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Hunter Bird Observers Club Inc.

Affiliated with Bird Observation & Conservation Australia

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The Director of Major Infrastructure Assessments,
Mr Scott Jeffries,
Department of Planning,
GPO Box 39,
Sydney, NSW 2001

29 October, 2008

Dear Mr Jeffries,

Re: Proposed Queensland Hunter Gas Pipeline

The Hunter Bird Observers Club (HBOC), based in Newcastle, NSW opposes the proposed route of the final section of the above pipeline, from Tomago, across Kooragang Island to Walsh Point.

We request that you reject the proposal by Queensland Hunter Gas Pipeline for the route of the final 10 km of the pipeline from KP 815 to KP 825 across Kooragang Island, also known as Ash Island in the Hunter estuary. Part of Kooragang Island lies within the Kooragang Nature Reserve which is a regionally, nationally and internationally important wetland in the Hunter region that contributes significantly to biological diversity. HBOC strongly opposes any development that adversely impacts the wetland. The proposed route will affect habitat used by migratory birds and a number of protected fauna and flora species, and will destroy significant amounts of protected wetlands.

The Importance of Kooragang Island

Kooragang Island provides essential habitat for birds all year round and 181 species have been recorded there by HBOC since 1980. In particular it acts as a drought refuge for several species of inland birds that move to the coast during years of extreme conditions; for example Freckled Duck, Blue-billed Duck, Australian Shoveler and Pink-eared Duck. Each summer Kooragang Island becomes home to more than 1000 migratory shorebirds and 500 - 4000 other Australian shorebirds. HBOC has been monitoring shorebird numbers in the Hunter estuary on a monthly basis since 1999. The data are recorded and published in Annual Bird Reports. The Eastern Grass Owl listed as Vulnerable under the NSW Threatened Species Conservation Act 1995 (TSC Act) has also been recorded breeding along the proposed route.

The species list for Kooragang Island includes 28 species nominated in the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA) and the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA). Sixteen species are listed under the Commonwealth Environment Protection and Biodiversity Conservation Act (EPBC Act), 1999. Migratory shorebirds are listed under the EPBC Act and are thus regarded as a "matter of national environmental significance". The proposed Project is an action which will have a significant impact on migratory shorebirds and must therefore be referred to the Commonwealth Minister for the

Environment to establish whether approval from the Minister is required. Eleven species are listed as Endangered or Vulnerable by the NSW Scientific Committee.

In addition to the above bird species, a number of other threatened fauna have also been recorded on Kooragang Island including the Green and Golden Bell Frog, several species of bats, together with several threatened flora species. Kooragang Island is the most significant site for the Green and Golden Bell Frog in NSW.

The entire Hunter estuary, of which Kooragang Island is an integral part, has been identified as an Important Bird Area (IBA) by Birds Australia with conservation values that meet four global criteria nominated by BirdLife International. These criteria are; the presence of globally threatened species; significant numbers of range-restricted or biome-restricted species; and use of the area by more than 1% of the world population of one or more congregatory species.

Project Impact on Kooragang Island

Key Threatening Processes that will result from the pipeline include land clearance, listed under the EPBC Act, the clearing of native vegetation, the alteration to the natural flow regimes of rivers and streams and their floodplains, the invasion of native plant communities by exotic perennial grasses and predation by the plague minnow (*Gambusia holbrooki*).

The proponents of the pipeline claim “the development of the route was underpinned by principles of ecologically sustainable development (ESD). These principles are reflected in the design philosophy of avoiding areas of high biodiversity and cultural heritage value and a preference for running the pipeline through already disturbed areas.” The proponents pride themselves on having avoided the Gwydir wetland, a Ramsar listed site on the NSW-Queensland border, by re-routing the pipeline 50 km further to the east. However in the case of the Kooragang Ramsar listed wetland, the proposed route runs along the western boundary of the reserve and then within several hundred metres of the southern boundary for the full length of the reserve. The Ramsar convention calls for the “wise use” of the surrounding buffer lands to protect the core area of the reserve. The Kooragang Island wetlands act as a buffer between the Ramsar site and the major industrial and urban areas of Newcastle.

