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# **Submission**

to

## **Roads and Maritime Services**

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on the

## **Proposed Pacific Highway upgrade**

## **Woolgoolga to Ballina**

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**Honorary Secretary**

# **Submission to the proposed Pacific Highway upgrade Woolgoolga to Ballina**

## **Background**

The Clarence Environment Centre (CEC) has a long record of environmental advocacy, having maintained a shop-front in the Clarence Valley for more than 23 years. In terms of the Pacific Highway upgrade, the Centre's involvement has been significant since the proposal was first presented some eight years ago.

Initially, the proposed upgrade was from Wells Crossing to Iluka Road, and the then RTA involved the Centre in discussions through a specific environmental working group that included representatives from other environment groups from within the valley.

The CEC made its position clear from the outset, a position shared by all the other environment groups, that the proposal to construct an entirely new motorway, that caters only for through traffic, just 30% of the total (RTA figures 2006), was unnecessarily damaging to the environment, believing instead that a simple upgrade of the existing highway to double lane dual carriageway standard, was all that was required for the foreseeable future.

We argued this point strongly on the following basis:

- Peak oil, and the acknowledged fact that oil shortages and price rises are inevitable, and that rail transport is a logical alternative that could help conserve dwindling world supplies.
- CO<sub>2</sub> emissions are acknowledged as being a major contributor to global warming and irreversible climate change. Again, the use of rail systems has the potential to reduce these emissions, while motorways simply promote more road transport, i.e. more emissions.
- The construction of a new motorway, while retaining the existing highway, would see unacceptable destruction of the natural environment through construction methods which require the clearing of a 100 to 200 metre wide corridor, as opposed to a 30m corridor for rail infrastructure, and
- The high level of destruction of prime agricultural land across parts of the Clarence flood plain through those same construction methods. Given some 10% of world's population is currently starving or suffering from malnutrition, there can be no moral justification for placing this vital resource under concrete.

However, at the point where a decision was to be made regarding the selection of a preferred route, the working group ceased to operate, and the CEC, along with, Valley Watch, the National Parks Association, and the peak north coast regional environment group, the North Coast Environment Council, were all excluded from any further consultation.

As a result, we contend that any claim by RMS that the selection of preferred route through the Clarence Valley resulted from broad community consultation, is untrue. There was never any consideration of the option to simply widen the existing highway; it was always a motorway.

## **Justification (Reduced travel distance)**

The route option with the least environmental impact is acknowledged to be that which closely follows the existing highway, the 'orange' route. However, we contend orange route was never going to be adopted because the RTA, for some inexplicable reason, decided the motorway had to be built above a 1 in 20 year flood level. That eliminated the orange route because it ran along the floodplain and there was no potential for cut and fill to achieve the required embankment height.

With 2 other alternative options presented that could never be serious contenders because of the extreme environmental impacts they would have caused, we have always taken the cynical view that the whole route selection process was an elaborate farce. Even the claim that the preferred route is 7km shorter than the orange option is a 20% exaggeration, the true distance being closer to 5km.

If flooding was a serious issue, why not route the upgrade along the Summerland Way to Casino which, if continued through Kyogle, Woodenbong, and Beaudesert, is by far and away the shortest route to Brisbane, i.e. a straight line, cutting the overall travel distance by some 40km. Alternatively, if flooding is an issue, why not flood-proof the motorway entirely? It's only another metre of fill.

A flooded road is always an inconvenience, but that is all it is. Is there a significant difference if the road is closed once every 5 years or once every 20 years? Currently, when the highway is flooded traffic simply diverts to the New England or Newall Highways. Diversions happen all the time. A bad accident or toxic spill will see the road closed for hours, or even a full day. Even smoke from a bushfire can cause motorways to be closed for extended periods.

So what is the 'big deal' about floods and the movement of flood water? We contend that billions of dollars could have been saved, and a dual carriageway could have been completed from Sydney to Brisbane a decade ago, if someone in Government had actually questioned the need for such grandiose plans in the first instance, plans that only really benefit the big construction companies.

