

Our Ref: S012-T00026; S028 – T00018

30 June 2021

The Hon Andrew Constance MP
Minister for Transport and Roads
By email: bega@parliament.nsw.gov.au

Dear Andrew

Moruya Bypass Community Feedback

We are excited to see the Moruya bypass being planned for the immediate future. This is a critical piece of infrastructure for our community and the broader south coast region.

We also appreciate that Transport for NSW is currently engaging with the community on the preferred bypass route and has extended the time for responses until 28 June 2021 to allow additional time for the community to comment.

Council had a number of affected residents come and speak directly to the Council meeting held on 22 June 2021. A copy of their submissions is attached to this letter.

As a result of their submissions and the discussion at Council, it was resolved that:

“Council write to the NSW Government urging them to take into consideration:

- 1. the community feedback in regard to the economic impact of the preferred route for the proposed Moruya Bypass on the agricultural sector, noting the concerns that have been expressed by a number of landowners and residents*
- 2. include in their decision making the economic and visual impact on the retail and business sector and the environmental impacts*
- 3. the formation of a co-design committee similar to what was undertaken in the Shoalhaven Council area*
- 4. that the current section of the highway and bridge be retained as NSW government assets.”*

The submissions to Council included considerable commentary around the pros and cons of the preferred orange route compared to the yellow route or compared to the purple route. It is considered that it would be useful for Transport for NSW to provide additional information to the community on the detailed comparison between these potential bypass routes prior to making any decision on the final route.

In relation to point 3 of Council's resolution, advice was provided to Council that Transport for NSW had implemented a 'co-design' committee for part of the Ulladulla bypass project. Council was also directly involved with a select and diverse group of community representatives on an advisory committee for the Batemans Bay bridge project. We note that process was effective at exploring the detailed design issues on the Batemans Bay foreshore.

In relation to point 4, we again raise concerns about any proposal to hand back the existing Princes Highway to Council. This would add considerable burden through significant and ongoing additional depreciation and maintenance costs which would adversely impact Council services. Council is strongly of the view that the existing Princes Highway, including the Moruya bridge, should be retained as NSW Government assets.

Andrew, we also note that there are other whole of Government issues which will play a role in the acceptance of the new bypass. Council is very appreciative of the level of investment in Moruya including the new regional hospital. However, if this is not carefully managed, there is potential to attract existing trade away from the town centre. This would be a double blow to businesses on top of the loss of passing trade, and have a long term impact on the Moruya town centre, exacerbating adverse impacts from the bypass.

It is our view that the bypass offers a significant opportunity if the following can be achieved with the assistance of the NSW Government to provide a whole of Government solution.

- i) Provision of funding to create a new town plan for Moruya taking account of the bypass, regional hospital and a traffic and parking study.
- ii) Provision of the Eurobodalla regional integrated emergency services precinct which is badly needed and would bring additional permanent employment and business to Moruya
- iii) Provision of funding and delivery of identified supporting infrastructure including (but not limited to) key shared pathways (eg completion of South Head shared pathway, provision of a shared pathway connection to North Moruya industrial area), new road linkages (eg consideration of connection of William Street and Queen Street east from South Head Road to the Moruya CBD) and coupling/decoupling areas (eg potentially within the Moruya North industrial area to support business there).

If your office would like further information, please contact Council's Director Infrastructure Services, Mr Warren Sharpe OAM, directly on 0409 398 358 or email:

warren.sharpe@esc.nsw.gov.au.

Yours sincerely



Councillor Liz Innes
Mayor

EUROBODALLA SHIRE COUNCIL

PUBLIC FORUM

All members of the community who have registered have been advised that they have a **maximum of seven minutes** to put their case.

Ordinary Meeting of Council on **22 June 2021**

Name	Subject/Comments
Public Forum – 9.30am	
Wayne Rigby	NOM21/001 Moruya Bypass Community Feedback
Keith Dance	NOM21/001 Moruya Bypass Community Feedback
Chris Nicholson	NOM21/001 Moruya Bypass Community Feedback
Yvonne Matthews	NOM21/001 Moruya Bypass Community Feedback
Deb Curtis	NOM21/001 Moruya Bypass Community Feedback
John Murray obo Moruya Bypass Action Group	NOM21/001 Moruya Bypass Community Feedback

Wayne Rigby

My name is Wayne Rigby this presentation is base on my experiences living in Moruya area, living in area that have had bypass construction and my professional background.

I briefly outline my concerns about the Moruya Proposed Bypass the Orange Corridor.

Importantly I acknowledge that Moruya needs a Bypass to assist with Traffic flow into and around the Township. However, the preferred model proposed I have concerns with, when according to Transport for NSW report findings and outcomes there were 2 other preferred corridors.

