

Sam Knight  
Regional Director  
Transport for NSW  
PO Box 477  
Wollongong NSW 2500  
[sam.knight@transport.nsw.gov.au](mailto:sam.knight@transport.nsw.gov.au)

1 August 2021

Dear Ms Knight

### **Moruya bypass project**

I am writing to you on behalf of the Moruya Bypass Action Group to express the deep disappointment and frustration felt in our community about the way in which the Moruya Bypass project has been handled to date. The Moruya Bypass Action Group represents a growing number of people in our community who have come together because they are concerned about the processes involved in the selection of the preferred Moruya Bypass corridor, as well as the impacts of this corridor on productive agricultural land, people's homes and livelihoods, local businesses, the environment as well as the amenity and social fabric of our town.

Along with other members of our community, we provided our submission to the Moruya Bypass project team at the end of June after attending an information session and reviewing the documentation that was publicly available, namely the Moruya Bypass Options report and, eventually, the 14 page Moruya Bypass FAQs. We believed that the 'preferred' or Orange option was just that, an option that was open for discussion with the affected community who will need to live with the legacy of the bypass for years to come. So we had hoped that our feedback and the issues we raised in our detailed submissions would be properly considered by the project team.

Our submission laid out our concerns both with the process and Transport for NSW's preferred option, which was presented, and justifiably interpreted by many people who therefore did not bother to make a submission, as a *fait accompli*. Other members of our community submitted their own feedback which covered a wide range of relevant and important concerns with the preferred option and the consultation process. I have attached a summary of the main concerns for your information.

The Moruya Bypass Action Group concluded its submission by asking the Moruya Bypass project team to rethink the timing of the project so that a comprehensive and transparent review of the short-listed options in the Strategic Corridor Options Report could be compiled on the basis of more detailed comparative assessments undertaken for each option. We also asked that the review be provided to the community who would be given time to fully consider it and make a more informed choice about which option they thought was best for the town, its residents, businesses and the people who visit it.

The Moruya Bypass page on the Transport for NSW website has an entry for June 2021 which says:

*We would like to thank the community for providing your feedback on the preferred strategic corridor option (where is the 's' given it was an Options Report?) for the Moruya bypass....this feedback will help inform further project development. All feedback will be*

*considered and issues and questions raised by the community will be addressed in a consultation report.*

To date we have heard nothing and no consultation report has been released. Yet we have learned that the Moruya Bypass project team has begun to contact certain landholders to negotiate specific route alignments through their properties and, in some cases, property acquisition. How can this be? What was the point of the community consultation if the Moruya Bypass project team already had a definitive route in mind? Why have an Options Report when in fact there never were any options as far as the community was concerned? This whole process is now viewed as a cynical exercise in going through the motions of consulting the community without actually listening to what they have to say, let alone acting on it. It confirms what we feared when we were originally 'consulted' immediately after the Black Summer bushfires and at the start of the COVID 19 pandemic via an online platform that many in the community could not access, let alone were even aware of, with the result that only 150 people out of a township of around 7,500 people responded.

The June entry on the Moruya Bypass page on the Transport for NSW website goes on to say:

*We will undertake further investigations to inform the concept design and environmental assessment phase of the proposal.*

According to the Options Report no detailed technical assessments were undertaken of the short-listed route options and the preferred route was chosen based on a subjective values assessment alone. Given that detailed technical investigations (biodiversity surveys, ground-truthing of vegetation and Aboriginal heritage consultations etc.) for the preferred route are not yet complete and risk identification and mitigation assessments will only be undertaken at the design stage for this route, it seems premature for the Moruya Bypass project team to be negotiating specific route alignments with affected property owners. Where are the results of the detailed technical investigations undertaken to date and what technical information are these negotiations based on? Is this just another example of the Moruya Bypass project team going through the motions of what should be a more rigorous and transparent process?