The question of excessively grandiose plans is no more pertinent than the proposed motorways between Woolgoolga and Ballina. That section of 'Highway One' has the lowest traffic volumes of any section between Warnambool in southern Victoria, to Gympie in Queensland.

### **Justification (Safety)**

We are informed (page 3.13) that: *“Improvements to the Pacific Highway and changes in road network accessibility have allowed B-double trucks to use the full length of the highway between Hexham and the Queensland border since August 2002. This has led to a significant increase in B-double traffic on the highway.”*

It needs to be understood that **it was not improved road conditions that allowed B-doubles onto the highway, it was the RTA**, and again we take the cynical view that, given less than half the highway between Hexham and the Queensland border had been upgraded at that time, the decision **was deliberately made to make road safety a greater issue**, to attract more funding. A decade on from that decision, and with half the highway still not upgraded, there is now talk of introducing B-triples. Incredibly, a word search of the 1,733 page EIS found no mention of B-triples.

We believe that, while completion of the upgrade will see a marked reduction in fatalities, particularly from head-on collisions, serious accidents involving the hurtling heavy transport juggernauts will increase with the predicted increase in those vehicles on the road.

Again, we believe the safety issue could have been greatly improved by funding an upgrade of the freight rail network and removing heavy transport vehicles from the road.

### **Justification (Population and traffic growth)**

There is a comment (page S8), using population growth as justification for the highway upgrade, stating: *“The Pacific Highway coastal corridor has been one of the fastest growing regions in Australia. It includes major regional centres such as Grafton ...”* and, *“emerging towns such as Maclean and Yamba ...”*. However, courtesy of the decision to bypass Grafton with a motorway,

the expanding populations of Yamba and Maclean, which the RMS acknowledges, “offer most of the region’s employment opportunities and services”, will not be able to use the new motorway to travel the 45km and 60km respectively, to access their major regional centre of Grafton.

The question that should be asked is, is the highway being built to meet the needs of an expanding population? Clearly in the Clarence Valley this is not the case.

### **Justification (Economic and community needs)**

The above argument also applies to the RMS claim that: “One of the objectives of the Pacific Highway Upgrade Program is to support State and regional economic development. Numerous government and independent reports highlight the importance of modern, efficient transport links in supporting economic development.” Failing to provide a short access to the regional centre of Grafton, and isolating the city from through traffic, hardly supports economic development or creating an efficient transport link.

### **Justification (flooding amelioration)**

The EIS identifies (page S13) that building the new road to a 1 in 20 year flood level will, “result in a substantial improvement in the flood immunity of the Pacific Highway, which is currently flood-prone in several places.” ***This leads to one of the most misleading, and potentially dangerous comments that: “This would improve the ability of people to evacuate when flooding occurs”.***

As already identified, highly flood-prone centres in the Clarence valley such as South Grafton, Ulmarra, Cowper, and Brushgrove will all have to use the flood-prone existing highway to access the new motorway. **To claim that the motorway will aid evacuation is a blatant lie.**

### **Discussion.**

#### **Environmental Impacts**

The list of adverse environmental impacts, identified in the EIS, that the highway upgrade will cause is a 'horror story' that should, one would think, be sufficient to persuade the consent authority, whoever or whatever that may be, to disallow the entire project. However, that's unlikely.

The Executive summary contains the objective to: “Manage the upgrade in accordance with ecological(ly) sustainable development”. How can any project that requires the clearing of a corridor up to 200m in width, to build a motorway with a footprint of less than 45m, possibly be considered “ecologically sustainable”?

At the same time, the opening statement of the Executive Summary makes the observation that: “Much of the native vegetation in the study area has been cleared or fragmented for agriculture and rural development”. Nevertheless, the RMS has successfully located more than a thousand hectares of the remaining remnants of forested land to destroy in the construction process.