Firstly, there will be a massive cost for farmers along the Proposed Corridor, the impending loss of land and income for those farmers can be devastating especially for those who rely on agriculture for their survival. The flood plain provides valuable pasture and other agriculture initiatives. During the development and construction of the Bypass process, the activity and restraints will affect financially the farmers means of income and survival. Land owners along and close to the Bypass will see a drop in land values, the drop in real estate may extend to the town itself {Taree experience}. What guarantee will the Transport for New South Wales give to ensure that the flood plain be restored to its original state for the farmers to continue to supply meat and other essential goods for the public.

I believe strongly that the township of Moruya will be adversely affected by the proposed bypass as to destruction of flood plains from the construction process, heavy machinery, spillage of construction materials, such as fuel and concrete, noise, fumes and vibrations. The possible damage to existing water drains which have been crucial for many years draining water from the flood plains into the creek and river is one of the valuable icons for the Flood Plain, how will these be protected from destruction? Some residents who live on the north coast informed me that they had problems with water draining away from the western side of the highway which caused flood water build up, Transport for NSW had to return following the completion to construct extra drains.

Studies overseas (United States of America) found that some freeways have had devastating and profound effects on rural, forest and greenlands as a result not only to the topography of the land but also effecting soil structure and water tables. Moruya Flood plains has the landscape structure that is naturally salty but when disturbed these soils can become acid, which can damage pastures, even harm or kill animals and plants. It is known that human activities can cause salt levels to rise this can have a major impact on the environment.

Wayne Rigby

The long-term effects I see will lead to an increase in acid sulphate, there is evidence already along the Flood Plan. Acid sulphate affects production of crops, pastures and trees by interfering with nitrogen uptake, reducing growth and stopping plant reproduction, in-fact as acid sulphate increases the soil becomes toxic. Although The NSW *Protection of the Environment Operations Act 1997* (POEO Act) focuses on protecting, restoring, and enhancing the environment within NSW, and reducing potential risks to human health and the environment, and the *Environmental Planning and Assessment Act 1979* (EP&A Act) ensures that environmental impacts of a development are assessed, my concern is that in five or ten years' time Moruya will have an enormous salt pan and other abnormalities associated with the bypass rather having a scenic drive of rich farming land, which is the current characteristic of Moruya itself.

Further to this traffic and road noise as well as vibrations will be problematic having the Bypass elevated amplifies road noise and vibrations. Some residents along the bypass Northern New South Wales (Wardell), had to sound proof their homes. To add elevated Bypasses are very noisy, travelling vehicles, especially freight vehicles can also create sudden noises, banging of load, goods falling onto the road, exhaust brakes, tyre noises can spook animals and birds and, in the flight, or fright reaction can be injured or be killed, this area is home of the Black Cockatoos and many other native bird species.

I am extremely worried about the protection of fish and other aquatic animals along the Moruya flood plains. Moruya has designated sites known as fish sanctuaries, one of them flows along the Malabar Creek into the Malabar Weir, and then flows into the Moruya River. This area is protected under The NSW *Fisheries Management Act 1994* (FM Act), and has an important role to protect biodiversity and ecosystem function for that area, to allow for marine life to flourish and expand undisturbed. This sanctuary zones have numerous benefits and is beneficial in the long run for recreational fishermen. Further to this it can be argued that the wellbeing of coastal communities often depends on having a healthy marine ecosystem. I cannot see that the Malabar Creek and Weir, a key fish habitat, will be protected during the construction and the upon completion of the proposed highway. In addition, the pollution from fuels and spills from traffic travelling the Bypass and the possibility of polluting the flood plain and the fishing sanctuary would be likely. Moreover, concrete itself may contain soluble salts, soluble salts cause efflorescence and toxic pollution, concrete itself is susceptible to cracking and leakages could be a disaster for a fragile for the marine park land ecosystem. To protect that environment would mean very high costs ensuring proper filtration and then there is always human error

Wayne Rigby

and breakdowns of filtrations operations, which poses another risk to the environment.

In addition, there is a Human Cost for this proposal. There is already stress and anxiety evident among concerned Moruya residents and locals, especially those who are reliant on farming activity and whose properties are going to be resumed. The overall health for Moruya residents is concerning both for the short and long term. Stress can have a ripple effect in small communities and may lead to behavioural problems such as increase drinking, cigarette smoking, drug abuse and violence. Stress is strongly correlated to physical health problems such as high blood pressure, sleeplessness, asthma, Heart conditions, rashes, abdominal problems and other physical disorders. Stress can be the trigger for anxiety, depression and can precipitate more serious mental health problems. The loss of land, houses will be extremely traumatic for some families even more-so relocating into other accommodation adds to the stress levels. The fall out could be ongoing and be with us for many years, can Moruya be able to cope with that?

I was the Health Service Manager (Mental Health) at Taree when the bypass was being constructed during that time. The stress, anxiety and depression rate increased, the loss and grief people suffered, placed extra burden on the medical, the health service, the mental health, and non-government organisations. Today, along the Pacific Highway such as Taree and other towns today is seen as a ghost town

The aim in the planning of any bypass should be to minimise risk to the land and people themselves, not maximise those risk factors.

