

13 December 2013

PO Box 100 Suffolk Park NSW 2481

To: NSW Department of Planning and Infrastructure

Attn: Mr Dominic Crinnion

Submission specifically in relation to the Broadwater to Coolgardie section of the Woolgoolga to Ballina Pacific Highway Upgrade in relation to impacts on Matters of National Environmental Significance and also in relation to the NSW *Threatened Species Conservation (TSC) Act 1995* – local populations of the Koala and Long-nosed Potoroo

The route currently proposed by the RMS for the Broadwater to Coolgardie section of the Pacific Highway Upgrade is highly inappropriate due to significant adverse impacts on biodiversity and its selection directly conflicts with the agency's stated policy to "avoid and minimize impacts when managing biodiversity".

The proposed route is 2.5km longer than an alternative, far less damaging route paralleling the existing alignment and appears primarily selected to obtain fill from cuttings into intersected foothills.

It will isolate and degrade the Jali Local Aboriginal Land Council's (LALC) recently designated 1000ha Ngunya Jargoan Indigenous Protected Area, formally recognized in February 2013 by the Federal Government as established primarily to manage its rich biodiversity and now part of Australia's national reserve system. This land is particularly important for biodiversity conservation on the NSW Far North Coast, supporting 6 Endangered Ecological Communities and 40 Threatened species as listed under the NSW *TSC Act 1995*.

Two Threatened species, both listed under the Commonwealth *Environment Protection and Biodiversity Conservation (EPBC) Act 1999* and *TSC Act 1995* that occur in the area and will be severely impacted by the proposal are the Koala and Long-nosed Potoroo. Populations of both these species will be fragmented and isolated by the preferred route, leading to their likely local extinctions. Inexplicably neither species has been adequately assessed in the RMS's impact statements and the significance of the area to the survival of both species has been ignored.

The likely severity of the effects of the route's construction and its ongoing operation on the Koala and Long-nosed Potoroo in the subject area, together with other Commonwealth-listed threatened species such as the Wallum Sedge Frog and Grey-headed Flying-fox demand that

its location be considered as impacting on Matters of National Environmental Significance under the relevant Commonwealth legislation.

The Long-nosed Potoroo has recently been incorporated by the Jali LALC in their IPA logo and the species has special cultural and conservation significance to the local community. The Potoroo population on the Jali land and immediately to the west has also been identified as highly significant and crucial for the conservation of the species on the NSW Far North Coast in a recent study soon to be published in Australian Zoologist (see additional attachment of page proofs for the next volume of journal).

The RMS's reprehensible treatment of this species in the area and all other biodiversity values associated with the proposed route is inexcusable, but unfortunately typifies its well-established strategy of forcing through a predetermined preferred route by down-playing or refusing to consider constraints that might otherwise result in the selection of a different option.

A handwritten signature in dark ink, appearing to read 'D. Milledge', with a stylized flourish at the end.

David Milledge

Wildlife Ecologist