

I am a retired commercial fisherman and have been a member of the Hexham Swamp Rehabilitation Project Committee for twenty years and would like to submit my objections to Q.R.National's proposed Project. As I have serious environmental concerns in regard to its intended incursion into parts of the Hexham Swamp wetland floodplain system, as well as Flooding, Offsets, Visual Aspects, Cumulative Impacts, Site Justification, as well as False and Misleading Information.

NOTE.

This Development Proposal Site, although outside the Hexham Swamp Nature Reserve is situated on The Hexham Swamps.

The Hexham Swamps is in the final stages of a multi-million dollar State and Federal Gov. Tax payer funded restoration Program.

ENVIRONMENTAL

RECOGNITION OF THE IMPORTANCE AND VALUE OF THE HEXHAM SWAMPS AS A UNIT AND ITS INTERDEPENDENCE WITH WIDER HUNTER ESTUARY.

The” Hexham Swamps is the HUNTER 'S LARGEST and MOST BIOLOGICAL DIVERSE wetland and one of the largest in NSW, and covers an area of 3,800 hectares.... Of the fourteen Coastal Wetland types occurring in NSW eleven were present in Hexham” (Hunter Central Rivers Catchment Management Authority, (HCRCMA) Fact Sheet 2007)

The Inquiry into Pollution , Kooragang Island (Coffey 1973) recognised by far as the most authoritative statement on conservation in the area, describes the Hunter River Estuary as a “ continuous ecological unit , which is INTERDEPENDENT with the Hexham Swamps, ” (Coffey 1973, p. 71). And goes on to state, “ECOLOGICALLY the MOST VIABLE and DIVERSE UNIT that could be preserved as a natural system would contain the WHOLE of Hexham Swamps,...”.Coffey 1973 p. 59.

“The Hexham Swamps comprise the LARGEST remaining unit of waterfowl habitat in the lower north coast. Already 37% of the original wetland habitat of the Hunter Valley has been destroyed by drainage and urban and industrial development. HEXHAM SWAMPS REPRESENTS 45% of the REMAINING HABITAT. They are PARTICULARLY IMPORTANT as DROUGHT REFUGE and also as FISH NURSERY GROUNDS. It is IMPERATIVE that NO FURTHER DRANAGE or FILLING of THESE SWAMPS OCCURS”....(National Trust's “Hunter River Estuary , Supplement No. 1” 1974 p.5)

In 1999 the NSW Fisheries placed a high \$ value on fishery habitat on Hexham Swamps, in particular the SWAMPS and FLOODPLAINS system, calculated at US \$ 19,580 / ha/ annum.

These four authoritative statements alone, are consistent and confirm the High Environmental Value and Significance of Hexham Swamps since 1973 and still remain, and the need to protect the WHOLE of the Hexham Swamps , rather than the chipping away by the cumulative impacts of QRNational and Australian Rail Track corp.

THE LOWER HUNTER REGIONAL CONSERVATION PLAN (LHRCP).

“The Lower Hunter Regional Strategy map on pages 14 & 15 indicates that a portion of the subject site is designated as a Green Corridor and the site is bordered by National Park. A Green Corridor is an “Area of High Conservation Values” joining key corridors through the region. Lands within the Corridor will be managed for “CONSERVATION PURPOSES”. The NSW Government is securing an Ownership and Management for these lands. Protection of The Biodiversity and conservation strategies of Green Corridors WILL BE ACHIEVED through the expansion of reserves under the National Parks and Wildlife Act 1974, the use of appropriate planning controls on private lands and the EXCLUSION of ONE-OFF development proposals in THESE AREAS.” (Sourced , QR National Proposed TSF Socio-Economic Impact Assessment – Key Insights)

“The Draft LHRCP was prepared by the Dept. of Environment and Conservation NSW to drive conservation efforts in the Lower Hunter for the next 25 years. The Plan discusses the Governments commitment to the 20,000 Hectares of “Green Corridor” that will form the major new Conservation Corridors throughout NSW. The plan explains how development “WILL BE GUIDED AWAY FROM HIGH CONSERVATION AREAS through the identification of a desired development footprint” and provides direction for local councils in the preparation of their Local Environment Plan.”(Sourced, QRNational Proposed TSF Socio- Economic Impact Assessment Key Insights , 2008).

