

To: Fingal Bay project team,
Transport for NSW
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FINGAL BAY LINK ROAD – proposed route options Submission, December 2020

EcoNetwork Port Stephens

EcoNetwork Port Stephens represents the interests of around 70,000 people residing in the Port Stephens area. Our vision is to develop ecologically sustainable communities existing in harmony with the natural environment. Our members include individuals and more than 25 affiliated groups.

We have no objection to publication of this submission, in full and unredacted.

Summary

We call for:

- Information about the existing and predicted traffic volumes as a foundation for the case for new or improved routes
- More detailed environmental assessment of the ‘new road’ route Options 1 & 2. The *Route Options Proposal* contains only very superficial commentary on environmental impacts. A comprehensive Environmental Impact Study (EIS¹) carried out in 1994 on the then proposed route (roughly the current Option 1) offers valuable information about issues some of which may not have changed, but several have changed and it must be updated. There is limited value in carrying out a detailed new EIS **after** a preferred route has been chosen.

Further and more detailed traffic and environmental information is necessary to allow informed comment on the Options.

We support:

- the need for a range of measures to manage traffic congestion in the Nelson Bay and Shoal Bay areas during peak periods, including actions to reduce the number of vehicles on the roads
- improvements and modifications to the existing road network (Option 3), in association with
- improved public transport, including an innovative approach to movement of residents and visitors within the highly constrained geography of the Tomaree peninsula – a major holiday destination with the local economy highly dependent on the area’s natural environment – currently promoted as ‘*Incredible by nature*’²

We strongly oppose:

- costly and environmentally damaging road works through Tomaree National Park (Options 1 and 2) which are likely to bring more cars to locations which lack adequate car parking.
- major losses to the biodiversity and recreational value of Tomaree National Park (Options 1 and 2)
- both ‘new road’ options, while recognising Option 1 has a far greater impact than Option 2.

¹ Sinclair Knight Merz, Proposed Fingal Bay Road Environmental Impact Study, prepared for Port Stephens Council, November 1994

² Destination Port Stephens tourism promotion campaign, 2020

We believe:

- acceptable transport, traffic and demand management solutions can be implemented without the need for either Options 1 or 2. This will avoid extremely costly major roadworks, of dubious benefit, that would impact severely on the biodiversity, recreational and heritage values of Tomaree National Park and on our water supply security, and on the character of Shoal Bay and Fingal Bay.
- Options 1 and 2 could be expected to make the current congestion even worse as they will deliver more cars into an area already with insufficient car spaces and with negligible space for additional parking. Despite their high cost both options are predicted to save only a few travel minutes without apparent additional benefit.

Definition of the issue

1. What is the problem or issue/s the *Route Options Proposal* is trying to solve?

The four page leaflet put out for comment in November 2020 '*Transport for NSW [Fingal Bay Link Road](#) Have your say – Route options, November 2020*' (hereafter referred to as the *Route Options Proposal*) does not define the issue/s that the route options are attempting to solve. More informed and focussed community input would be facilitated by a clear definition of these issues.

Is the issue primarily...

- Congestion in Nelson Bay during peak holidays periods due to people from Fingal Bay using the area (as suggested in 'Background' para 1, page 1)?

Or are the issues the converse of the 'Benefits' proposed (page 1)? i.e.

- Lack of connectivity for residents, business and community – this statement is confusing as it is neither defined nor addressed elsewhere as to connectivity between whom and to where?
- Issues of traffic flow, journey times and safety for all road users? – are these real or perceived issues?
- Impacted liveability and amenity of Nelson Bay? – Why is this restricted to Nelson Bay? What about the liveability and amenity of Shoal Bay and Fingal Bay?
- Issues with tourism in the Port Stephens area? – what are the tourism issues and which options provide what benefit?.

Without a clear definition of the problems to be solved, it is difficult to assess how the options proposed address the issues.

2. What is the evidence of congestion?

Many of the statements above suggest congestion is an issue. While 'lived experience' of many residents suggests a congestion problem, planning should be informed by actual evidence, of existing and forecast traffic flows, and parking demand, relative to the capacity of the existing and proposed roads. Such evidence would also demonstrate the periods of the week/year during which the congestion is a significant problem.

For the purposes of this submission, while the *Route Options Proposal* refers mainly to congestion connected with Nelson Bay, at peak times congestion is considerable in Shoal Bay along Shoal Bay Road, at the narrow neck near the caravan park, and in particular between Government Road and Tomaree Head. While not part of the commuting route, this section of Shoal Bay Road demonstrates the real problem, simply more cars than the available parking will accommodate.