That process will, according to the RMS, cause damage to habitat for 123 threatened species, including: “Significant impact to 12 threatened flora species and 24 threatened fauna species”, with: “Potential for significant impact to the endangered Coastal Emu population”. How is that ecologically sustainable?

The RMS however, makes the claim (page S13) that: “The project includes a biodiversity offsets strategy that would deliver a package of offsets **to achieve a neutral or net beneficial biodiversity outcomes for the region**”.

This is yet another exercise in the delivery of misinformation, suggesting that because land is acquired and placed under a conservation covenant through the BioBank system, we can ignore the destruction caused by the clearing of excessively wide corridors for highway construction.

It must be clearly understood that the acquired off-set land already contains existing biodiversity, and by simply placing a conservation covenant on it does not increase biodiversity levels. Even if the off-set area is three times the size of the bushland destroyed by destruction, we still have an overall net loss of bushland. How is that ecologically sustainable?

A conservation covenant is supposed to protect that land's biodiversity "in perpetuity". However, it should also be clearly understood that a conservation covenant does not protect that land against any critical infrastructure, such as the highway upgrade (even national parks are not immune!), nor does it protect that land from any mining activity, including coal seam gas. At the end of the day conservation covenants provide no protection for biodiversity (ref. Bimblebox case in Queensland).

When it comes to impacts on soils, sediments and water, we read of potential "*leaks or spills of chemicals, fuels, oils and/or greases*". The EIS also identifies strong potential for siltation and pollution of creeks, and wetlands; disturbance of acid sulphate soils leading to fish kills; the clearing of river bank vegetation causing erosion; leaching of tannins from cleared vegetation, and impacts on groundwater-dependent ecosystems within freshwater wetlands. Is any of this ecologically sustainable development?

While the assessment of cumulative impacts of the Woolgoolga to Ballina upgrade section has been considered for some species such as the threatened Square-fruited Ironbark, that has not happened for most other species. Therefore the cumulative impact of clearing an additional 1,000 hectares of native forest has to be significant, but it is ignored.

On the subject of Square-fruited Ironbarks, we are disturbed by the inference (Table 10.5) that the destruction of 5% of all known specimens is somehow offset by the benefit of having the 100m wide highway clearing act as a fire break. **To us, this takes the RMS's 'spin' to a whole new level.**

In about 2010, **several sightings of the endangered Giant Dragonfly were made on the motorway corridor south of Tyndale**, and photographs were forwarded to the Museum in Sydney for confirmation. However, the species receives no mention in the EIS, so **we suggest this be addressed as a matter of urgency.**

### **Threatened species - Endangered Coastal Emu**

When claiming (page 5.177) that: "*Table 5-10 identifies those structures which have been designed in consideration of emu passage*", the RMS again indulges in cynical delivery of misinformation. We are later told that, "*many of the bridge structures have been overdesigned to convey floodwaters and cater for the passage of emus ...*). We believe these so-called wildlife underpasses, such as the huge viaducts over the Coldstream River (3 sections totalling 630 metres) are specifically designed to span areas where 3 metre deep flooding occurs, and to allow unhindered passage of flood waters, and doubt if any consideration has been given to emus in their design!

Exactly the same applies to other crossings (listed in Table 5.10) over Pillar Valley Creek, Chaffin Creek, Champions Creek, and the 450m long Shark Creek Bridge.

Likewise, to list road bridges such as that over Wooli Road (8 Mile Lane) as "incidental emu structures", is also cynical. All those structures will do is channel wildlife onto the road in the face of fast-moving traffic.

The provision of wildlife crossings is abysmal. Along the 37km motorway from Glenugie to the Maclean exit, where emus currently traverse, there is just one “dedicated” emu underpass, a 4m high culvert, and 4 rope overpasses.

The fact is that nobody, least of all the RMS, has any knowledge about emus' willingness to walk through a culvert. They may well walk under the viaducts, but they have been designed with water flows in mind, not the access of emus. There is at least one viaduct over the Coldstream River which, if the emus did walk under it, the birds would be blocked by the river.

