



Hunter Bird Observers Club

Affiliated with BirdLife Australia

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Richmond Vale Rail Trail Response to the request for further information

In its most recent [Response to the request for further information](#), 26 March 2021, GHD makes some attempt to address Hunter Bird Observers Club's (HBOC) concerns about the background research and survey effort but does not fully address the impacts to avifauna or the efficacy of proposed mitigation measures nor does it address many of the recommendations made by HBOC in response to the original development application.

HBOC continues to object to the notion that only threatened species are of relevance in assessing the importance of Hexham Swamp to avifauna in NSW. Hexham Swamp (2,500 ha) is the largest of the wetlands in the Hunter Estuary complex and is of paramount importance to waterbirds. It is for example, core habitat for Chestnut Teal, as was indicated in HBOC's submission, a species which is found largely in estuarine habitat and a species that was dismissed as not relevant in the Response because BAM guidelines do not require impact assessments for non-threatened species. This process is flawed and non-threatened species are also impacted by developments. The Response uses lack of data as a reason not to do anything. Data are not required for all circumstances – common sense indicates, for instance, that birds will be disturbed by speeding cyclists. HBOC continues to object the inadequacy of the avifauna surveys and that some assessments were based on assumption rather than fact which may lead to the wrong species being targeted.

HBOC welcomes a wetland bird management plan but HBOC has no confidence that, in view of the inadequate time spent of avifauna surveys, sufficient time will be invested in monitoring the whole of the Rail Trail to establish whether bird species are undergoing “unfavourable outcomes” as part of “a wetland bird management plan”. It is very short on detail. How, when, how often and by whom will monitoring be carried out?

HBOC is disappointed that only two of ten recommendations have been satisfactorily answered. We are pleased to see that the City of Newcastle has since committed to exclusion of dogs along the whole trail, and that the recommendation of the EIS to restrict construction to the period from the beginning of April to the end of September – outside the main shorebird season – has been accepted. Most of our other recommendations have been either ignored or subsumed under vague claims that they may be acted upon when the Trail is operational and when ongoing monitoring suggests that further action needs to be taken.

We continue to recommend:

- that the Trail should not be a shared pathway
- that a speed limit of 20 km/h or less for cyclists be mandatory and enforced
- that comparable funding be allocated for the purposes of managing wetland values of Hunter Wetlands National Park and Pambalong Nature Reserve
- that the use of artificial lighting should be reconsidered to ensure that it serves a valid purpose

These are important recommendations and should be included in the design stage of the project and not left until monitoring reveals negative impacts on avifauna (and pedestrians in the case of speeding cyclists).

We also recommend that vehicular access be included in the Trail plan. HBOC has been monitoring Hexham Swamp since 2008 thus generating a long-term invaluable dataset which is used by National Parks to inform aspects of management. Timing is an important factor in monitoring as the Hexham survey occurs at the same time as surveys at six other sites in the estuary. The area has to be counted in as short a time as possible to reduce the possibility of external factors impinging on the count such as disturbance to the birds. Having to do counts on foot would take most of the day compared with the current situation of one to two hours depending on the number of birds present.

HBOC requests that further consideration be given to our recommendations.

Ann Lindsey – coordinator for HBOC conservation sub-committee 25 August, 2021