



Hunter Bird Observers Club

Affiliated with Bird Observation and Conservation Australia

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Sent by email to leonard.allen@portstephens.nsw.gov.au, cc Amy.Garden@portstephens.nsw.gov.au

RE: Soldiers Point marina expansion (Re: DA No. 16-2012-57 1)

Hunter Bird Observers Club (HBOC) wishes to express its serious reservations about the proposed expansion of the Soldiers Point marina in the direction towards Dowardee Island. Dowardee Island is known to be important for 4 threatened bird species listed under the NSW *Threatened Species Conservation Act 1995*; these being Beach Stone-Curlew *Esacus magnirostris*, Eastern Osprey *Pandion cristatus*, Australian Pied Oystercatcher *Haematopus longirostris* and Sooty Oystercatcher *H. fuliginosus*.

HBOC considers that the proposal is likely to significantly impact on these species, and that Port Stephens Council should refuse the development on these grounds. As a minimum, it should be referred to the Office of Environment and Heritage (OEH) and a Species Impact Statement (SIS) should be prepared. The impacts to these species are likely to occur from both direct and indirect sources including increased disturbance from recreational boating activities, noise, wake and lighting. The proposal is also likely to lead to increased erosion of the shoreline / flats of Dowardee Island and pollution incidents which will negatively impact on the habitat and individuals of the 4 known threatened species. Additionally, the area is also known to be used by migratory shorebirds listed under *Environment Protection and Biodiversity Conservation Act 1999* and international conservation agreements (e.g. JAMBA, CAMBA). These include the Eastern Curlew *Numenius madagascariensis* and Bar-tailed Godwit *Limosa lapponica*.

Beach Stone-Curlew (Critically Endangered in NSW)

The Beach Stone-Curlew occurs on sandy beaches on the coast of northern Australia and nearby offshore islands. It is rare in NSW, and the generic threats that apply for beach-nesting birds are exacerbated by the very low population base, estimated by the NSW Scientific Committee to be just 13 birds. Mainly for this reason, in July 2009 the Scientific Committee reclassified Beach Stone-Curlew from Endangered to Critically Endangered.

A pair resident at the mouth of the Manning River has long been considered to be the southernmost breeding birds in Australia. Until very recently, the only known records from further south were single birds at Corrie Island in February 2006 and Pindimar in November 2009 and a pair at Forster in August 2006.

In 2011 a new pair was found roosting on Dowardee Island and since then that pair has been regularly recorded roosting and feeding on Dowardee Island and on the nearby mainland in particular the sandy beach and mudflats on the mainland to the immediate south of the marina complex. It has very just been established that the pair bred during this most recent and they are currently raising a chick on Dowardee Island. This is a very important development for the future of the species in NSW.

Based on available data, HBOC considers that this is most southerly breeding pair of Beach Stone-curlews in Australia. Both adults have been roosting on Dowardee Island at high tide and regularly foraging on the sandy beach and mudflats on the mainland to the immediate south of the marina complex.

HBOC considers that the proposed development is likely to have an adverse effect on the life cycle of the Beach Stone-Curlew, such that a viable local population of the species is likely to be placed at risk of extinction. In accordance with section 5A of the *Environmental Planning and Assessment Act 1979* we consider that the proposal is likely to significantly impact on threatened species, and if Council is to proceed with the proposal against the recommendations of HBOC, then the concurrence of the Director-General of the Office of Environment and Heritage should be obtained prior to the granting of development consent.

Eastern Osprey (Vulnerable in NSW)

The Eastern Osprey is a fish-eating raptor that occurs along the east coast of NSW, south to Lake Macquarie. The species largely occurs in coastal areas, especially the mouths of large rivers, lagoons and lakes. The species is threatened by the removal of suitable nest trees as well as impacts to water quality affecting feeding habitat.

A pair of Eastern Osprey is known to breed on the southern end of Dowardee Island. Port Stephens is near the southern limit of its range in eastern Australia. Nest site availability is thought to be limited and increased disturbance from recreational boating activities in the vicinity of a viable nest site is of concern.

Australian Pied Oystercatcher (Endangered in NSW)

The Australian Pied Oystercatcher occurs near undisturbed sandy and shelly shorelines throughout all of Australia and southern New Guinea, where it feeds on small bivalves and worms. It is more common in the south of the country. Two estimates of the NSW population suggested only 230-250 birds, although the numbers are now thought to be somewhat larger, and the NSW Scientific Committee recently reclassified the species as Endangered. The key threats, such as disturbances and predation, are generic to all beach-nesting birds but for this species they are exacerbated by the low NSW population base.

Port Stephens is the main area in NSW in which Australian Pied Oystercatchers accumulate, often holding more than 150 of the NSW population. In regular summer and winter surveys of Port Stephens, conducted by members HBOC, many Australian Pied Oystercatchers are found to congregate (feeding and roosting) around Dowardee Island.

Australian Pied Oystercatchers have delayed breeding maturity, being at least 4 years and often much older before they breed. Almost all the birds in Port Stephens are non-breeding and hence the area is

essential to the species during this period of post-breeding immaturity and thus it holds the future breeding stock on which the future survival of the species depends. It is imperative to protect not only oystercatcher roosts but also adjacent areas of mudflat used for foraging.

Sooty Oystercatcher (Vulnerable in NSW)

The Sooty Oystercatcher is endemic to Australia and is found at rocky shorelines around the entire country. Disturbances and predation represent key threats for this species. Port Stephens is an important area for the species, with 15-25 birds often present. As for the Australian Pied Oystercatcher, this seems to include non-breeding (immature) birds which later will move elsewhere in NSW to breed.

Although nesting largely takes place on offshore islands and isolated rock platforms, there is a confirmed 2011 breeding attempt on One Tree Island NR, near Dowardee Island and it is considered likely that the pair in question regularly forages in and around Dowardee Island.

Migratory Shorebirds (JAMBA, CAMBA etc)

Two species of migratory shorebirds are known to use Dowardee Island and nearby mudflats, being the Eastern Curlew *Numenius madagascariensis* and Bar-tailed Godwit *Limosa lapponica*. Port Stephens is recognised to be an internationally significant site for Eastern Curlew, a large migratory shorebird generally regarded as globally declining in numbers. They are commonly seen feeding in the mudflats and shallow areas around Dowardee Island and near the adjacent shorelines on the mainland.

As detailed above, HBOC is concerned about the potential major negative impact this proposed marina development may have upon the four species discussed above, as well as on other migratory bird species that are known to use the area.

References:

Owner, D. and Rohweder, D.A. (2003). Distribution and habitat of Pied Oystercatchers (*Haematopus longirostris*) inhabiting ocean beaches in northern New South Wales. *Emu* **103**: 163-169

Roderick, M. and Stuart, A. (2010). "The status of threatened bird species in the Hunter Region". *The Whistler* **4**: 1-28

Stuart, A. (2010). Australian Pied Oystercatchers *Haematopus longirostris* in the Hunter Region of New South Wales, Australia. *Stilt* **57**: 18-20.

Stuart, A. (Ed.) (1994-2011). Hunter Region of New South Wales Annual Bird Report Numbers 1 to 18 (1993-2010). (Hunter Bird Observers Club Inc.: New Lambton, NSW.)

Stuart, A. (2011). Shorebird Surveys at Port Stephens, New South Wales 2004-2011 and Comparisons with Results from Previous Surveys, *Stilt*, **60**: 14-21