The above illustrates clear objectives of the NSW Government to “ IMPROVE or MAINTAIN” Green Corridors and how under this commitment it would not be possible to allow QR National to use these Protected Conservation areas within the Green Corridor for a Rail Yard , Fuel Depot and Train Support Facility.

5.1.4 CONNECTIVITY

States; “The Proposal is located within the Watagan to Stockton Corridor, Identified in the Lower Hunter Regional Strategy”..... “The Proposal will remove disturbed vegetation within The Corridor”...

Fails to acknowledge that the Proposal will also remove SEPP14 No. 833 as well as an area of EEC that falls within The Watagans to Stockton Conservation Corridor (or The Green Corridor as more commonly known) and be replaced with A Train Support Facility.

THAT is NOT “ECOLOGICAL SUSTAINABLE DEVELOPMENT.”

Statement further adds; “An Offset Strategy will be implemented that will seek to improve 53 hectares of habitat on Site”..

I reject the Offset Strategy as being invalid, as the 53 hectares of habitat is already protected and within The Green Corridor.

The Proposal in effect, represents a net LOSS to the GREEN CORRIDOR and LOWER HUNTER REGIONAL CONSERVATION PLAN’s OBJECTIVES.

2.2.1 EP&A Act 1979

Director Generals Requirements.

“ Consent Authority must consider the principle of ECOLOGICAL SUSTAINABLE DEVELOPMENT” when assessing the impacts of the Project.”

The Hexham Swamps is also listed in “THE DIRECTORY OF IMPORTANT WETLANDS” by the Federal Government as “A WETLANDS OF NATIONAL IMPORTANCE.”

Hexham Swamps has also attracted International Bi-lateral Agreements between Australia, China, Japan and South Korea (CAMBA, JAMBA & ROKAMBA) recognised as providing Important Habitat for Migratory Waterbirds .

The Hexham Swamp system also contains a number of listed ENDANGERED ECOLOGICAL COMMUNITIES (EEC’S) three of which will be impacted by this Proposal. As well Hexham contains a number of SEPP 14 WETLANDS (NSW COASTAL PROTECTION POLICY).

The Hexham Swamps are also Zoned (2E) ENVIRONMENTAL PROTECTION by Newcastle City Council within their Local Environment Plan (LEP)>

This Dev. proposal is also in conflict with Environmental Objectives of;;

The Natural Recourses Commission

HCRCMA’s “Catchment Action Plan” (CAP)

The Green Corridor Coalition

Hexham Swamp Rehabilitation Project Committee

Hunter Bird Observers Club

Healthy Rivers Commission, Report Into “The State of The Hunter river and It’s Catchment “.

The Hexham Swamps Are Protected Across All Levels Of Government.

FLOODING ISSUES.

The Newcastle City Council--Port Stephens Council’s “Lower Hunter Valley Floodplain Risk Management Study” identifies parts of the Dev. Proposal falling within three Flood Zone categories “HIGH HAZARD”, “ VERY HIGH HAZARD” and “EXTREME HAZARD”.

OFFSETS

D.G.R. , ECOLOGY, KEY ISSUES

The QRN Environmental Assessment Report states , "Given that the Proposed Development WILL REMOVE the SEPP14 WETLAND on the northern side of the site (with appropriate Offset) it is considered that SEPP 14 need not apply as a Planning Policy to Develop Site."

This confirms the destruction of SEPP14 No. 833.("the SEPP 14 Wetland on the northern side of the site").