The Endangered Coastal Emu Population is still in decline, with numbers now estimated to be under 100. There is no way the new motorway will not have a negative impact, and the full impacts will only be known over time. The bottom line is, the Coastal Emu cannot afford any further impacts, as they will undoubtedly result in extinction.

The EIS (Table 7.3) suggests the RMS plans to actually isolate Emus from one of their known foraging and nesting sites in a large tract of land between the new and existing highways at Shark Creek. That Table states: *“It is proposed to fence the boundary of the alignment within the Shark Creek area to prevent passage of emu and other large fauna across the highway, so that animals do not get struck by vehicles and do not get trapped between the corridor between the new and the old highway”*. Removing this large area of their range would be yet another unacceptable impact on the Coastal Emu population.

The pre-clearing monitoring of Emu movement patterns, and other mitigation measures, all sound good, but it should be noted that one program initiated by the RMS, a *“pilot program for satellite / GPS tracking”*, has already failed, with a suggestion that heavy tracking devices not only caused damage to the captive reared birds, but lead to the death of several of them which were killed by wild dogs. All the measures proposed by the RMS to mitigate the impacts of the motorway on the Emu population, are untried, much less proven.

In summary, it would seem that the EIS's *“Analysis of proposed mitigation measures and any potentially significant impacts remaining after their application”*, should be seriously considered by the consent authority. **That analysis states (page 20-5) that the highway upgrade has the, “Potential for significant impact to one endangered population listing under the TSC Act - emu population in the NSW North Coast Bioregion and Port Stephens LGA area”.**

We believe that assessment says it all, but point out that there are also dozens of other threatened species and endangered communities that receive the same negative assessment.

## **Social Impacts**

We are compelled to comment on the stated objectives of the upgrade and stress that, for the Clarence Valley section, the proposal is to build a separate motorway, not upgrade the highway.

The suggestion that the “upgrade” will *“significantly reduce road crashes and injuries”*, is highly debatable. There will be vastly more vehicles on the road, all travelling faster, 30km per hour faster along many sections, and the trucks will be bigger and heavier (B triples).

The objective to *“Reduce freight transport costs”* might be achieved. However, an efficient freight rail alternative would achieve that objective, could reduce travel times, would reduce greenhouse gas emissions, and conserve the world's dwindling oil stocks, all at a far lower cost to taxpayers.

The objective claiming to: *“Develop a route involving the community and considering its interests”*, would be offensive to many in the Clarence Valley who will not be able to use the new

road for commuter purposes. With no off-ramp at Grafton, drivers from the lower Clarence River area can access the new motorway at Maclean or Tyndale, but then would be unable to exit the motorway until Glenugie, 12km beyond Grafton, forcing them to back-track to the city.

At the same time, how can a new motorway, that bypasses Grafton so far to the east, possibly meet the stated objective of ***“providing a route supporting economic development”***? And how can the addition of a new motorway, to service just 30% of the current highway traffic, be deemed to meet the objective of ***“providing the best value for money”***?

As well as the environmental impacts on waterways, we are told there is a potential for: ***“Infiltration of surface water to groundwater sources including drinking water supplies at Woodburn, including sediments and particles and soluble pollutants (such as acids, salts, nitrates and soluble hydrocarbons) during construction or operation”***. How is this serving the community and its interests?

## Summary

So what will the currently proposed motorway achieve for the Clarence Valley LGA?