Wayne Rigby

Response Paper 6th June 2021

My Name is Wayne Rigby, my wife Cheryl and I are one of the landowners along the Orange Corridor, my association with the South Coast is over 50 years, I came to the Area in the seventies and eighties to develop mental health services and at the same time was instrument in securing grants from state and federal government for sporting fields and assisting sporting bodies to develop.

I write this paper as an individual however I am part of the landowners and key stakeholders group. The paper is in response to Moruya Bypass Strategic Corridor Report May21

Firstly, I acknowledge the efforts of Transport for New South Wales progressing with the plans for a proposed built bypass for Moruya and identifying a preferred strategic bypass corridor, which is the Orange Corridor.

However, I do have several concerns based on my research experiences and past occupations as to the validity of findings. The rating of each criterion, on analysis for safety, resilience, liveability, sustainability, connectivity and accessibility it's not clear quantitatively written as to how each criterion matched the outcomes, the outcomes are written in qualitative language and does not reflect accuracy of the weighting for each criterion. Further-more leading up to the release of the report, the landowners, the Traditional Custodians were not interviewed. These stakeholders would have their own valuable qualitative experiences, the history, the local knowledge of topography and generations of farming knowledge which has not been weighted in the report.

In my opinion, the Orange Corridor is not the preferred option because of many factors, one being the very high costing to plan, develop and construct, compared to the Yellow Corridor which was also considered. The Orange Corridor is twice the distance of the Yellow corridor and follows across a very volatile flood plain where as the Yellow Corridor, follows a grounded rocky terrain and only half the distance. The Orange corridor infrastructure would be very difficult to maintain and sustainability would be an enormous task for current and future governments. As a tax payer the Orange option doesn't make sense, the payout of building and maintenance will be enormous compared to the Yellow corridor.

I believe strongly that the Yellow Corridor is the safest options, because of its length and sheltered corridor (trees and land), heavy vehicles such as semi -trailers, B-Doubles and trucks travelling south and have no need to go into Moruya, can turn onto the Yellow corridor before they reach a built up area, (before Percy Davis

Drive). The same for travellers who wish to travel to other areas south of Moruya. Therefor there would be less traffic travelling along the area between north of Percy Davis drive to Shelly's Road less traffic ensuring greater safety for residents and the Industrial centre.

The Yellow Corridor would not be in view of the general public whereas the Orange Corridor people would have full view. Macksville, New South Wales has a bypass which is not noticeable from the town, this would be in my opinion a better option for Moruya than having a lengthy concrete fly around.

There will be a loss of land and income for those farmers along the Orange corridor, as the flood plain provides valuable pasture and other agriculture initiatives. During the development and construction of the Bypass, the activity and restraints will affect financially the farmers means of income and survival. What guarantee will the Transport for New South Wales give to ensure that the flood plain will be maintained or restored to its current state to allow for continuing income and sustainability for farmers to continue to supply meat and other essential goods to the public.

I believe strongly that the township of Moruya will be adversely affected by the proposed bypass as to destruction of flood plains from the construction process, heavy machinery, spillage of construction materials, such as fuel and concrete. How will existing water drains which have been crucial for many years draining water from the flood plains into the creek and river be preserved?. There are studies overseas (United States of America) findings that some freeways have had devastating and profound affects on rural, forest and greenlands. Moruya Flood plains has the landscape structure that is naturally salty, however it is known that human activities can cause salt levels to rise.

The long-term affects I see may lead to an increase in acid sulphate . Acid sulphate affects production of crops, pastures and trees by interfering with nitrogen uptake, reducing growth and stopping plant reproduction, in-fact as acid sulphate increases the soil becomes toxic to plants as a result the plants are poisoned and dies. Although The NSW *Protection of the Environment Operations Act 1997* (POEO Act) focuses on protecting, restoring, and enhancing the environment within NSW, and reducing potential risks to human health and the environment, and the *Environmental Planning and Assessment Act 1979* (EP&A Act) ensures that environmental impacts of a development are assessed, my concern is that in five or ten years time Moruya will have an enormous salt pan and other abnormalities associated with the bypass rather having a scenic drive of rich farming land, which is the current characteristic of Moruya itself.

Further to this traffic and road noise as well as vibrations will be a problem having the Bypass elevated amplifies road noise and vibrations. I have feedback from resident who lives along a bypass Northern New South Wales (Wardell), and was told to me that the noise was so loud that Transport New South Wales had to sound proof his home. The Yellow Corridor has trees and earth to buffer some of the noise, the distance from residential areas noise pollution would be too the minimum. To add elevated Bypasses are very noisy, travelling vehicles, especially freight vehicles can also create sudden noises, banging of load, goods falling onto the road, exhaust brakes, tyre noises can spook animals and birds and in the flight or fright reaction can be injured or be killed, this area is home of the Black Cockatoos and other birds species.

