

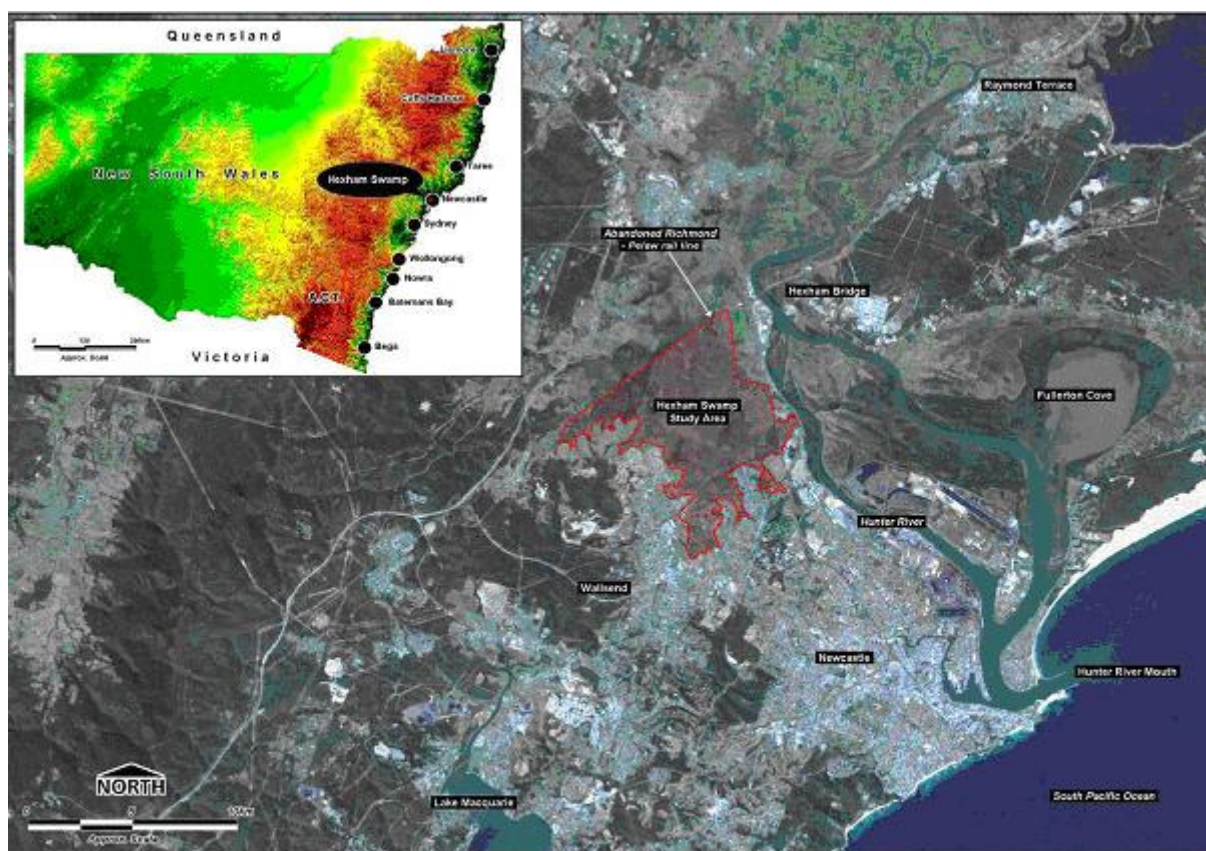


## **MODIFICATION TO THE MINISTER'S APPROVAL FOR THE HEXHAM SWAMP REHABILITATION PROJECT**

### **MODIFICATION REPORT**

#### **Background**

- On 30 November 2006, the Minister for Planning granted project approval to the Hexham Swamp Rehabilitation project, located on the outskirts of Newcastle (refer Figure 1).
- The project involves the staged opening of eight floodgates (situated within the one structure, at the mouth of Ironbark Creek) that have been in place since the early 1970s (refer Figure 2). This will result in the progressive tidal inundation of the Hexham Swamp.
- The project also involves some ancillary work to prevent saline intrusion from affecting private lands and public assets and includes the construction of bunds and minor filling.
- Current conditions of approval require that the bunds are constructed using only virgin excavated natural material (VENM).
- As part of the detailed design, the Proponent (the then Minister for Natural Resources, now Minister for the Environment and Climate Change) identified that due to the limited space between the bank of Ironbark Creek and Broadcast Australia's radio towers, it would be preferable to construct part of the bund (the BAL bund) using a low concrete wall rather than VENM.



*Figure 1 – Location of Hexham Swamp*



*Figure 2 – Existing Eight Floodgates at the mouth of Ironbark Creek*

- To this end, on 27 March 2007, the Department received a request from the Proponent to modify the Minister's conditions of approval for the project to allow for part of the BAL bund to be constructed using concrete instead of VENM.
- The concrete bund (wall) will comprise 80 metres of a 290 metre long bund and will be approximately one metre in height (refer to Figure 3). The construction of the wall will require minor excavation of approximately 11m<sup>3</sup> of soil from the bank of the creek for the footings (the trench will typically be 450mm wide by 300mm deep for the full 80m).
- The concrete bund will enable pedestrian access to be maintained along the creek foreshore.

### **Consideration of Issues**

- The Department considers that the use of concrete instead of VENM to construct part of the BAL bund represents only a minor departure from the approved project and will not significantly alter the environmental impacts of the proposal.
- The then Department of Natural Resources (now part of the Department of the Environment and Climate Change, DECC) was consulted on the proposed modification and stated no objection to the proposed changes provided that the proposed concrete wall will have the same crest height as the earthen bund. The Proponent has confirmed the crest height will be the same.
- The then Department of Environment and Conservation (now part of DECC) required the Proponent to consider issues relating to the disturbance of acid sulfate soils (ASS), potential contaminated soil and Aboriginal relics.
- The Department is satisfied that the risk of uncovering any Aboriginal relic or contaminated soil is low and can be adequately addressed through the existing conditions of approval and the Proponent's statement of commitments. Acid sulfate soils have been identified by the Proponent. As part of the existing conditions of approval, the Proponent has in place an ASS Management Plan which the Department is satisfied can adequately address this matter.
- Whilst the proposed modification is generally consistent with the project as approved, minor amendments to the conditions of approval are required to reflect this change. No additional conditions relating to the management and monitoring of environmental impacts are required as the existing conditions satisfactorily cover the proposed amendments.
- The concrete wall will enable pedestrian access to the foreshore to be maintained whilst still ensuring that private land is protected from saline intrusion.

