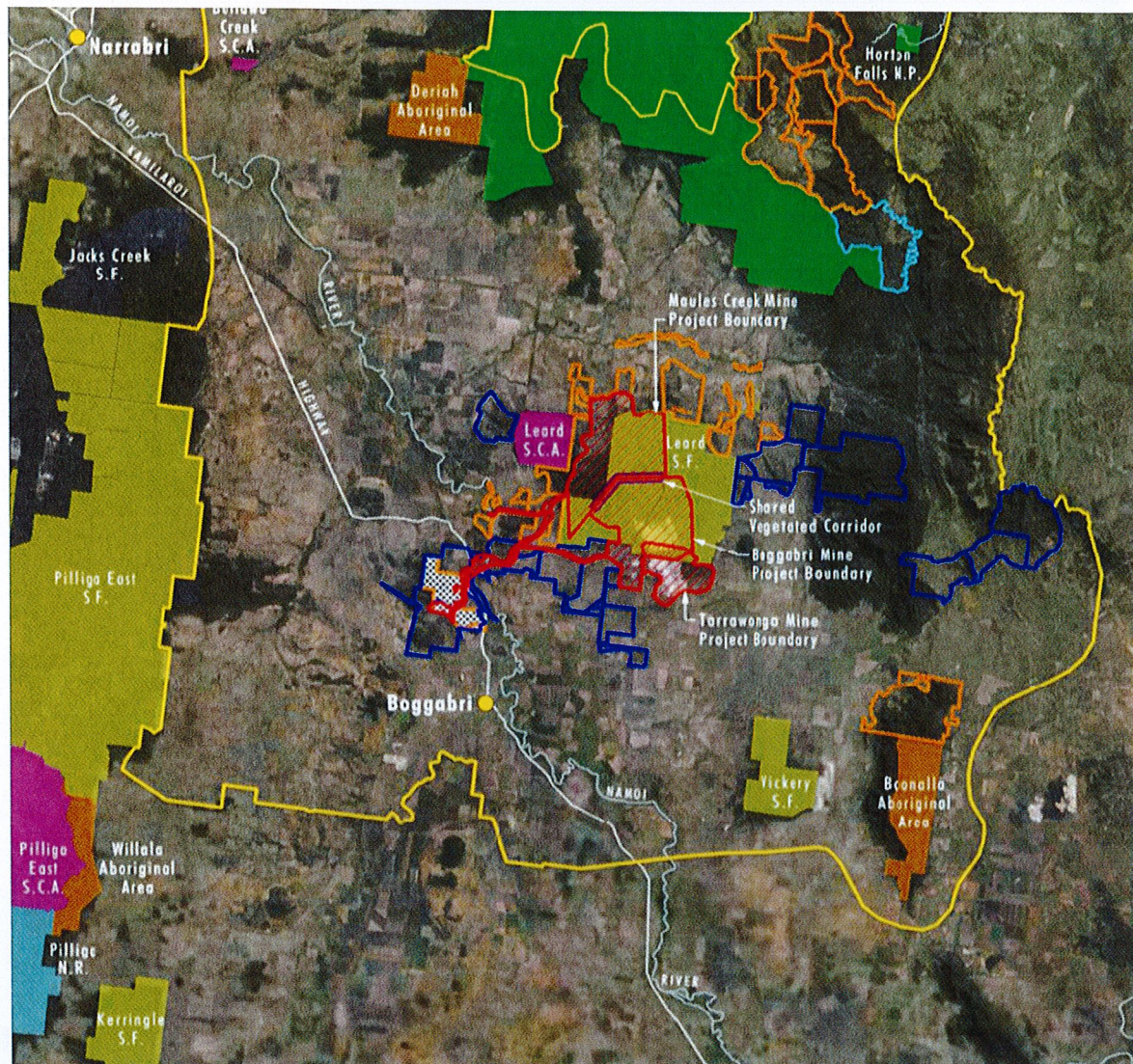


Image Source: Google Earth (2013)

Data Source: DP&I (2014), MinView (2014), OEH (2013).

Australian Government Department of the Environment (2012)

Note: (1) In addition to the approved NSW offsets, additional offset areas are required to meet the requirements of the Commonwealth EPBC Act approval

Legend

Mine Project Boundary	Aboriginal Area	Road
Shared Vegetated Corridor	Nature Reserve	Drainage
Precinct Study Area	Boggabri Offset Property	
State Forest	Tarrawonga Offset Property - Approved	
National Park	Maules Creek Offset Property - Approved (NSW only) ⁽¹⁾	
State Conservation Area	Shared Offset Area	

FIGURE 1.3
Precinct Study Area