I am extremely worried about the protection of fish and other aquatic animals along the Moruya flood plains. Moruya has designated sites known as fish sanctuaries, one of them flows along the Mallabar Creek into the Malabar Weir, and then flows into the Moruya River. This area is protected under *The NSW Fisheries Management Act 1994* (FM Act), and has an important role to protect biodiversity and ecosystem function for that area, to allow for marine life to flourish and expand undisturbed. This sanctuary zones has numerous benefits and is beneficial in the long run for recreational fishermen. Further to this it can be argued that the wellbeing of coastal communities often depend on having a healthy marine ecosystem. I cannot see that the Malabar Creek and Weir, a key fish habitat, will be protected during the construction and the completion of the proposed highway. In addition, the pollution from fuels and spills from traffic travelling the Bypass and the possibility of polluting the flood plain and the fishing sanctuary would be likely. To protect that environment would mean very high costs ensuring proper filtration and then there is always human error and breakdowns of filtrations operations, which poses another risk to the environment.

With respect to the Traditional Custodians, the Yuin People the Moruya flood plains and the identified Fish Sanctuary has significant cultural and spiritual values and requires preservation and protection of that land as the Nations hunting and gathering of traditional food, especially the eels, perch, flathead, bream, whiting and other species of fish was a way of life and survival. Some animals, fish and aquatic animal are today part of the life of the Yuin Nation, some are Totems for Aboriginal individuals.

In addition to the proposal and development and construction of the bypass there will be social and emotional issues, there is already stress and anxiety evident among concerned Moruya residents, especially those who are reliant on farming activity and whose properties are affected by the proposal, development and possible construction of the bypass. I was the Health Service Manager (Mental Health) at Taree when the bypass was being constructed during that time. The stress, anxiety and depression rate increased, this places extra burden on the health service and non-government organisations.

On a personal note, our property will be greatly affected from noise, air pollution (the fumes of fuel wastes), privacy and accessing our property safely.

Maintaining privacy would be a major concern for my wife and I as the proposed Bypass runs very close to our house. Our personnel business would be on show and viewed by passer byers.

Noise pollution would need to be considered, from my own experience the bypass along the north coast of New South Wales is extremely noisy, which is compounded more-so with expansion strips, The Yellow corridor would offer less noise pollution as the trees would buffer traffic noise. Moruya does experience extreme heavy southerlies and westerlies winds which can be a hazard to drivers especially heavy vehicles and caravaners and at times can be treacherous for those drivers, (I am a caravaner and can talk from personnel experiences). Gusty Winds across the Bypass would pose as a problem for my animals and native animals and birds, the noise from the wind may spook them, and as a consequence be at risk to injury or death. The Yellow Corridor offers more protection from those winds and for animals and birds. The Orange Corridor is more open which adds to the risk factor.

Air pollution would be another problem for my wife and myself, fuel and other fume extracts from vehicles and trucks travelling along the bypass can trigger off asthma attacks. My wife and I suffer from asthma.

We have concerns about the Bypass vibrations as overtime may crack our concrete infrastructure such as brick work and walls, our swimming pool and concrete floors.

I cannot see that the proposed bypass of 4 lanes wide is going to be safe travelling because there will be bottle necks at the north and south end of the bypass. The bypass narrows into single lanes at each end, for me I have problems believing that it will be safe for motorists negotiating into narrower roads, very unsafe and dangerous. For myself I see motorist coming off a wider highway onto a narrower highway has great potential for accidents. For myself then accessing our property will be more difficult than it is now, as we live on the northern side of the proposed bypass, at the beginning in-fact. Currently entering and leaving our property now can be dangerous having a more complex network of road structure would pose greater problems.

For my wife and myself to relocate and purchase another property similar to ours is highly unlikely, where would you find a parcel of land like the one we have now. This property is unique with nature, the trees, the birds including the Black Cockatoos and pelicans, the kangaroos, frogs, lizards and black snakes and many more to ensure their existence would be threaten if a bypass is built around and over our property.

In summary, The Moruya Bypass Strategic Corridor Report May21 has a bias view of the most favourable corridor. I believe strongly that the Yellow corridor should be the preferred corridor as the rigor of the Moruya Bypass Strategic Corridor Report May21 is questionable. The costing of the bypass, the sustainability and the risk factors especially environmental and the topography of the land findings are more favourable for the Yellow Corridor.

A handwritten signature in black ink, appearing to read 'Wayne Rigby', with a large, stylized initial 'W'.

Wayne Rigby

Submission to council Moruya Bypass 22nd June 2021

Thank you, councillors, for the opportunity to address council on matters concerning the public submission regarding the preferred route for the proposed Moruya Bypass.

As one of the 7 affected farmers impacted by this proposal, we, as a group are dismayed and frankly dumbfounded that this option was considered when the obvious choice, the Yellow option was not chosen. We are all long term owners of these flats, myself since 1978, the Affleck family well before that. The others are the Nicholson's by two, Whipps, Moruya Rodeo association and on the Southern side of the river the Collett family.