If congestion is a real issue – then reducing the number of cars and enhancing public transport is critical to success for all options.

3. No easy solutions to wider problems

- To the extent that the road network around Nelson Bay, in particular western Shoal Bay Road, experiences congestion, so too do other locations on the peninsula such as eastern Shoal Bay Road between Government Road to Tomaree Head, Soldiers Point and Anna Bay. Wider solutions are needed than a simplistic 'fix' for one part of the network

- New roads bring more cars: Options 1 & 2 bypasses, and/or widening Shoal Bay Road will only exacerbate any congestion issues as more cars will come, and car-parking will continue to be insufficient. This is likely even if land for car parking became available at Tomaree Lodge, though this would be a poor use for such important recreational land.
- New roads soon fill up: Even a new road completely by-passing Nelson Bay (Option 1) would likely only provide temporary relief – experience shows that new roads just encourage greater car use and soon ‘fill up’.
- Too many cars now: In many parts of the Tomaree peninsula, at peak periods, there are simply too many cars with insufficient car parking spaces. We believe that congestion is exacerbated by people circling looking for places to park in peak periods.

4. We submit that the time has come to consider an **alternative transport future** for the area, involving far greater use of public transport for visitors and locals.

- This future could include a fleet of free and frequent hop-on hop-off electric buses, servicing the most heavily frequented tourist and shopping locations between Fingal Bay, Shoal Bay, Nelson Bay and Salamander Central and Soldiers Point, potentially extending to One Mile Beach, Boat Harbour and Anna Bay.
- This could not only relieve traffic and parking congestion but also improve amenity for all residents along all existing roads as well as supporting mitigation of adverse climate change impacts, by reducing vehicle emissions.
- It could also be integrated with major tourist attractions such as the Tomaree Coastal Walk (another NSW State initiative currently being planned), the One Mile Beach Koala Sanctuary, and with Port Stephens Council’s forthcoming Birubi Transport Interchange at Anna Bay.
- Short and long-term this is arguably the cheapest option and certainly the most environmentally sensitive, sustainable and appropriate for an area currently and appropriately promoted as *‘Incredible by Nature’*.
- Funding options for enhanced public transport should be explored in a holistic way, rather than, as at present, within ‘silos’ of different State budget allocations for road building and maintenance on the one hand and public transport subsidies on the other.
- As the congestion issues are most significant at peak holidays and seasonal weekends, a road user charge could operate during those times within a defined cordon area. Income generated could be dedicated to public transport services and facilities. Road user charges are widely recognised as one of the most effective ways to manage travel demand.

5. Option 3 is consistent with an alternative transport future for the Tomaree peninsula

- Even if Options 1 or 2 were implemented, most of the proposed works of Option 3 would be required sooner or later, and we submit they should be tried first to see if they sufficiently mitigate the real and perceived problems.
- Option 3 linking Dowling St to Shoal Bay Road would have alternative route options as well as signage, junction priorities and road marking changes to the existing roads – further consultation would be required to refine these options and choose an optimum package of improvements.
- Options to reduce congestion on Shoal Bay Road as part of Option 3 could include:
 - a. **Protect Shoal Bay Road** – Harden the foredune north of the road where dune and road are narrowest, and beach is eroding before more is lost to the sea. Left unchecked the existing road will eventually be undermined. Use modern ‘soft’ engineering techniques to ensure the marine environment is not impacted through sediment shifts and seagrass inundation.
 - b. **Widen Shoal Bay Road** – Consider selective widening of stretches of Shoal Bay Road where practicable.
 - c. **Enhance existing walk/bike path behind Harbourside Haven** to create a low cost alternative route only for emergency vehicles.

- d. **Consider pedestrian access** options across Shoal Bay Road to help reduce traffic congestion.
- Traffic is sufficiently slow on Shoal Bay Road to avoid the more dangerous high-speed vehicle accidents which are more likely to block road access than low speed accidents, reducing chance of a total road block.

Overstated Benefits of new roads

6. We submit that neither ‘new road’ option (1 & 2) delivers a critical missing function

Fire / emergency access is not advantaged, while fire risk increased.

