



CLARENCE ENVIRONMENT CENTRE

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The Hon Robyn Parker
Minister for Environment
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Dear Minister.

A recent response by the Pacific Highway upgrade's General Manager Bob Higgins, shows an arrogant disregard for the welfare of wildlife. His letter was in response to a complaint forwarded by the North Coast Environment Council, which detailed the carnage that has occurred in the form of road-kill on the newly opened Kempsey Bypass.

Mr Higgins admits that 39 animals were killed on the particular stretch of concern, 22 in the first fortnight after opening, but then goes on to point out that the death rate is declining, no doubt because there are now a lot less animals left to be hit. However, after detailing all the measures that are available to keep wildlife off the motorway, strategically placed fences, wildlife underpasses, and overhead wire crossings, he then, incredibly, explains that the section of highway in question had been constructed in such a way that exclusion fencing could not be installed, due to the *"limited number of culverts and bridges"*.

This is completely unacceptable. What is the point of all the ecological assessments, and laws that are in place to protect the environment? The RMS has once again proven that the welfare of wildlife is of no consequence, and in this instance, knowing that high speed collisions with macropods can be fatal to humans as well, has shown that the safety of drivers is also of little concern.

The Clarence Environment Centre has requested, more than once, for concerned community groups, to be allowed to participate in some way during the construction phase to ensure that best practice is employed to ensure our wildlife is protected. In refusing that request, the RMS has repeatedly argued that it liaises closely with the OEH, to ensure the best possible outcomes for wildlife. That being the case, how has there been such a failure in relation to the Kempsey Bypass?

However, we would point out this is not the first time the RMS and OEH have failed in their duty of care, in fact there has been a long history of dismal performance in that regard.

Prior to the construction of the Glenugie upgrade, for example, approval had been granted, with OEH's whole-hearted support, without any avoidance or mitigation measures proposed to offset the enormous loss of threatened Square-fruited Ironbarks that had been identified as growing along the proposed alignment (some 8,000 in all). Even though Glenugie was known to support the core population of this locally endemic species, the OEH did not require a rethink of the alignment, or demand the clearing of forest for the corridor be reduced. They didn't even require a Biobank offset or land to be set aside as compensatory habitat.

All that was left to the Clarence Environment Centre, which successfully lobbied the Federal Minister to call the project in as a controlled action, a move that finally resulted in the then Minister Peter Garrett, insisting on a width reduction of the road corridor, some hundred hectares of land containing Square-fruited Ironbarks to be set aside as compensatory habitat, and further cleared land to be regenerated with the species.

Of course some 4 years after construction, although that offset land has been acquired, no move has been made to place a covenant on the land, nor has a single Square-fruited Ironbark seedling been planted. In fact it is our understanding that RMS has yet to collect seed for propagation. Our concern is that, given the abysmal record of both the OEH and the federal environment department, when it comes to compliance monitoring, that the required planting will never eventuate.

Following construction of the Glenugie section, the worst possible fencing was constructed, apparently once again given the OEH tick of approval, and remains in place today. The fence, wire mesh to 1m high, has 2 strands of lethal barbed wire above, which is bound to snag numerous Flying Foxes, Owls and Gliders in the years to come. It is also low enough for an adult Kangaroo to hop over from a standing start and play in the traffic, while its joey is trapped on the other side by the impenetrable mesh. The half dozen or so standard 1.5 metre high box culverts, that are laughingly described as wildlife underpasses, are worse than useless, and the 3 overhead wire structures for 7kms of forest bordered road is completely inadequate.

Again, some 4 years after construction, a decent fence has still not been erected.

At Arrawarra, north of Woolgoolga, the RMS decided to construct a 'service hub' with associated fuel stations, fast food outlets, vehicle parking, and extensive on and off ramps. However, true to form, the RMS did not choose cleared or degraded land for this feature, but bulldozed some of the highest conservation value forest habitat in the area, including known habitat for threatened gliders. Again, despite numerous submissions opposing the vandalism, OEH remained conspicuously silent and allowed the destruction to proceed.

The Woolgoolga to Ballina upgrade (much of it not an upgrade, but a separate motorway) is destroying high conservation value forests at a rate never seen before. One Catchment Management Authority officer has observed that, in the Clarence Valley, the upgrade will destroy more forest than all the land-care and other programs have rehabilitated over the past 20 years.

They have chosen the worst possible route through the Valley for the endangered Coastal Emu, whose numbers have been reduced to less than 100 individuals, choosing a route that cuts the Emu's habitat in half, without making any real attempt to provide crossing points for the birds. Only one dedicated crossing structure is proposed in over 40km, with the other nominated crossing points being assorted road bridges and box culverts, ignoring the obvious fact that roads and emus do not mix. This will likely see road-kills increase significantly and ensure the species' decline into extinction. Again, all approved by the OEH liaison team.

The Clarence Environment Centre, and other concerned organisations raised hundreds of concerns in submissions. Now, we have been provided with a very impressive DVD containing some 20 documents with more than 3,200 pages of material, and 3 weeks to comment.

The information provided for comment includes an 871 page Biodiversity Assessment which, after a cursory scan, would appear to contain nothing more than justifications for doing nothing to address any of our concerns. The document is full of suggested actions that never require any more than a commitment to 'best practice', or an assurance that the work will be undertaken "*in consultation with OEH*", all of which are accompanied by 'get out of jail free' clauses whereby actions can be taken "*where possible*" or "*where reasonably practicable*".

So what is going on? What have the OEH officers who were nominated to liaise with RMS been doing, and what, if anything, have they achieved to minimise impacts on the environment?

Yours sincerely.

John Edwards
Honorary Secretary.