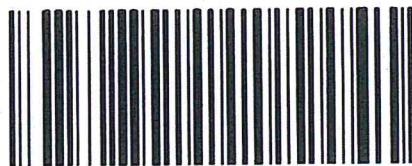


361

To Ms Rebecca Newman



PCU033243

PO Box 550  
BAULKHAM HILLS 1755

2 May 2012

Dear Ms Newman

Enclosed is a submission from Cumberland Bird Observers Club concerning the Port Waratah Coal Services Terminal 4 (T4) project and its effect on waterbird habitat in the Hunter Estuary. Could you please ensure this is put into the system as an official submission, and could you also let me know that you have received it – best to e-mail me at [miraian@hotmail.com](mailto:miraian@hotmail.com).

I have tried twice to put the submission in via the Dept of Planning website process, but it did not seem to work (did not finish with an acknowledgement, after many minutes; kept saying "connecting"). Hence I'm using the hopefully more reliable method of Express Post.

Thank you very much for your help with this

Sincerely

A handwritten signature in dark ink, appearing to read 'Ian Johnson'.

Ian Johnson

Cumberland Bird Observers Club Inc.



Attachment  
to # 361  
(3 pages)



## Cumberland Bird Observers Club

PO Box 550, Baulkham Hills NSW 1755

[www.cboc.org.au](http://www.cboc.org.au)

26 April 2012

NSW Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

**Re: Submission on Port Waratah Coal Services proposed Terminal 4 Coal Loader  
(T4 project) – attn Ms Rebecca Newman**

I am writing on behalf of Cumberland Bird Observers Club Inc (CBOC) supporting Hunter Bird Observers Club's submission, which objected to the proposed destruction of important shorebird and waterbird habitat in the Hunter River Estuary by the T4 project. CBOC is a community organization with about 600 members with a strong interest in native birds and their conservation, particularly in NSW but also wider afield.

It should be appreciated that the Hunter Estuary is the most important area in NSW for migratory shorebirds. This is recognized by the Estuary being designated as an internationally-accredited Important Bird Area (IBA) based on criteria of BirdLife International; it is one of 314 such IBAs in Australia. The estuary has long been a drawcard for many local and international birders thanks to its (still) rich resource of shorebirds compared with most other areas with similar habitats in southern Australia.

### **Impacts of T4 project on birds**

We understand that habitat used by migratory shorebirds and Australian wildfowl is proposed for destruction at Swan Pond on Ash Island and Deep Pond on Kooragang Island. These two sites are important to 11 migratory species. At Swan Pond, mudflats are exposed for longer periods than at most other areas in the estuary, providing high quality roosting and feeding habitat. When Deep Pond is full it provides a drought refuge for Australian wildfowl (duck) species including the rare Freckled Duck, and when drying it provides migratory shorebird habitat. Together, Swan and Deep Ponds work in tandem to provide vital resources for waterbirds. Their importance has been increased by the progressive destruction and degradation of habitat in other areas of the estuary over the years. If these two areas are lost due to the T4 project, it will most likely result in a further serious decline in shorebird numbers in the Hunter Estuary.

We find it unacceptable that the boundaries of the Hunter Wetlands National Park on Ash Island were apparently manipulated to exclude Swan Pond from the Park, ignoring its high biodiversity value. This gave the T4 project a legal right to destroy Swan Pond, as it seems that only National Park status would have served to give it any protection.



The T4 project plans to destroy migratory shorebird habitat which the Australian Government is clearly obliged to protect under several international agreements as well as the national EPBC Act 1999. This obligation of the Australian Government is in conflict with Port Waratah Coal Services' (PWCS's) long term contracts with coal producers, which seem to be driving this project.

#### **"Offsets" for habitat loss caused by the T4 project**

The adequacy of offset proposals and the degree to which they do or do not satisfy various principles of offsetting are covered in detail in the HBOC submission. We make some summary remarks.

Ellalong Lagoon, while certainly worth conserving in its own right for its habitat values, cannot be regarded as a suitable offset for areas destroyed by the T4 project. It is not a significant site for migratory shorebird species, most of which require estuarine environments, not freshwater wetlands, and it is 40 km inland from the T4 site. As an offset for this particular development, Ellalong Lagoon is not located appropriately, violating offsetting Principle 11. Also, this Lagoon does not provide the same function that Deep Pond does as a drought refuge for wildfowl, as evidenced by records of inland duck species (Freckled and Pink-eared) at the two areas over the past 9-10 years. Pink-eared Ducks numbering over 140 and over 200 were present at Deep Pond in 2005 and 2007, compared with just 2 at Ellalong Lagoon, in 2004. The Lagoon cannot be considered a reliable drought refuge for waterbirds, since it was dry periodically during drought years in 2000-2008.

A Hunter Estuary offset site is apparently proposed but not yet acquired, and maybe not yet even identified! Its usefulness as a "compensation" for habitat destroyed by the T4 project cannot be judged in this case. However, it is almost certain that this offset will not be secured, with habitat created that is suitable for use by the shorebird species displaced by the development, before the existing habitats are lost. This would violate offsetting Principle 8.

We hope that viable and credible offset areas, with habitat suitable for all 11 of the shorebird species adversely affected by the T4 development, are in fact secured soon; although suitable sites in the lower Estuary are now probably hard to find. The Hunter Estuary has a long and dismal history of habitat being destroyed without replacement habitat being provided. A recent example is the destruction of Big Pond on Kooragang Island. This important shorebird area was degraded by a cutting off of tidal flow from 1996 to the mid-2000s and eventually filled in for a coal dump in 2009. Over a million dollars was allocated for offsetting the loss of Big Pond but it still has not been replaced.

#### **Conclusion**

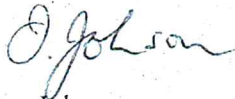
If the T4 project proceeds as proposed, it looks as if shorebirds in the Hunter Estuary will lose more vital habitat areas, with poor prospects of viable "replacement" habitat being provided as a compensation (at least in the near to medium term). CBOC hopes and trusts that the NSW Government shares our alarm at the continual decline of shorebird populations in the Hunter Estuary and that it thinks this decline needs to be arrested or reversed. The decline is driven at least partly by the destruction of key habitat areas by port and coal developments, and appears at present to be an inexorable "death by a thousand cuts" situation.

An honest appraisal is urgently needed of the prospects of providing/creating ADDITIONAL extensive, ecologically functional areas of shorebird habitat in the Hunter Estuary (within a few years) as offsets for the loss of areas including Big Pond, Swan Pond and Deep Pond. If this looks unlikely to be achievable, the scale and footprint of the T4 project and any future such developments do need to be reviewed to ensure they don't destroy important shorebird habitat.

The excessive size of the rail infrastructure and coal storage pads is, we understand, the main reason for the destruction of Swan Pond by the T4 project. It should be possible to avoid or reduce this destruction by modifying the scale of the infrastructure. In fact, this should be insisted on.

Thank you for your interest and assistance in this very important matter.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'I. Johnson', written in a cursive style.

Ian Johnson  
**Conservation Officer,  
Cumberland Bird Observers Club**