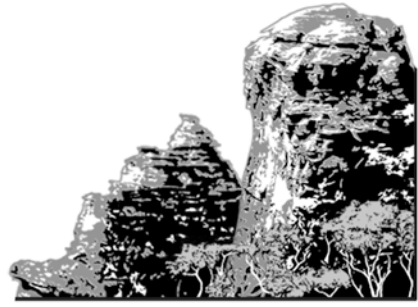




# Protect the Gardens of Stone

“Say NO to open cut mining!”



Friday 13<sup>th</sup> May, 2011

## BACKGROUND BRIEFING:

### The case against the Coalpac coal-mining ‘consolidation’ project at Cullen Bullen, near Lithgow NSW.

The uniquely scenic and biodiverse Gardens of Stone is under imminent threat due to a consolidation proposal by Coalpac Pty Ltd.

Environment Groups are calling on the NSW Government to reject the mining proposal by Coalpac Pty Ltd and act to protect the region within a State Conservation Area.

#### Background:

- Coalpac Pty Ltd is seeking approval under Part 3A of the Environmental Planning and Assessment Act to ‘consolidate’ its existing coal-mining operations at Cullen Valley and Invincible mines.
- The ‘consolidation’ involves extending open-cut and highwall mining into a large area of the publicly-owned Ben Bullen State Forest, NSW.
- Much of the area proposed to be mined is now part of the proposed Gardens of Stone State Conservation Area (part of the Gardens of Stone Stage 2 reserve proposal: <http://bit.ly/fzrAfG>).

#### Current state of play:

- The NSW Department of Planning finalised the Director-General’s Requirements (guidelines) for the Environmental Assessment on 16 October 2010. The proponent is preparing the Environmental Assessment which, once finalised and submitted, will be released for public comment.
- The Coalpac project was determined a controlled action by the Federal minister’s delegate on 24 January 2011 under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The triggers were Threatened Species (sections 18 and 18A) and Migratory Species (sections 20 and 20A).
- The project now needs to be assessed for its impacts on those species under the EPBC Act, and a decision be made on whether the project should proceed.
- It is not known how the State government will handle these Part 3A issues of this application.

#### Why environment groups object to the proposal:

The proposal, characterised as ‘consolidation’, involves a massive expansion of mining and its environmental impacts, such that the natural values of the area are irredeemably damaged:

- If approved, the mine would scalp all biodiversity from 1088 hectares, the equivalent of 2,176 football fields, of predominantly old growth forest and wildlife habitat in the BBSF and turn its geodiversity into piles of waste rock.

- The Gardens of Stone is famous for its iconic and unique sandstone turrets or 'pagodas'. If approved, their features and stability may be threatened by partial or total collapse, compromising the region's tourism.
- A significant number of endangered flora and fauna species prefer growing in pagoda-related habitats.
- Our iconic Lyrebirds use the sides of pagodas in this area to nest and raise their young. Mining will completely remove their food habitats.
- 196 hectares containing *Eucalyptus cannonii*, listed as 'vulnerable', and 40 hectares of Box Gum Woodland, listed as 'critically endangered' under the EPBC Act, will be removed.
- The habitats for The Regent Honeyeater, Tiger Quoll and Powerful Owl and at least 32 threatened native animals, 5 of which are listed under the EPBC Act, will be completely removed.
- History shows that rehabilitation is woefully inadequate and totally incapable of restoring the original biodiversity and geodiversity of an area.
- Environment groups support the NSW National Parks and Wildlife Service wish to add Ben Bullen State Forest to the conservation reserve system as a matter of priority; it is an area with outstanding natural values.
- Permitting this proposal would see the NSW Coalition Government privatising and liquidating a large part of public land, whereas they expect state forests to be protected from destruction in perpetuity.

There are immediate threats to the local community:

- The large open-cut will create significant dust and air quality issues which will directly affect local residents.
- Water management and impacts over such a large open-cut are of great concern. The Turon River is within the highly stressed Murray-Darling Basin and flows through Turon National Park a short distance from the mine.

There is concern over the proponent's environmental management:

- Despite undertaking seven field surveys before lodging this Proposed Action, the proponent missed at least forty native plants.
- At the Invincible mine, the proponent was fined \$200,000 on one occasion for exceeding the coal production limits and on eleven other occasions for pollution incidents.
- The proponent's Invincible Colliery open cut mine approval (7 September 2006) was based on a claim that "the open cut operations would not be visible from the Castlereagh Highway." Steep cuts into the escarpment of BBSF are already visible from the highway.
- The proponent's failure to use sterile grass in a previous rehabilitation program now threatens the ecology of BBSF.
- The proponent's claim to be able to back-fill the massive excavations that will terminate against highwall scarps of up to 100 metres high in the hillsides of the Great Dividing Range, whilst concurrently retaining a shallow slope, is highly dubious.

### **Recommendations:**

Environment groups recommend that the applicant's bottom line should not determine Government policy. This scale of open-cut mining in a publicly reserved forest, which has outstanding natural values and is proposed for conservation, is overwhelmingly against the public interest. The effective privatisation and liquidation of a large part of the forest is an outrageous precedent that should not be set; it is a direct challenge to the state's efforts to reduce deforestation.

**For more information contact Justin McKee:** 0404 824 020 or email [justin.mckee@ethicalintegration.com](mailto:justin.mckee@ethicalintegration.com)

