



6 November 2012

Emma Barnet
Department of Planning and Infrastructure
23-33 Bridge Street
Sydney NSW 2000

via email: emma.barnet@planning.nsw.gov.au

Dear Emma

Re: Project No. 10_0185 - Northbank Enterprise Hub - Submission

Please accept the following submission from Port Waratah Coal Services in relation to the Northbank Enterprise Hub project application. Port Waratah Coal Services appreciates the extension of time provided by the Department for the preparation of this submission. Port Waratah Coal Services supports the Northbank Enterprise Hub development in principle subject to the following.

Port Waratah Coal Services is the owner of adjoining Lot 1002, DP 1127780 (hereafter the PWCS land). The PWCS land is zoned for conservation and has high conservation significance in the Hunter Estuary due to its proximity to the Hunter Wetlands National Park and Hunter Estuary Wetlands Ramsar site and its former context as a historical nocturnal roosting site for migratory shorebirds. Port Waratah Coal Services is seeking to manage the site for its conservation values by:

- managing much of the existing freshwater and estuarine wetland habitat on site for conservation; and
- undertaking wetland restoration works in the future to restore tidal inundation and create migratory shorebird and saltmarsh habitat within degraded areas of the site.

Port Waratah Coal Services therefore has an interest in the potential impacts of the Northbank Enterprise Hub development on the ongoing management of the PWCS land for its conservation values. The aspects of specific interest are outlined below.

1. Surface Water

Maintaining the existing surface water flows and hydrological regime from Lot 1001 (Northbank site) will be necessary to maintain the existing freshwater wetland present within the north-eastern extent of the PWCS land, known locally as the "Rice Paddy". This freshwater wetland conforms to the

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Freshwater Wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions Endangered Ecological Community (EEC) listed under the NSW Threatened Species Conservation Act 1995.

This area of freshwater wetland EEC provides known habitat for a range of threatened species, including the Commonwealth and State listed endangered Australasian Bittern and State listed Eastern Grass Owl. Any substantial change to existing surface water flows could have a significant impact on the habitat for these threatened species and the continued function of the freshwater wetland EEC.

Port Waratah Coal Services note that the Northbank Enterprise Hub has committed to maintain surface water connections between Lot 1001 and the PWCS land at the same discharge points as existing conditions to maintain the hydrological pathways and flow regimes post development. We also note that discharge points would be fitted with adjustable valve outlets for adaption management options in the future.

It should also be noted that the "Rice Paddy" is connected to the north-south drain and saline Hunter River water to the east through adjustable flow valves.

Assuming that these measures will be effective in maintaining the existing hydrological regime between Lot 1001 and the PWCS land, Port Waratah Coal Services supports this approach.

2. Flooding

The proposed Northbank Enterprise Hub is located upstream of the PWCS land on the Hunter River North Arm. The Northbank Enterprise Hub site is hydraulically classified as being part of the Hunter River floodway and floodplain in the Regional Flooding Assessment undertaken by WBM for the Project. As such, the Northbank Enterprise Hub site provides overbank floodwater conveyance and provision of flood detention, whilst attenuating flood peaks. The proposed design for the Northbank Enterprise Hub specifies the elevations of the development footprint of the project area as being above the 1% annual exceedence probability (AEP) event level. The proposed design has been adapted to minimise the encroachment of the development on the floodway to decrease the development's impact on flood conveyance and storage for events up to the 1% AEP.

Flood modelling undertaken for the Northbank Enterprise Hub development has identified that the proposed elevation of the development footprint results in an increase in flood levels on the western side of the PWCS land in the 1% AEP event from existing flood depths of approximately 1.0 to 3.0 metres to proposed flood depths between 1.1 to 3.2 metres. The peak water level increase on the western side of the PWCS land of 0.1 to 0.2 metres is consistent for all events from a 5% AEP to a 1% AEP event and may require the implementation of mitigation measures.

The existing peak velocities on the PWCS land range from 0.6 m/s to 0.8 m/s on the western side and 0.4 m/s to 0.6 m/s on the eastern inland side of the lot. Modelling indicates that the proposed development will cause an increase in peak velocities in the PWCS land during a 1% AEP event to 0.6

m/s to 1.1 m/s at the centre of the site (i.e. an increase of between 0.2 m/s to 0.5 m/s). The increase in velocity on the PWCS land reduces for the 5% AEP event to increases of 0.1 m/s to 0.2 m/s above existing conditions. The increase in peak flow velocity will potentially remain non-scouring within the PWCS land, however, this should be confirmed by the Northbank Enterprise Hub assessment to ensure that it does not adversely affect the conservation value of the PWCS land.

Port Waratah Coal Services note that the Northbank Enterprise Hub has specified that local works such as minor bunding and filling can be undertaken to mitigate impacts if required. It should be confirmed by the Northbank Enterprise Hub what mitigation works would be undertaken to ensure that the predicted flooding impacts of the Northbank Enterprise Hub do not adversely affect the conservation value of the PWCS land.

3. Access

Access to the PWCS land is currently provided by way of a right of way from Tomago Road through Lot 1001. Port Waratah Coal Services understand that a right of way will be maintained, however will be relocated at some point in the future as a result of the proposal.

It is necessary that a suitable legal access to the PWCS land be maintained at all times during the construction and operation of the proposal.

Provided the aspects discussed above are appropriately addressed, Port Waratah Coal Services supports the proposed Northbank Enterprise Hub development in principle.

If you require any further clarification of the issues identified in this submission, please contact Nick Godfrey-Smith on 0409 321 746.

Yours faithfully



Nick Godfrey-Smith
Principal Project Approvals