SEPP 14 No. 833 is also an ENDANGERED ECOLOGICAL COMMUNITY (EEC) site and also falls within " EXTREME HAZARD" Flood Zone.

This SEPP14 Wetland , within EEC and located within the highest category Flood Zone is part of the mosaic of "Eleven Coastal Wetland Types"that makes Hexham Swamp ..the" Hunter's Most Biologically Diverse Wetland And One Of The Largest In The State". As described by HCRCMA.

The Dev. Proposal considers the loss of this Significant part of the Hexham Swamp system as something that can be dismissed via an Offset, by changing ownership of another piece of SEPP14 Wetland (already Protected but of different characteristics) somewhere on the swamp.

That is a SIGNIFICANT ENVIRONMENTAL LOSS and a downgrading of the of the Hexham Swamps Environmental values, and the so called Off Set does not address this.

ECOLOGICAL INVESTIGATION

5.2.1

2. 'Hunter River via culverts to the south of the Site below the existing Great Northern Railway Line'

"This effect is unlikely to be significant on the Ecology of the Saltmarsh"

Both of the above statements understate description and importance of this area. This Runoff from the Site is directed into a Tidal Tributary of Smiths Creek known as No.1 Creek .This creek together with Smiths Creek , has over recent years, been the subject of significant Restoration Works via Community Funds from State Federal Gov. grants.

This Community Project has proven to be a great success story with the return of large numbers of commercial fish and juvenile prawns and Endangered Migratory Waders including Australian Endangered Species such as Jabaru and Australasian Bittern. This tidal Creek system has also seen the reestablishment of Mangroves Saltmarsh and the highly valued and protected Sea Grass, *Zostera Capricornia*, being a first not just for Hexham Swamps but also The Hunter Estuary . This Tidal System has now also reconnected the Nature Reserve and the top end of the Swamps with the Hunter River. What concerns us is that this tributary is going to be used as a Drainage System for run off, of an Industrial Site, despite all the documented information related to Pollution and the Coal Industry and it's activities. This Run off will enter

No.1 Creek then Smiths Creek on the run out tide, when the tide floods back a percentage of that run off and what ever it may contain will be shunted along Smiths Creek out onto the Hexham Swamp Heartlands and the Nature Reserve and that is part of a Cumulative Environmental Impact and that is NOT ACCEPTABLE to a WETLANDS of NATIONAL IMPORTANCE.

VISUAL ASPECTS

Fails to acknowledge that this Dev. Proposal encroaches into the LHRCP "GREEN CORRIDOR", An area of HIGH CONSERVATION and does not fit in with the VISUAL aesthetics of this Plan.

SEPP71 COASTAL PROTECTION-DEVELOPMENT within the COASTAL ZONE.

States; "The scenic qualities of the NSW coast, and means to protect and improve these qualities." (QRN E.A.R. 18.08.08 p. 47).

Hexham Swamp is a COASTAL WETLANDS and this Dev. Proposal is in conflict with these objectives.

The completion of the F3- Pacific Hwy link Road, elevated across the top end (The Gateway to Newcastle) will, if this QRN Proposal is approved, give a blighted landscape view of Coal Train Holding Yards, Fuel Depot and Work Shops, or another Kooragang Island Site or a legacy of State sponsored Environmental Vandalism and poor Planning.

CUMULATIVE IMPACTS.

This Dev. Proposal is Cumulative.

Australian Rail Track Corp has a similar rail track expansion proposal currently before Government, on the same site.

QR National plans at this time only include Stage 1 & Stage 2, but have signalled their intentions by carrying out studies and lobbying the NSW GOV. to also develop on this site an Industrial Centre and Intermodal Terminal.

This Proposal is in the Lower Hunter Estuary and is Cumulative to other Industrial Development within The Lower Hunter Estuary that have recently been approved or about to be approved, such as T4, Kooragang and Tomago Developments.

This Proposal is Cumulative to flooding events particularly being within EXTREME HAZARD Zones or traditional Flood ways or choke points.