Two Endangered Ecological Communities listed under the TSC Act will be affected by the proposed pipeline route. These are coastal saltmarsh and mangrove forest which are included in SEPP 14 and freshwater wetlands that occur on the coastal floodplains. Deep Pond, which lies on the proposed pipeline route is one of only two remaining freshwater wetlands in the Hunter Estuary. Its significance as a conservation feature was recognized by the expert panel that assessed the Newcastle Coal Infrastructure Group (NCIG) proposal following a submission by HBOC. Area E, adjacent to the Port Waratah Coal Services railway line is the largest remaining saltmarsh and is an important roosting and foraging site for the smaller species of migratory shorebirds.

The pipeline proposal indicates that an access way up to 200 m wide will be required during construction and a permanent easement 30 m wide will be maintained for subsequent access. As a result of the distribution of wetlands and existing access tracks along the proposed route on Kooragang Island, HBOC estimates that between 20 and 40 ha of SEPP 14 wetland will be destroyed. Precedents have previously been established for the destruction of SEPP 14 wetland in the Hunter estuary by the NCIG Coal Loader development, the replacement of the Tomago Trunkmain by Hunter Water and the Dredging of the South Arm of the Hunter River. The development consents for these projects require that compensatory habitat be established to replace the destroyed areas. However it is apparent that there are no suitable areas for the establishment of compensatory habitat in the region. Studies have also shown that the success rate for creating compensatory habitat is very low and that

such habitats require significant ongoing management and expenditure to achieve their objectives. No compensatory habitat has been successfully established in the Hunter estuary to date.

Kooragang Island today has resulted from the amalgamation and infilling of a number of smaller islands by the disposal of waste from the former BHP smelter and steel mill. This waste has been undisturbed for many years. The closure and reclamation of the former BHP facility has resulted in a massive, multi-million dollar rehabilitation bill that includes the removal of toxic waste from the land site and the adjacent bed of the Hunter River. The Regional Land Management Corporation and Delta EMD also maintain dump sites for toxic waste along the proposed route. The potential for the pipeline development to disturb similar material is extremely high and has not been addressed in the proposal.

Destruction of Previous Rehabilitation

The western part of Kooragang Island (also known as Ash Island) is managed by the Kooragang Wetland Rehabilitation Project (KW RP) to enhance habitat for fish and shorebirds. KW RP and HBOC have conducted extensive rehabilitation activities on Ash Island that have been supported by Government grants totaling hundreds of thousands of dollars. This includes the re-establishment of suitable foraging habitat for migratory shorebirds and the re-planting of extensive areas of native forests that once covered the area. The construction of the pipeline threatens the rehabilitation work performed to date.

Cumulative Impacts

The construction of the proposed pipeline will lead to significant cumulative impacts as a result of new developments and expansion of existing developments as explained in the proposal. Under existing legislation in NSW the incremental impacts of subsequent "flow-on" development are not adequately considered in the cumulative environmental impact of developments. Consequently the approval of projects in isolation is steadily resulting in the destruction of the environment through "death by a thousand cuts".

Need for the Project

HBOC notes that an existing high pressure gas main, which is operated by AGL and supplies gas to industries on Walsh Point, is already located across the southern part of Kooragang Island. The need for additional supplies to consumers in this area is not justified in the proposal.

Recommendation

HBOC recommends that the proposal by Queensland Hunter Gas Pipeline for 10 km of pipeline from Tomago, across Kooragang Island to Walsh Point be rejected. The development will result in the permanent destruction of part of an important habitat for migratory birds and a number of other protected fauna and flora species, and will destroy significant amounts of protected wetlands.

Yours faithfully,

Ann Lindsey – Conservation Officer
For and on behalf of the Hunter Bird Observers Club