- A motorway (where traffic can speed at 110kph) that will be used by only 30% of the traffic that currently uses the highway. The remaining 70% of local commuters receive no benefit.
- The high traffic volumes and road safety issues, that are used to justify the building of the motorway, will be nullified within 10 years of the motorway's completion, as population growth increases local traffic volumes on the existing highway to the same levels as before. The only difference is that it will be a council road, and the Clarence Valley ratepayers will be required to deal with the maintenance and safety issues.
- The city of Grafton which now depends heavily on tourism and passing traffic, thanks to the actions of various governments that has seen virtually all manufacturing and service deliverers close down, will be serviced by the longest on and off ramps in Australia. It will be 12kms from the Glenugie exit to Grafton, and a further 30kms to exit the old highway at Tyndale (add a further 3km if they wish to cross the bridge into Grafton). The questions are, how many travellers will suffer that 45kms of congested 'goat track', complete with 40kph speed limits, and pedestrian crossing at Ulmarra, to spend time and money in Grafton? And how does this meet the RMS objective (page S2) of ***“developing a route involving the community and considering its interests”***? The Community's interests are not considered.
- The motorway will see the permanent loss of an estimated 200ha of prime and at least that amount again of secondary agricultural land in the Clarence Valley alone.
- State forests have already lost over 80 hectares of timber resource for the construction of 7km of upgrade at Glenugie, and a further 204 ha will be lost to complete the upgrade.
- The destruction of a thousand hectares of native forests, including 337 hectares of endangered ecological communities, affecting 6 different community types, some of which are supposedly protected in national parks. These are communities that we know will become extinct if their decline is not halted, yet here we have a project that will annihilate and fragment large chunks of them.
- The additional destruction of 120ha of high conservation value habitat, 8ha of riparian vegetation at 40 major waterway crossings, and 465ha of other native vegetation in the Clarence Valley alone, all containing habitat for over 125 threatened terrestrial flora and fauna species, and the fragmentation of the largest contiguous remnant of coastal forest communities in northern NSW.

- Dissection of vital movement corridors for wildlife, in particular the endangered coastal emu population, now reduced to less than 100 birds.
- Impact on habitat of at least 10 threatened aquatic species.
- Direct destruction of some SEPP 14 wetlands, such as Shark Creek, and the bridging of others that will pose a threat to large aquatic birds that require lengthy, low trajectory take-off flight paths, such as the Brolga and the endangered Black-necked Stork, whose numbers in NSW are now reduced to an estimated 35 breeding pairs. Any additional threat to these species is unacceptable.
- An increase in flood levels and inundation periods in some areas which will result in a small reduction in the amount of land available for future development in some catchments, but there is a predicted moderate to high impact level in one (unspecified) area.

The 4.2 billion dollar predicted cost of the Woolgoolga to Ballina upgrade, a figure that is bound to double by the time the project is completed, does not include a single dollar for the cost of future lost timber production from forested areas that will be bulldozed, nor a single dollar value for the loss of future agricultural production, from prime agricultural land that is concreted over.

Worst of all, however, the predicted cost does not include a single dollar for the loss of eco-services provided by those forests. The conversion of CO<sup>2</sup> into oxygen, the filtration of water, the storage of carbon, or the protection of biodiversity, something that provides us with everything we eat, much of what we wear, and many of the pharmaceutical products we enjoy. None of those losses are included in the dollar cost of this proposed 'upgrade', and that is an unforgivable omission.

We believe the EIS's "*Analysis of proposed mitigation measures and any potentially significant impacts remaining after their application*", says it all, and should be seriously considered by the consent authority.

Not only does the analysis state (page 20-5) that the highway upgrade has the, "*Potential for **significant impact to one endangered population listing under the TSC Act - emu population in the NSW North Coast Bioregion ...***", **but also assesses that there will be a "significant impact" on dozens of other threatened species and endangered communities.** They include, 12 threatened flora species (six listed under both the TSC Act and the EPBC Act), 24 threatened fauna species (five listed under both Acts), and significant impact also to five endangered ecological communities (a total of 338 hectares) including one critically endangered.

**Therefore, we strongly believe the cumulative negative environmental impacts of the preferred route are just too great, and the option should be abandoned in favour of the much cheaper option of upgrading the existing highway to 4 lane divided standard.**

We thank the Minister for this opportunity to comment.

John Edwards  
Honorary Secretary.