The preferred route for the Moruya Bypass will result in the direct loss of a number of homes and will impact other properties indirectly. The negotiation process that has now commenced pits affected landholders against one another. It is disgraceful and deserves to be condemned. We are seeing genuine suffering amongst those in our community who have already been through so much and are now having to fend off aggressive attempts to force them to make momentous, life-changing decisions without adequate time or information. There is an acute housing shortage within regional NSW, as well as a rental crisis. People who have lost their homes will find it very difficult, if not impossible, to find a replacement in this town let alone in the region. There is also a shortage of builders and, due to COVID 19, of building materials. This situation compounds the plight of those affected landholders. It has been raised with the Moruya Bypass project team but has fallen on deaf ears. In our submission we noted that the longer the bypass, the more properties that are impacted by it, either directly or indirectly. There is no information in the Options Report about how many properties or dwellings are likely to be affected by each of the short-listed options, yet this should have been an important consideration in choosing a preferred route.

On behalf of our community, the Moruya Bypass Action Group is asking Transport for NSW to:

- reconsider the timing of the Moruya Bypass project given all that our community has gone through in the last 18 months and are continuing to go through with the ongoing uncertainty around COVID 19 and the housing crisis that has hit regions like ours particularly hard;
- provide the community with comprehensive comparative assessments and costings plus detailed and accurate information on the scale and impacts for all the bypass options and give them time to digest this information as well as the opportunity to genuinely engage with Transport for NSW about these options once this current COVID crisis has passed;
- share feedback on the bypass options provided by the community in their submissions in a comprehensive and accessible consultation report (as per the commitment on the Transport for NSW website) which should then become the subject of further genuine community consultation in order to satisfactorily address outstanding concerns and arrive at an option which is acceptable to the majority of the community;
- place a hold on any discussions with potentially affected landholders until all of the above has occurred and only then undertake negotiations in a respectful, open and honest manner which fully acknowledges the right of these landholders to share the detail of these negotiations with their families, friends, neighbours and the broader community to ensure they make a decision that is right for them and their community.

The timeframe for a significant infrastructure project such as the Moruya Bypass should not be driven by election or budget cycles and discussions with the community should not be restricted to a small group of handpicked individuals who are not necessarily representative of the community and who attended one workshop and were sworn to secrecy by being forced to sign a confidentiality agreement nor should it rely on heavily biased surveys that blatantly favour Transport for NSW's preferred option.

We are aware that our neighbours in the Shoalhaven have had a similarly disappointing and frustrating experience in dealing with the Transport for NSW team working on the Milton-Ulladulla bypass. We therefore intend to collaborate with them in the lead up to next year's Federal election to shine a light on how some of the state's major road projects are being conducted in the regions and to fight for a better outcome for our communities in the seat of Gilmore.

Yours sincerely

Julie Morgan

On behalf of the Moruya Bypass Action Group

Cc: Julian Watson Director Princes Highway Upgrade Program  
[julian.watson@transport.nsw.gov.au](mailto:julian.watson@transport.nsw.gov.au)  
 Dan McClure Project Manager, Moruya Bypass [dan.mcclure@transport.nsw.gov.au](mailto:dan.mcclure@transport.nsw.gov.au)  
 Paul Toole NSW Minister for Regional Transport and Roads  
<https://www.nsw.gov.au/nsw-government/ministers/minister-for-regional-transport-and-roads>  
 Andrew Constance Member for Bega and NSW Minister for Transport and Roads  
[bega@parliament.nsw.gov.au](mailto:bega@parliament.nsw.gov.au)  
 Barnaby Joyce Deputy Prime Minister and Federal Minister for the Department of Infrastructure, Transport, Regional Development [minister.joyce@infrastructure.gov.au](mailto:minister.joyce@infrastructure.gov.au)  
 Fiona Phillips Federal Member for Gilmore [fiona.phillips.mp@aph.gov.au](mailto:fiona.phillips.mp@aph.gov.au)

**Attachment: Summary of main concerns with the Moruya Bypass process**

**Tick-the-box community consultation**

The community consultation undertaken for this project was minimal given the scale and impact that the bypass will have on the amenity and environment of the Moruya River floodplain. It was announced in the lead up to the 2019 NSW elections without any consultation with the community or local businesses. The first round of consultation was conducted just weeks after the Black Summer bushfires and at the start of the COVID pandemic and was entirely online. There was one weeks notice for this second round of consultation which comprised 2 community information sessions and 2 market stalls together with a 100 page online Options report, a brochure and a survey all of which promoted Transport for NSW's preferred route. This is not genuine community consultation.