Contrary to what the planners thought none of these farms are hobby farms or lifestyle blocks but are the "value add" sectors of much larger farms which produce large numbers of calves to either be grown out, fattened or both to make the enterprises a viable business. I have turned off 216 calves annually for the last decade. For the three or more years of construction, the interference or completely curtailment of these farming operations will place enormous strain on these farming businesses. The damage to both the land and the protected waterways that is going to occur if this proposal happens will be enormous.

At our first meeting with the consultants, the highway was to be earth fill from Shelly Road to the edge of my property with bridges over Dooga and Mullenderee creeks. They were told that we had to not only move stock under the highway but tractors, implements and trucks through 4-meter culverts that did not fit. Within two days the highway became a bridge construction from Dooga Creek until it reaches Congo Road with appropriate clearance for south Head Road.

To build a 5-meter high 5.5-kilometre bridge with piers every 38 meters across a floodplain without any test drilling or soil sampling to understand the limitations is negligent. How for example during construction will they prevent contamination of the Protected Marine Estate of Malabar lagoon from the disturbed Acid Sulphate soils they will encounter, roadworks constructed for access for the heavy machinery needed for such a build? If for example they encounter wet weather or flood events as is currently happening it will be impossible to not only stop pollutants affecting waterways but also add to

inundation of properties on the floodplain and destruction of productive pasture lands.

This option clearly is fraught with difficulties and as stated by the consultants was the most expensive option but most likely much more so with the extra length of elevated bridgework required.

The Yellow Option from the highway just South of Percy Davis Drive is completely on Crown and forestry lands to East of the Granite Quarry and within a forest ecosystem that is common throughout the area. This option was chosen back in the late 1980's as the most direct route to the river, to link up to the road reserve from the river to the Congo Road, then to Noads Road and then linking to the highway at the RMS depot. This route impacts no private land North of the river, does not have the risk of harming the protected waterways and will not denigrate the rural view entering Moruya from the North.

There are concerns that the cut and fill will be an issue and will encounter rock. The works done North of Berry recently completed on that bypass shows that such engineering matters can be overcome. I have faith such difficulties will be overcome as we can attest engineers love a challenge.

On the Southern section, with common sense and compassionate thinking we should be able to minimise the interference or loss of homes. The Collett's have been told that the highway will go above the old Dairy therefore if the highway moves East to the open paddock as it meets Congo Road it should not need to affect the homes to the West of Congo Road. As it meets the juncture of Noads Road it needs to move West of Noads Road to then line up to where it will intersect the highway. At that intersection homes are under threat dependant on the design of the on and off ramps.

Traffic from Congo would need to divert on an upgraded Noads Road to get to Moruya which would require an extra 500 meters of travel. I am not aware whether the new hospital complex will have access from the Bypass or the entrance will be from just North of the intersection just below the Pear Tree estate entrance.

The Purple Option we were told was a not viable as it was too close to town, interfered with Riverside Park and too close to the Braemer Estate. I understand another 25 homes are to be built behind the TAFE college. The Purple option requires about 4.7 kilometres of elevated highway across the floodplain. The

bridge crossing may stop both the seaplane operation and the effective firebombing planes using the river to collect water for firefighting. The Yellow option bridge should not be a problem for these operations though the Orange Option bridge placement may be a hazard for the firebombers.

Councillors I know that this is a development that is outside your charter. When a development of this scale is envisaged, council will have input through the relevant departments involved. Many years ago, a plan was developed to bypass Moruya with the least effect on productive farming land, on people's homes and lifestyles. That plan is the Yellow Option and it would be in the best interests for the community if opportunity arises for council should you chose to promote the Yellow option. It will be the cheapest, and the quickest to construct and we think the most appropriate option.

If this bypass is built in the correct place, with common sense and compassion for the affected home owners and landowners the best result will be achieved for this community well into the future.

Thank you, councillors.

Submission to council Moruya Bypass 22/6/21

Thankyou councillors for the opportunity to address council concerning the preferred route for the Moruya Bypass.

My name is Chris Nicholson, I own and live on Mullenderree Flat on a farm called Hazelmere with my family where we fatten young cattle ready for market. We have done this for many years. My father Garry Nicholson owns and runs a larger farm on Mullenderree Flat called Shannon View where he breeds and fattens young cattle ready for market. Both properties are used in conjunction with other properties outside of Moruya as this enables us to use this most fertile ground to its fullest. These flats are not just very iconic to Moruya, but the best way to make farming viable. These flats turn an incredible amount of saleable beef per year. We have both been notified by Transport NSW that the proposed orange bypass route will go on and through our properties. This will be a massive problem for day to day works around already busy farms.

There will be all sorts of problems encountered such as the problems with wet weather. We have had 3 flood events already in 2021. Working around construction sites with hundreds of stock would be very difficult. Gravel service roads will cause big problems in the events of floods. This will also cause a damming effect, causing damage to homes and causing problems with stock.

We are concerned about contamination to the stock water supplies. We are concerned about loss of pasture for stock. We are also concerned about the wellbeing for cattle, especially mother cows with calves at foot.

