

PCU033537

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7 May 2012

NSW Department of Planning & Infrastructure
GPO Box 39
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Attn: Ms Rebecca Newman

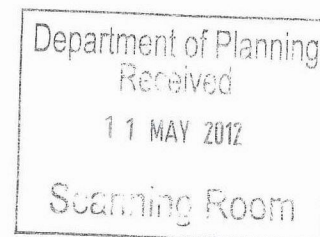
Dear Ms Newman,

Re: Port Waratah Coal Services Proposed Coal Loader Terminal 4 (T4) - Application No. 10-0215

Please find enclosed our submission objecting to the Port Waratah Coal Services proposed fourth Coal Loader at Kooragang Island. A copy of this submission was lodged electronically on Monday 7 May 2012.

Yours faithfully,

Liz Crawford and Chris Herbert
Members of Hunter Bird Observers Club



Submission to the Proposed Port Waratah Coal Services Terminal 4 Coal Loader

The Ecology assessment for the proposed Port Waratah Coal Services Terminal 4 Coal Loader (T4) prepared by Umwelt (Australia) is comprehensive, robust and detailed and clearly acknowledges the impacts on birds that will occur as a result of the loss of habitat incurred in the development of T4.

While the literature review revealed the decline in migratory shorebird populations in the Hunter Estuary identified by Herbert (2007) and acknowledged by Howe and Spencer (2008), the ongoing monthly monitoring of migratory shorebirds in the Hunter Estuary by Hunter Bird Observers Club has documented a continuing decline to the present day.

No longer can we attribute the ongoing population decline to habitat decimation in the rest of the East Asian-Australasian Flyway – habitat loss has been and still is occurring here in the Hunter Estuary. In the last decade important foraging and roosting habitat has been lost through:

- Closure of Stockton Sewage Treatment Plant ponds (formerly a favoured roost and foraging site for smaller waders such as Curlew Sandpipers and Pacific Golden Plovers);
- Obliteration of Big Pond on Kooragang Island (formerly a very important foraging and roosting site for migratory shorebirds such as Curlew Sandpipers, Sharp-tailed Sandpipers, Pacific Golden Plovers, Common Greenshanks, Marsh Sandpipers and non-migratory shorebirds such as Black-winged Stilts and Red-necked Avocets);
- Mangrove encroachment onto foraging areas on the mudflats behind Kooragang Dykes;
- Mangrove encroachment onto nocturnal roosting areas in saltmarsh ponds at Windeyers Reach on the North Arm of the Hunter River.

These changes are the direct result of increased development in the Port of Newcastle, primarily for coal export, including ongoing dredging to accommodate ever larger ships. The dredging, in particular, has increased the tidal range in the estuary leading to the loss of 90 per cent of salt marsh and the proliferation of mangroves into feeding and roosting areas for shorebirds.

The proposed T4 project will remove existing shorebird and waterfowl habitat at Deep Pond and Swan Pond and, through deepening of the shipping channels, further exacerbate mangrove encroachment into existing foraging and roosting areas.

Despite conditions attached to approved development in the Hunter Estuary and granting of \$1.3million by the NSW State Government to compensate for the loss of Big Pond, **no compensatory habitat has been created for shorebirds in the Hunter Estuary.**

There seems to be an inertia and reluctance to create compensatory habitat, and a lack of follow-up from regulatory agencies to ensure that development consent conditions relating to habitat enhancement and management are implemented. Umwelt (2012, p.3.4) notes in relation to the Green and Golden Bell Frog that:

“... the implementation of management actions identified as of benefit [to] this frog has rarely occurred. Hence, the decline of this species within NSW is likely to continue.”

Such a situation in relation to establishing and maintaining compensatory habitat cannot be allowed to continue. Lack of action condemns species to extinction, at the same time reducing biodiversity and threatening the sustainability of the human race in the long term. We have a moral obligation to maintain species diversity, let alone the selfish need to maintain the complexity of natural systems for our own survival. Furthermore, both state and federal legislation and intergovernmental agreements require action to protect threatened species and migratory shorebirds and their habitat.

The proposed establishment of compensatory habitat in an area proximal to the Hunter Estuary is applauded. However, there is no guarantee offered in the Environmental Assessment because there is no disclosure of the area and no certainty that it will be acquired for this purpose. In addition, compensatory habitat should be constructed well in advance of any proposed development.

The conversion of the Ash Island section of the land managed under the Kooragang Wetland Rehabilitation Project to Hunter Wetlands National Park appears to have precluded creation of shorebird habitat in this area. However, this area is ideal for habitat creation and improvement. Adequate funding and attitude change to allow creation and management of shorebird habitat on Ash Island must be encouraged. The continual loss of shorebird habitat from the Hunter Estuary can be offset by creating habitat in areas that are currently grassy upper salt marsh. The Hunter Estuary is a highly modified area which must now be managed for wildlife as much as for shipping.

The loss of Deep Pond as a drought refuge for waterfowl is a total loss. To use existing habitat such as Ellalong Lagoon as a biodiversity offset does **not** mean there will be no net loss of ecological function. Being close to the coast, Deep Pond receives more regular rainfall than Ellalong Lagoon, which is in a different rain belt to Deep Pond and is subject to drying out. Ellalong Lagoon cannot be considered as a drought refuge in the same sense or to the same degree as Deep Pond. Therefore, although it is a great step forward to conserve Ellalong Lagoon, it does not provide the same ecological function as Deep Pond nor does it provide habitat for migratory shorebirds.

The proposed biodiversity offsets to compensate for actual and potential impacts on birds through the development of T4 are well intentioned. Implementation, maintenance and monitoring of the offsets in perpetuity is required to ensure that bird populations in the Hunter Estuary do not continue to decline as a result of local habitat loss and degradation. Government agencies must ensure that biodiversity offsets are enshrined in development consent conditions, are developed prior to development proceeding, are maintained and audited regularly, and are required to develop ongoing functionality in perpetuity.

Liz Crawford and Chris Herbert
Members, Hunter Bird Observers Club
7 May 2012