This Proposal is also Cumulative in pollution, noise and vibration problems, highlighted in the recent Health Dept. Report.

There is also cumulative concerns of increased pollution into the Hexham Swamps, (either by accident or as part of the QRN's 24/7, operation) due to the nature of the wetlands to hold sediments, thus the potential build-up of toxins, into a fish and prawn nursery and part of our future FOOD SECURITY.

FALSE INFORMATION and LACK of INFORMATION

The recent Information Session held at the Hexham Bowling Club was poorly advertised and many local people were unaware.

A number of question put forward at the meeting were not able to be answered by QRN staff.

The QR National Fact Sheet, "Hexham Train Support Facility Project" handed out at the meeting contained False Information that stated, "QR National owns 255 hectares of Industrial Land located at Hexham in the Hunter Valley of NSW"

Should state ; QR National owns 255 hectares of predominantly Environmental land located at Hexham in the Lower Hunter Region in NSW.

The Fact Sheet had no information about Submissions either the Closing Date or the Postal or Email address of where to send them.

However it did have a contact number of the Project Team to obtain information. I telephoned (Thursday 6- 11-2012) and was directed to the Community Line, I asked for the Submission postal address and the Email address and was told they cant give out information and that they would phone me in three days time. I phoned again the next day to confirm that was the case and told again they would contact me in three days.

SITE SELECTION

Pacific National, the long established major Rail Coal Freight operator in the Hunter is currently relocating it's similar Train Support Facility from their current Carrington Site in the Lower Hunter region to the Hunter Valley seen as a welcome move by locals, their relocation also avoids High Conservation Areas such as described at Hexham.

Pacific National have chosen an alternate Site, a larger operator with more service requirements.

Why then not QR National.

Australian Rail Track Corp put it simply in their recent Environmental Assessment bid for the Hexham Site, Re, SITE PREFERENCE ;

- * Relatively low cost per kilometre of track laid
- * Relative ease of construction when compared to other sites
- * Ease of property acquisition

In other words what ever is the most convenient and the cheapest.

AREA/ OBJECTIVE;

ALTERNATE SITE; LOWER HUNTER REGIONAL STRATEGY (LHRS)

States...“vicinity of the junction of the New England and Pacific Highway at Beresfeild. Plans reveal that this is considered a long term solution to support the increase in Freight Rail”.

“The Lower Hunter Regional Strategy identifies the opportunity for an Intermodal terminal and associated Industrial land. Stoney Pinch/ Black Hill(located in the vicinity of the New England Highway and Pacific Highway junction, Beresfeild), has been identified as suitable land for this development. However Stoney Pinch is likely to deliver larger scale long term usage while the proposed QRN Site will be significantly smaller and specific to their particular Freight needs, noting that Freight access to the Site is restricted by ARTC to one Train movement per day.” (Key Insights QRN Proposed TSF Socio- Economic Impact Assessment p 7 ---- 2008)

As described by LHRS , QRN’s Proposed Site is RESTRICTIVE and FALLS SHORT of future EXPANSION and CONSOLIDATION potential and that the LHRS plan for the alternate site at Black Hill/ Beresfeild / Stoney Pinch addresses this , as the preferred Site.

In summing up we OBJECT to this Proposed Development Site as this Site location is the wrong location no matter which way you want to slice it, as I have tried to explain in this Submission, the only thing that’s right, is what is in the eyes of QRN they think it’s right for them, it’s Convenient and it may save them Money and that “ECOLOGICAL SUSTAINABLE DEVELOPMENT in the Hunter REMAINS AN IDEAL RATHER THAN A REALITY for the HUNTER RIVER and CATCHMENT.”.... The Healthy Rivers Commission of Inquiry into the state of the Hunter River and it’s Catchment, 2000.

I thank you for the opportunity to comment on QR National’s ,HEXHAM TRAIN SUPPORT FACILITY PROJECT.