- The *Route Options Proposal* states that Option 1 would not provide improved access for fire and emergency services (p.2).
- Both Options 1 & 2 increase fire risk as they expose more of the National Park to both deliberate and accidental sources such as cigarette butts and abandoned cars which elsewhere are frequently burnt.
- Option 2 would not improve access in a bushfire and is unlikely to significantly assist emergency services in other circumstances, other than in the unlikely event of Shoal Bay Road being completely inaccessible, coinciding with a medical emergency.
- Alternative emergency helicopter evacuation is an established and much more efficient and cheaper option for the occasional high care needs than costly new roads.

Reduced travel time is minimal and encourages more cars

- *Route Options Proposal* indicates Option 1 could potentially save (Fingal Bay) motorists ‘more than 6 minutes’ travel time during peak times, while Option 2 could potentially save motorists ‘more than 3 minutes’ travel time.
- This time saving is not a sufficient benefit to offset either the very high dollar cost of these ‘new road’ Options in dollars, or the adverse recreational and biodiversity impact on Tomaree National Park, its Worimi heritage and its water security value (see below).
- Furthermore, reduced travel time may encourage more car use which will make the situation worse, potentially cancelling out the savings, particularly given the lack of parking places in the eastern villages.

Safety is not improved

- More frequent and more serious accidents are likely on any new higher speed roads, and it seems likely that any new roads would have significantly higher limits than the 50km/hr limit on most of the existing road network in the area..
- While likely speed limits are not mentioned in the *Route Options Proposal*, route Options 1 & 2 would allow for high speed travel on a road with wildlife potentially crossing or accessing via junctions. The 1994 EIS¹ suggested the speed limit on any new road be reduced to 80kmh in light of potential wildlife collisions. The incidence of wildlife interaction would depend on the extent of fencing, which would be a significant additional cost. Wildlife tunnels could reduce the incidence but at significant extra cost again, and increased engineering complexity, visual impact and reduced recreational amenity (see below).

Adverse impacts of new roads understated

7. We submit that while the benefits of both ‘new road’ options have been overstated, their **adverse consequences have been understated**. Both ‘new road’ options (1 & 2) would hugely impact on environmental values including those of the Tomaree National Park and potentially on our water security

8. Major engineering project: Any new road through the park will not be a small scale low impact construction but a major engineering project

- Both Options 1 & 2 cross the Tomaree/Anna Bay sandbeds which are an important drinking water source. Protecting our water supply is paramount – only Option 3 ultimately protects this water source.
- Hunter Water standards would mandate any new road to be raised to contain drainage, thereby requiring extensive embankments. Typically new roads involve broad clearing on either side. A two lane road, each lane about 8m, with a 10m embankment and clearing either side — means a raised 40m swathe through the National Park, alienating sections of the Park from the main Park area.
- Furthermore, Option 1 traverses a steep hill, and the cut and fill required will be significant to create a reasonable grade, potentially creating massive impact on the national park. Even if mitigating measures are taken, experience shows that major road developments are hugely detrimental to the conservation values of any area.
- If the road was four lane – the number of lanes is not specified in the *Route Options Proposal* – an even wider corridor would be involved. The 1994 EIS¹ suggested that a new road would be built in two stages. The first stage will be the construction of a two lane road, which would ultimately be transformed to a four lane road with a divided carriageway. We do not know if this is still the intention but it seems likely.

9. Recreational value hugely impacted

- The *Route Options Proposal* fails to recognise the recreational value of this part of the Tomaree National Park. The 1994 EIS also failed to recognise any recreational use of the northern section of the park and the massive impact of a new road on park users.
- This northern section has unrecognised and unpromoted values. Many walkers, runners, cyclists and wildflower photographers access the Park’s northern section which links directly from Nelson Bay, Shoal Bay and Fingal Bay where an extensive track network extends between Shoal Bay to the Big Rocky Track.
- Option 1 alienates at least seven access points and more tracks than Option 2 which would alienate four access points from the track network.
- The Option 1 corridor is in a favoured wildflower haven seemingly with the greatest diversity of orchids in the national park. The 1994 EIS¹ reported flora surveys carried out at a time when wildflowers are least apparent and most orchids are dormant.
- Walking in the vicinity of a noisy road and under a tunnel is a completely diminished experience where we seek escape to a nature-based environment from an urban setting.
- The numerous wide tracks through the Park offering varied walking experiences have become even more popular during the Covid 19 emergency. Both new road options (1 & 2) have major visual and noise impacts on recreational users seeking escape from urban living.