Heavy and loud machinery will cause issues for stock. This machinery will also cause soil compaction. Biosecurity measures will also be very hard to maintain given that there are 7 properties on Mullenderree Flat that will be impacted. The bypass road will need to be 5 metres high so we can access paddocks with tractors and trucks for fertilizing and hay purposes. The bridge piers are about 40 metres apart, so what happens to the soil that will be turned into salty mush? Acid sulphate soil is already a problem where the powerlines go through Shannon View. The pasture will not grow in these areas as this environment is very delicate. This impact has been evident for the past 20 years.

Mullenderree Flat is a great big boggy flat that runs in to Malabar Lagoon Marine Park. These waterways are so real that they are alive with all sorts of animals that rely on a clean environment. Precautions surrounding this have already been adopted by local Landcare and all waterways have thus been fenced off and protected from stock to preserve it. When this environment is impacted by heavy machinery, acid sulphate will have a detrimental affect to all users.

The proposed 5-metre-high bridge for approximately 5 kilometres will be the longest bridge in Australia. This is not what Moruya is about. Can you imagine how noisy this will be? Can you imagine what an absolute eyesore this will be? This is not what I want my children to be looking at in Moruya. It goes against everything our community in a small country town stands for.

The orange proposed route will be at a massive cost. Why would you build a bridge that would have to be higher and longer and more expensive to build and to maintain when you have another viable option? The yellow route option just makes more sense. It is shorter, much easier to build and maintain and much less expensive. The yellow option is the correct route. This was designed 30 years ago, and it is still the best option. It is to be run on crown land and forestry land on the north side and crown road reserve on the south side through the now owned Collett family property. This road reserve has been known by locals as the bypass route for decades.

The other options that people are talking about is the purple option. This would be a waste of time and money as it goes straight through town and between housing estates. The bridge would be about 500 metres from the existing bridge and with all this being said, would not be a bypass at all.

Councillors please if you can do anything, it would be to promote the yellow option. This option will reflect the Moruya way of life and preserve our magnificent Mullenderree Flat. If the bypass is built using the yellow option, it will impact the least amount of people and homes. It will have the least impact on agriculture and agricultural businesses. It will have the least impact on the environment, and it will be the easiest and most cost-effective way to build and maintain.

Thank you, Councillors.

Moruya Bypass Strategic Options Report.

A Bypass around the Moruya township is a **GREAT idea**. But the Orange Corridor is the **wrong location** for it.

In the area of Sustainability, I would contest a score of #1.

A 6-8 km bridge and 5 ms high made of concrete which traverses a flood plain can't be deemed Sustainable for the following reasons

1. Page 20 of the Report, states that NSW Government has classified Mullenderee flat as an extremely vulnerable, highly valued environmental wetland. It has been classified a 'Coastal Wetland' (CM- SEPP) and is thereforeOn an unsuitable location on environmental grounds.
2. Page 22 of the Report acknowledges that the corridor is in very close proximity to a NSW Govt declared Marine Park Reserve (Marine Estate Management Act 2014) and says that the purpose of the Act is to *'provide the highest level of protection for habitats, animals, plants, and areas of cultural significance*. The chemicals, sediment and contaminants from 8000+ vehicle movements per day , threaten the viability of this natural environment. Placing the road through this area is incongruous with the intention of the Act, which is to protect not destroy the Marine Park.
3. Page 22 of the Report references the Fisheries Management Act 1994. There are several areas mapped as key fish habitat within and near the investigation area, including Moruya River, Malabar Creek, and their tributaries These habitats are also protected under the Fisheries Management Act. The FM act was created to protect the fish habitat, which means the Orange Corridor is antithetical to purpose of the Act.
4. Page 86 of the Report, concedes that there will be ongoing maintenance costs arising from the need to treat the contaminated stormwater which the 8 km bridge will create. The document states (p 86) that *'..... acceptable methodology for stormwater discharge and treatment requirements from long bridges'* . Despite the patent ongoing expense and the use of energy required to run these filtration plants, NSW Transport claims this is the best option for sustainability.
5. Construction risk. As mentioned in the document, construction on a flood plain is fraught with perils, if an adverse weather event occurs. And yet you contend that the choice is the right one. If a flood or partially flooding occurs during construction the toxic construction material will wash into Malabar Creek and Lagoon, no matter how robust the measures are in place to prevent the contamination.
6. Finally, I'm sure you are aware of the scientific, indisputable fact that one ton of concrete produces, one ton of Carbon Dioxide ($\text{CaCO}_3 \rightarrow \text{CaO} + \text{CO}_2 \text{ (g)}$). How can NSW Transport maintain that the Orange Corridor is Sustainable when it will put thousands of tons of CO2 into the atmosphere in order to build it. Sadly, the

Orange Corridor will be a significant contributor to climate change since it's made of many tons of concrete.

Conclusion:

From the data provided in the Report, I conclude that the Orange Corridor is the least sustainable.

And that another corridor should be chosen. Either the Yellow Corridor which has none of these serious impediments or the Purple Corridor which is shorter and therefore imperils far less of this high value environment.

