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BRUNSWICK HEADS NSW 2483

4th February 2013

Major Projects Assessments,
Department of Planning and Infrastructure,
GPO Box 39
SYDNEY NSW 2001

**COMBINED SUBMISSION TO PACIFIC HIGHWAY UPGRADE ENVIRONMENTAL IMPACT
STATEMENT - WOOLGOOLGA TO BALLINA**

Dear Sir/Madam,

The following comments are provided in response to calls for submissions on the Roads and Maritime Services (RMS) Woolgoolga to Ballina Pacific Highway Upgrade Environmental Impact Statement (EIS).

The main focus of our concern as a coalition of Landcare and birding groups is the proposal to construct 48km of new highway through Glenugie to Maclean. The proposal is the largest new road construction project along the eastern seaboard. The proposed route passes through some of the most ecologically diverse and relatively intact forested areas anywhere in NSW. We believe one of the main reasons for the high biodiversity in the area is the absence of any major road through the area to date.

Our understanding is that the primary reason for not duplicating the existing route is the cost of building bridges over flood plains. With modern construction techniques and the reduced costs of simple structures such as super T girder bridges as used in the Kempsey upgrade, it is possible to achieve favourable environmental outcomes while keeping construction costs in check.

The environmental costs of clearing over 948 hectares of vegetation including 337 hectares of Endangered Ecological Communities (EECs) including the nationally listed Lowland Subtropical Rainforest are unacceptable, because the rich biodiversity of these areas cannot be replaced – the main reason for their protection in the first place.

There is insufficient detail in the offset strategy to determine whether 3421 hectares of 'like for like' vegetation can be acquired or indeed exist. For example, we believe it is very unlikely that the RMS will be able to find 56 hectares of Lowland Subtropical Rainforest as outlined in their offset strategy, not to mention the other EECs. It is due to the absence of other intact and similarly bio-diverse areas that the existing areas have been provided with state wide recognition and protection.

We want the RMS to provide details of its proposed offset strategy. Also, the vegetation communities must be identified and assessed as being suitable before the EIA can be endorsed. Any acquisition costs should be factored into the overall project budget in order to provide a fully costed project.

Endangered Coastal Emu Population

The area Red Rock to Evans Head is home to the endangered population of Coastal Emu which following monitoring by NPWS in 2012 is numbered at less than 150 birds. The Coastal Emu was once a wide ranging bird that as late as the 1980's ranged from Port Stephens in the south to Evans Head in the north. During this time suitable habitat has shrunk to just 15% (NPA). The Coastal Emu is now limited to of three distinct sub-populations. Yuraygir National Park south of the Clarence River, Bundjalung National Park north of the Clarence and the Richmond River floodplain about 10 to 30 kilometres inland of the coast, are the only remaining habitats for the endangered population. RMS identified the proposed route in 2006. Recently RMS has trialled the attachment of satellite trackers to six emus and with three deaths from barbed fencing and dogs the results were alarming for the already limited population of these endangered birds.

Our concern is that a monitoring project should have been commenced five years ago prior to the selection of the route, in order to obtain data on the location and the best possible crossing structures for the emus to continue utilising the Coldstream. The suggestion that RMS would build a land bridge post construction if the emus do not use the flood mitigation related under-passes appears unrealistic and in our view would be unlikely to be funded by any government. There is also no information in the monitoring strategy to outline how long or how many emus will trigger this very expensive addition.

Hence we have the following comments in relation to the project:

1. Given the known locations of the endangered Coastal Emus along the identified route as noted in the EIS, it is suggested that a different route to the west of these areas could have been selected and how can it be justified not selecting another route given the status of the endangered Coastal Emu population?
2. How thorough has the flora and fauna study been for this selected route? Have the studies taken place at the right time of the year? Is the Department of Planning satisfied that no new identified species will come to light resulting in additional costs and time wastage to the project on this selected route? RMS' history of road construction has shown that hasty selections of routes (Bulahdelah Bypass, Sapphire

to Woolgoolga) and the speed, with which many flora and fauna studies were carried out by RMS, resulted in a number of endangered species of flora and fauna being identified during the construction phase. This in turn can result in a significant slow down or may even stop a project at considerable cost and loss of time.

3. Building larger underpass during the construction stage would seem like the sensible the thing to do, instead of later as proposed by the RMS if the Coastal Emu fails to use the current proposed smaller underpasses. This would appear to be an unrealistic solution as once the level of highway has been set and the entire pavement has been put in place; we believe there will be reluctance from any authority or Government to reconstruct a new road under traffic. How much funding has been allowed in the project budget for this process? Is the Biodiversity Connectivity Strategy identifying and costing these impacts now?
4. If larger arch-type underpasses are built in the first instance (rather than the smaller box type structures) then this would increase the chances of the Emus using the structures and therefore maintaining or increasing their population through continuous access to habitat. We imagine the cost differential to build now or later would be huge and while planning to retro-fit works would highly likely result in further loss of numbers of these already endangered animals. Also retro-fitted construction will take some time thereby impacting on the completed highway and on road users.

OTHER SPECIES

The environmental costs of clearing over 948 hectares of vegetation including 337 hectares of Endangered Ecological Communities and the impacts on the 80 threatened species of flora and fauna including the state listed avifauna; Black-necked Stork, Brolga, Australasian Bittern, Eastern Osprey, Square-tailed Kite, Spotted Harrier, Little Eagle, Bush Stone-curlew, Glossy Black-Cockatoo, Masked Owl, Eastern Grass Owl, Powerful Owl, Black-chinned Honeyeater, Grey-crowned Babbler, Diamond Firetail and more, and the federally listed Rainbow Bee-eater, White-bellied Sea-Eagle, Latham's Snipe, Australian Painted Snipe, Fork-tailed Swift and White-throated Needletail, as well as numerous mammals, reptiles, amphibians, invertebrates and flora species in a state when there is only 9% of protected land within NSW would seem very irresponsible for future generations.

RECOMMENDATION

Our coalition of organisations recommends that the Department of Planning instruct the RMS to modify the route to avoid areas of high conservation value that are critical to the continued survival of the endangered Coastal Emu population and other threatened species.

Yours faithfully

Jan Olley

Coordinator Byron Bird Buddies

On behalf of

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BALLINA SHOREBIRDS 2020

TWEED BIRD OBSERVERS

RICHMOND VALLEY LANDCARE

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