



West Muswellbrook Project

Community Newsletter

December 2013 | Issue 21

Introduction

Muswellbrook Coal Company's (MCC) Assessment Lease 19 (AL 19) covers 8,101 hectares. AL 19 was granted for five years and is due for renewal in September 2014. MCC is continuing monitoring studies to obtain additional data within AL 19.

The Strategic Regional Land Use Policy (SRLUP) for the Upper Hunter has now been formalised and includes an

assessment process to ensure that potential impacts of mining developments are balanced against the need to protect Biophysical Strategic Agricultural Lands (BSAL), Critical Industry Clusters (CIC) and water resources. The recently established independent Gateway Panel must assess the Project's potential impact on BSAL and CIC before planning approval for the Project can be progressed.



Upper Hunter Strategic Regional Land Use Policy

Before lodging a Development Application with the NSW Department of Planning and Infrastructure (DP&I) and starting an Environmental Impact Statement (EIS) for the Project, the SRLUP requires that potential impacts to BSAL, CIC and local aquifers be reviewed via the Gateway assessment process.

As part of the Gateway process, relevant technical consultants will assess potential impacts to (at least) agricultural lands, soils and land use, surface water, groundwater and visual amenity. MCC is currently in the planning phase for the required environmental studies, which will be undertaken in early 2014 to provide the necessary information required to support the Gateway Application. At this stage, an indicative timing for submission of the Gateway Application is the second half of 2014.

Following submission, the Gateway Panel will review potential impacts and issue a Gateway Certificate for the Project, including relevant conditions to be considered as part of any future Development Application.

Environmental Studies

Biodiversity Offsets Strategy

Since the last newsletter, ecological surveys within AL 19 have been continuing as part of MCC's participation in the Upper Hunter Strategic Assessment, which aims to study the biodiversity impacts of future coal mining developments in the region and provide equivalent biodiversity offsets for lands impacted. These surveys were undertaken in consultation with local landholders to identify the biodiversity values of the land within AL 19 and included:

- Identification of flora and fauna species;
- Assessment of the extent and quality of flora and fauna habitat; and
- Assessment and mapping of vegetation communities in the area.

Data gathered during these surveys will assist in developing a Biodiversity Plan for the Upper Hunter. This Biodiversity Plan will identify potential cumulative ecological impacts of future mining developments proposed in the Upper Hunter and assess the availability of strategic priority biodiversity offset lands. By combining all offset requirements, the NSW Government aims to create large tracts of land across the region to better protect biodiversity and ultimately improve the environmental health of the region.

Biodiversity Assessment Summary

Vegetation survey findings:

The AL 19 assessment area contains twelve native vegetation communities and three non-native vegetation communities.

Of the native vegetation communities, five are listed under the NSW *Threatened Species Conservation Act 1995* (TSC Act). No vegetation communities in the assessment area are commensurate with any listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Two endangered populations, *Acacia pendula* and *Cymbidium canaliculatum*, were recorded in the vegetation survey, and the endangered population of *Diuris tricolor* has potential habitat.

One threatened plant species listed under the EPBC Act, *Bothriochloa biloba*, was recorded in large numbers in the southern section of AL 19. Six plant species listed under the TSC Act and a further species listed under the EPBC Act, have potential habitat.

Fauna survey findings:

Twelve animal species listed as threatened under the TSC Act were identified within AL 19. A further twenty-five threatened species of animal listed under the TSC Act have potential habitat in the area.

Two of the threatened animal species recorded are also listed under the EPBC Act. These include the Australian Painted Snipe and Large-eared Pied Bat. A further six animal species listed under the EPBC Act have potential habitat in the assessment area. Two migratory animals were recorded during field surveys, the Rainbow Bee-eater and Black-faced Monarch, and a further six migratory species have potential habitat in the area.



Cymbidium canaliculatum in *Eucalyptus dawsonii* host tree

Environmental Monitoring

Environmental monitoring studies for meteorology, air quality, surface water and groundwater within and surrounding AL 19 are also continuing. Existing monitoring locations are currently being maintained with new fencing and some re-siting. This monitoring dataset will form part of the Gateway Application and future EIS for the Project.

MCC has rehabilitated the drill sites from the most recent phase of the exploration program, which was completed in November 2012.

Land Acquisition Provision

In accordance with the conditions of AL 19, affected landowners retain the opportunity under certain circumstances to have their properties acquired by MCC at a fair and reasonable, independently determined market-value at any time while the AL is held.

AL 19 provides landowners with the following assurance:

"The property acquisition strategy must make provision for the purchase of land which is within the lease area from any land owners who can demonstrate hardship and despite bona fide efforts, have been unable to sell for Rural Land Values as a consequence of the proposed open cut mining...

...the lease holder must be prepared to purchase the land at a price which is in accordance with Rural Land Value."

The above offer will continue to remain in place for the duration of AL 19. Going beyond this, MCC is committed to maintaining the above offer while any form of mining authority is held by the company over the area in question.

To date, MCC has purchased ten properties in accordance with condition 44 of AL 19.

Copies of the AL 19 document are available from DRE by emailing webcoaltitles@industry.nsw.gov.au.

Contacts and Further Information

If you have any enquiries you would like to make regarding the ongoing West Muswellbrook Project works, please contact:

John Furner

(GENERAL MANAGER)

Muswellbrook Coal Company

PO Box 123
Muswellbrook NSW 2333

Phone: (02) 6543 2799

Email: john.furner@muscoal.com.au