10. Nature security: biodiversity and threatened species impacted

- **Alienation and fragmentation** – While Tomaree NP occupies a substantial part of the peninsula, it is not very wide at any point. Option 1’s impact on biodiversity values is significant, with a longer road requiring significantly more clearing, and alienating a larger portion of the National Park than does Option 2. In Option 2, the Shoal Bay wetlands, the most coastal of the Tomaree NP wetlands, would be alienated from the rest of the park; their connection with the sandmass to the south further supports their important role in supporting biodiversity.
- **Biodiversity impacts are significant** – The 1994 EIS¹ identified 11 endangered fauna species found in the study area, which correspond to the current Option 1. Fauna fencing, fauna underpasses and other measures would facilitate some protection and north-south movement through the park, however wildlife collisions and impacts would still occur. The EIS¹ revealed that wildlife populations, for example of koalas and carpet pythons, would be impacted, but at the time judged that these were adequately protected elsewhere such as in Myall Lakes National Park ... “*Any loss of individuals is not expected to affect the overall population status of the species, including the Koala and the Diamond Python.*”

- In the subsequent three decades that situation has dramatically changed, with continued habitat loss, urban encroachment and bushfires heavily impacting many species, and additional impacts of climate change unquantified. Most noteworthy currently are koalas, whose population security has plummeted. Wildlife in Port Stephens cannot tolerate more significant impacts on our nature reserves.
- The 1994 EIS¹ recognised the then proposed route, now Option 1, near Kurrara Hill and the Nelson Bay Golf Course where koalas, pythons, various macropod species and a diverse range of birds are seen
 “... to support a higher wildlife diversity and density than the eastern section, as well as a greater variety and higher quality of wildlife habitat.” Since the EIS¹, three orchid species are now known immediately in the impacted area and are of considerable concern, and additional flora and fauna species may now also be threatened – another reason an updated environmental assessment is required before any decision on the preferred road option. A few examples highlight the 1994 EIS¹ inadequacy in informing current biodiversity:
 - Subsequent to EIS¹, the Tomaree donkey orchid or Sand Doubletail, *Diuris arenaria*, has been identified and we understand only found on the Tomaree sand beds, with a stronghold within the corridors of both Options 1&2. Option 1 would have a major impact on this Endangered-listed species.
 - The Rough Doubletail, *Diuris praecox*, listed Vulnerable, has only recently been observed (August 2020) in the vicinity of the eastern end of Options 1 & 2, which extends its range northward further than previously mapped. The potential impact of such a nearby road is unclear.
 - Furthermore, a species of leek orchid yet to be named and thoroughly described [*Prasophillum spa ff. odoratum*] will be severely impacted by Option 1. Its numbers found so far are extremely limited, and we understand is only in this northern section of Tomaree National Park.
 - The Powerful Owl, listed Vulnerable, will be impacted by Option 2. This highlights the inadequacy of the 1994 EIS¹ on which much of the current biodiversity assessment is based, and underestimates the considerable impact of both Options 1 & 2.
- Introduction of **weeds and litter**: With either new road option (1 & 2), roadside vegetation could be expected to suffer from littering and weed introduction, further impacting Tomaree NP's biodiversity value (and visual appeal).
- While an updated EIS is essential, it is clear that Option 3 least impacts biodiversity and minimises threats to flora and fauna.

11. Increased development pressure on Shoal Bay and Fingal Bay is undesirable

- Local and regional plans³ do not envisage major population growth in Shoal Bay or Fingal Bay, which are both highly constrained with minimal ‘greenfield’ development potential and major environmental constraints – not least the Tomaree National Park. While there may be some potential for infill development, including from changes in demand for different housing types, most in the community would likely favour maintaining the existing character of both villages.
- Additional access to Shoal Bay and Fingal Bay by either new road option (1 & 2) would inevitably increase pressure for new development in the eastern villages. This would likely take the form of pressure both for a larger development footprint, including encroachment into public land, and for increased density and building heights.
- Landowners, including public authorities, may well seek rezoning, reclassification, and changes and variations to development standards including height limits.

³ Port Stephens Local Strategic Planning Statement and Housing Strategy (both 2020), Hunter Regional Plan 2036 (2016)

- Residents and visitors need to decide how much change to the character of these local communities they see as desirable, and how an additional road access would contribute to the pressures for change, which would also bring more cars and demand for parking in highly constricted areas.

Submitted on behalf of the Executive Committee of EcoNetwork Port Stephens Inc.

11 December 2020