Title: MORUYA BYPASS COMMUNITY FEEDBACK

Deb Curtis presentation to the Ordinary Meeting of Council on Tuesday 22 June 2021 supporting Councillor Browns Notice of Motion NOM21/001 and asking for it to be expanded to include the economic impact of the preferred route for the proposed Moruya bypass on the business sector, as well as the agricultural sector.

‘Good morning. Thank you for the opportunity to address Council on this issue. I am presenting as a Moruya business owner who will be impacted by the preferred Orange corridor option for the Moruya Bypass.’

I do not consider that Transport for NSW has undertaken a comprehensive community engagement process in relation to their selection of the preferred Orange corridor route for the Moruya Bypass.

I am an advocate for transparency and a believer in the positive benefits gained from adopting this approach. I feel there has been poor transparency from the outset with the community consultation process conducted by Transport for NSW and after attending their information session I still believe this is so. The survey given to us by Transport for NSW to complete only asks for feedback on the Orange Corridor as though it is a fait accompli. The more transparent (or fairer) approach would have been to offer the survey in a more open format allowing respondents to comment in the way they needed to. I realise that approach may prove unwieldy but given the findings for the Orange and the Purple Corridors scored as the most favourable, perhaps both could have been included and not just the one that the Transport for NSW committee prefers.

Page 88 of the Moruya Bypass Strategic Corridor Options Report talks about ‘following consideration of community and stakeholder input, the outcome of the Value Management Workshop (VMW) etc’ I feel we should know how, who and why participants were chosen to participate in the VMW as I am not aware of any businessperson in town that would agree to the Orange corridor being adopted.

On June 10 Transport for NSW visited several businesses (after the Report was released and four days before submissions closed) and were shocked to find little support for their preferred bypass option.

It is my understanding (from reading the Report and discussing it with other town leaders) that the Purple Corridor (the original option) is the better corridor all round and the one that needs to be adopted.

Each of the proposed corridors will improve road and traffic safety, not just the Orange one.

The Orange Corridor is too far away from the town. The Purple Corridor is not and will ensure a better survival rate for businesses in the town. Travellers will not visually see the town as they 'fly' past and will perceive the town as too far away and time-consuming, deciding to stop at the next town where it will be quicker/easier to stop. Not every driver/traveller/tourist will make a considered decision about whether it is worthwhile to turn off and drive into Moruya when they can't even see it. It will be reactively/emotionally perceived as not quick enough. As an example, the turnoff to Berry, whether driving north or south is adjacent to the town, so it is a no-brainer in terms of time and convenience to turn off and go into town. As a result, Berry retailers did not suffer deep economic losses. That will not be the case with Moruya which is also not economically buoyed by Berry's proximity to the eastern suburbs of Sydney and its money. It is also important to add that Moruya is not a destination town like Berry is.

At present there is not enough in the town of Moruya to lure people to want to drive off-route to see the town when they can't see it from the road. I understand there is a Chamber Committee working on strategies to improve this for the future but realistically speaking this will take a few years at least. Some local businesses will close if the bypass is located too far away and others remaining will struggle. We can say that the struggle will only be for a limited time but most business owners that I know personally would not be able to sustain the loss in trade for two years or more given that most business owners use their homes as collateral to operate their businesses.

Like myself, we are still recovering from the significant financial loss caused by the fires, then closely followed by COVID and the continued losses from it.

After the Transport for NSW Information Session on the Preferred Corridor Option, a small group of business colleagues that have retail businesses in the town spoke to each other. One leading retailer told me that he was not going to invest any more money in his business if the Orange Corridor was adopted because he felt people would not take the time to drive into Moruya. I and other leading retailers feel the same as he does.

In summary, whilst I, in no way underestimate the value and importance of Connectivity & Accessibility, Safety, Resilience, Liveability and Sustainability, it is paramount that Council understands the importance of protecting the towns commercial enterprises because without these businesses (or even a diminished number of them) there will be no reason to visit the township. I feel we owe the businesspeople that have invested their lives and their money in the town more

real/genuine consideration and respect with specific regard to the corridor that is adopted. I support the Purple Corridor as do other businesses in town.

I therefore request that Councillor Brown's Notice of Motion be expanded to say that *Council write to the NSW Government urging them to take into consideration the community feedback in regard to the economic impact of the preferred route for the proposed Moruya Bypass on the agricultural sector **as well as Moruya's retail businesses**, noting the concerns that have been expressed by a number of landowners, residents and **business people**.*

Thank you for your attention.

Moruya Bypass Action Group Presentation to the Ordinary Meeting of Council on Tuesday 22 June 2021 Supporting Councillor Brown's Notice of Motion NOM21/001 Moruya Bypass Community Feedback and requesting it be amended to include the creation of an independent co-design committee for the Moruya bypass.

Good morning. Thank you for the opportunity to address Council and the community. I am presenting on behalf of the Moruya Bypass Action Group which represents members of the Moruya 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, properties, local businesses, the environment as well as the amenity and social fabric of our town.

