

Miners, developers get environmental damage leeway

Sean Nicholls

Published: September 8, 2014 - 1:34AM

Miners and other developers of major projects that cause environmental damage will find it easier to gain approval under a government policy that gives them greater flexibility to offset the impacts.

Under the policy, developers of major projects such as mines and housing will no longer have to find and buy land similar to that which is damaged or destroyed to achieve so-called "biodiversity offsets".

Instead, companies will be able to contribute to a fund established by the NSW government.

The fund will identify suitable offsets on behalf of miners and developers and provide payments to landowners who wish to participate in suitable biodiversity projects, including rehabilitation of mine sites.

Landholders will earn offset credits that can be sold to developers and miners.

Proponents of major projects also will be allowed for the first time to contribute to "supplementary measures" such as paying for research or a program that benefits native species if no suitable offsets are available.

The most controversial aspect of the draft policy – the opportunity to reduce the value of the required offset if a project's social or economic benefit is deemed significant enough, known as "discounting" – has been dumped.

Planning Minister Pru Goward said the policy would "cut red tape throughout the planning process and encourage sustainable investment in NSW because it provides certainty for stakeholders".

Environment Minister Rob Stokes said the policy would "enable a more strategic approach to offsetting. The fund will ease the burden on proponents by letting them make payments towards their offset, instead of finding offset sites themselves".

But Nature Conservation Council chief executive Kate Smolski said it was "the latest in a string of concessions to the powerful mining and developer lobbies".

Ms Smolski said the planning system allowed for inadequate offsets and the policy did little to address this.

"It not only fails to protect biodiversity, it may actually hasten its loss by allowing developers simply to throw money into a biodiversity fund rather than pay to protect similar habitat elsewhere," she said.

The executive director of the Total Environment Centre Jeff Angel warned that offsets had "a limited role to play but should not replace red lights where the development's impacts are too damaging to the overall survival of species; nor replace effective regulation".

Mr Angel welcomed the decision to dump the discounting which he said "was simply a sanctioned extinction path".

He said the policy should be "closely monitored with independent assessment and annual public reporting".

NSW Farmers Association president Fiona Simson said she had yet to see the details but believed the policy would be of benefit to communities and her members.

She said it should end the practice of companies buying up whole properties as an offset with a "lock up and leave it" approach, which affected agricultural production and local government rate bases.

The NSW Minerals Council did not respond to a request for comment.

The policy begins on October 1 and the proposed Shenhua Watermark open-cut coal mine near Gunnedah is the likely first project to be assessed.

This story was found at: <http://www.canberratimes.com.au/nsw/miners-developers-get-environmental-damage-leeway-20140907-10dk0y.html>