**Lack of transparency**

The Options report describes 5 short-listed route options which were arrived at following a number of workshops. It concludes by identifying a preferred route which will be taken forward to the design stage. Information about these workshops such as who was involved, the methods used to score the various route options and detailed justifications for the route options chosen was not provided to the community. The whole decision-making process lacks transparency.

**Insufficient information**

According to the Options report, the preferred route for the bypass was chosen on the basis of community acceptance of the route based on the first round of community consultation, which was neither comprehensive nor representative, and a one day values workshop. No detailed technical assessments have been undertaken of the 5 short-listed options nor have there been any costings to determine the value-for-money of these options. Risk identification and mitigation assessments and other technical assessments are only now being undertaken, but only for the preferred route. These assessments should have been undertaken across all of the short-listed options in order to arrive at a preferred corridor option based on a fully informed analysis. Without this, how can the community be confident that the preferred option is indeed the best route for the bypass?

**Impacts**

The preferred Moruya bypass as proposed in the Options report will comprise an elevated 4 lane highway on 5m pylons spaced 40m apart extending for approximately 8 kilometres.

The preferred option crosses the Moruya River floodplain at its widest part. This will have a huge visual impact on the river and its surrounding landscapes as well as the setting of the Moruya township with its beautiful natural vistas. It will also affect the largest area of productive agricultural land along the river and cause major disruption to farming activities, as well as changes to the character of the affected farmland and the flow of floodwaters across this land. By crossing the Moruya River floodplain at its widest part, the preferred option will impact on the greatest area of high conservation value wetlands and threatened vegetation, as well as creeks that feed into these nationally important wetlands. The preferred route also cuts through a large remnant of endangered woodland that connects to extensive forest areas to the east severing wildlife corridors and making this route potentially more bushfire prone.

The longer the bypass, the more properties that are impacted by it, either directly or indirectly. There is no information in the Options report about how many properties or dwellings are likely to be affected by each of the short-listed options, yet this should have been an important consideration in choosing a preferred route. It would seem obvious that the shorter the preferred bypass route, the less the impact would be on farmland, dwellings, the environment and the visual amenity of Moruya.

The preferred bypass route has been located as far as possible from town to reduce noise impacts. However, Moruya's small business owners that rely on passing traffic outside peak holiday periods are concerned that the further the bypass is from town, the less likely it will be that travellers will visit Moruya, which is not in itself a tourist destination. All other bypasses on the south coast run along the edge of their towns which are visible from the highway. Regardless of where this elevated bypass is located, it will generate noise that will carry across the Moruya floodplain, particularly if the traffic is travelling at 100kph, as predicted by Transport for NSW. Other south coast towns that have been bypassed have noise barriers installed to reduce the amenity impacts on the nearby towns. There is no discussion in any of the documents about how traffic noise will be managed and there is no real consideration of the impacts of the bypass on small business.

### **Conclusion**

It seems that the main reason that the Transport for NSW project team chose the preferred option for the Moruya bypass was because of its distance from town even though it is longer, visually more intrusive, environmentally more destructive and will result in the direct loss of more property. It is also likely to have a significantly higher cost than any shorter option. Moruya needs a bypass, but the shorter and less destructive it is, the better. The community cannot support the preferred route for the bypass without fully understanding the scale and impacts of the proposal. The information that has been provided so far is not sufficient for the community to make a fully informed decision and we have not been provided with adequate time to ensure that that any decision we do make is the best one for the town and its residents.