We believe that the Moruya community deserves the best bypass solution possible. Despite Councillor Brown's confidence in the community engagement process, we are greatly concerned about the tokenistic community consultation undertaken to date by Transport for NSW on the Moruya bypass, which is without doubt the most significant project ever undertaken in our town. The community has been given insufficient and at times conflicting information about the various corridor options, with little time to consider whether the preferred option is the best one for our town and community.

Our group has mushroomed to over 100 (and still growing) since the 21st May when the preferred option report was released. Our members have submitted a wide range of feedback on the options report, often times "copying in" the local member Andrew Constance, relevant Ministers, Federal MPs and this Council. We also requested more detailed information from Transport for NSW, and gained media coverage through newspaper articles and radio interviews.

The sense within the community is that this project is being rushed through based on an inadequate and untimely community consultation. The consultation occurred just a few weeks after the catastrophic "black summer" bushfires had ravaged our community, and during the initial lockdown period from the COVID-19 pandemic. This was not the time to ask the community to provide feedback on a project of such long-lasting and strategic importance.

It was hoped that answers and additional information would be provided by Transport for NSW at the community information sessions held between the 22nd and 27th May, but this did not occur. Instead, the community was confronted with stock answers drawn from an inadequate options report, together with a dubious questionnaire designed to deliver support for the preferred option. No additional information was provided, and many critical questions were unable to be answered. Transport for NSW finally released 14 pages of supplementary information on the 10th June,, only 4 days before the closing date for submissions on 14th June (a holiday weekend Monday).

The supplementary report refers to several workshops held to consider the various route options for the bypass corridor. Only one of these workshops included community representatives, and it is not clear who the community representatives were or how representative they were of the community. These representatives were also required to sign a confidentiality agreement before participating in the workshop, preventing community access to any outcomes and associated information. The supplementary report states **“the final workshop was not definitive on reaching a consensus on the preferred strategic bypass corridor option due to a number of differing views by workshop participants”**. The final submission to Transport for NSW recommended further work be done on the Orange, Purple and Yellow corridor options, with additional consideration for a hybrid Purple option.

We are also concerned that the consultation process so far has not provided any real information on the future maintenance and management of the existing bridge crossing the Moruya River, which has significant implications for Eurobodalla Council’s own ratepayer-funded infrastructure works program.

It is notable that there has been a surprising lack of formal consideration or advice provided by Eurobodalla Council on the Moruya Bypass, as reflected in its meeting agenda papers. This is despite Council being a participant in the September 2020 Value Management Workshop used to select the preferred route. There have not been any Council agenda items on the Moruya bypass since community consultation commenced in March 2020. In fact, there has been only one formal agenda item mentioning the Moruya bypass since it was announced in March 2019. This took the form of Notice of Motion 19/007 in October 2019 by Cllr Lindsay Brown, who requested that Council write to Transport for NSW regarding questions around consultation with Council and compensation for affected businesses in Moruya. There is no mention in any subsequent agenda papers of responses provided to these questions.

We note that Transport for NSW has recently responded to concerns raised by the Shoalhaven community regarding the proposed route for the Milton-Ulladulla bypass by announcing the creation of a co-design committee for that project. The co-design committee will be an independent committee of community stakeholders, residents, government agencies and Transport representatives. This committee will identify and recommend an option for the bypass. Once identified, that option will be shared with the wider community for feedback.

We think that the complexities and impacts of the Moruya bypass are of sufficient scale and magnitude to justify a similar co-design process for the Moruya bypass.

On the basis of the information presented today and the overriding importance of this project to the town of Moruya and its community, we ask that Councillors agree to amend NOM21/001 to say that Eurobodalla Shire Council write to the relevant Ministers as well as Transport for NSW requesting the creation of an independent co-design committee for the Moruya Bypass. The committee would run on a similar basis and terms

of reference to those announced for the Milton-Ulladulla bypass. This co-design committee should also examine the future management and maintenance of the existing bridge over the Moruya River, as this is a vital community asset whose longer term future must be assured.

We will only get one chance with a major project like this, so we need to make sure that Transport for NSW invests the time and resources to get this process right.

Our town and our community deserve no less.

Thank you for your attention

John Murray

on behalf of

The Moruya Bypass Action Group

Note 1 : Further details on the Milton-Ulladulla Co-Design Committee can be found at :

<https://roads-waterways.transport.nsw.gov.au/projects/princes-highway/burrill-lake-to-batemans-bay-upgrade/index.html>

Note 2 : Attached to this presentation is a Summary of Issues of Concern regarding the current preferred route and consultation processes for the Moruya Bypass as a reference for what we believe to be key areas that need to be properly addressed by Transport for NSW.

SUMMARY OF ISSUES OF CONCERN

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 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 (see photos below of Kempsey bypass, which is of similar construction to that of preferred option)



Kempsey bypass under construction.



The Kempsey bypass on opening day.

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.